

COMMUNITIES DIRECTORATE
CUSTOMER SERVICES

**DISABLED FACILITIES GRANT
POLICY**

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DISABLED FACILITIES GRANT POLICY

1.0 INTRODUCTION

- 1.1 This document sets out BMBC standard for the delivery of disabled adaptations. It explains the responsibilities of different Council services in assessing needs and determining what is provided to applicants for Disabled facilities Grants (DFG's) Demand for DFG's continues to be high, and in order to ensure that disabled people do not wait longer for the adaptations they need, this standard aims to set out what support applicants can expect to receive and how referrals are made and prioritised.

2.0 PURPOSE

- 2.1 The purpose of this policy is to assist all officers involved with the assessment, management and provision of major adaptations in the interpretation and implementation of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (The Order) so far as it relates to the adaptation of the homes of disabled people.
- 2.2 This policy sets out how Barnsley Metropolitan Borough Council will provide both mandatory and discretionary Disabled Facilities Grants (DFG's) for adaptations in private sector residential properties.
- 2.3 This majority of this policy clarifies legislative requirements however it does include local elements developed to meet the needs of disabled people living in Barnsley and provide a more responsive service
- 2.4 This policy contains information on eligibility for grant assistance relating to applications, approval, payment of grant, other relevant conditions and exceptions.
- 2.5 This policy has been developed to ensure fair, equitable and consistent treatment for all disabled people who require the Councils assistance in adapting their home.
- 2.6 This policy will remain in force until such times it is reviewed and amended to take account of any funding changes. To ensure the local elements of this policy remain relevant to meet local need (Section 5.29-31 & Appendix A) this policy will be subject to regular review

3.0 SCOPE

- 3.1 This Policy shall be applied in respect of any request for assistance to fund an adaptation by means of a DFG mandatory or discretionary grant.

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4.0 RELATED DOCUMENTS

- 4.1 Housing Grants, Construction and Regeneration Act 1996 (The Act)
Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 (The Order)
The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to the approval or Payment OF Grant)
General Consent 2008
Care Act 2014 (Adults)
Chronically Sick and Disabled Person's Act, 1970 (Children)
Children and Families Act 2014
Equipment, Adaptation & Sensory Impairment – Adaptation Guidelines
Equalities Act, 2010
Barnsley Housing Strategy Service, 2014-2033
BMBC Procurement Policy

Other legislation that influences and supports adapting Homes is:
Health Service and Public Health Act 1968
Housing Act 1985
Carers and Disabled Children's Act 2000
Children Acts 1989 and 2004

5.0 POLICY

- 5.1 ***Criteria for Adaptations:***
Any adaptation scheme for which a Disabled Facilities Grant is sought must meet the relevant requirements set down for such grants in The Act and The Order.

Within this policy adaptations are categorised as either minor or major adaptations

Minor Adaptations:

Barnsley Metropolitan Borough Council has a responsibility to provide minor adaptations, which a person has been assessed to need and for which he or she is eligible, free of charge provided the costs (including fittings) is less than £1000

Examples of minor adaptations are:

Grab Rails

Drop down rails

Handrails – wooden rails usually needed on stairways.

Metal rail to external steps.

Major Adaptations:

Major adaptations are significant and permanent alteration to a property and within private sector properties this covers adaptations over £1000.

Examples of frequently requested major adaptations are:

Stair Lift

Level access shower

Ramp

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The Council also funds the Handy Person's Service delivered by Barnsley Home Improvement Agency. This service carries out small repairs and odd jobs around the home to support people's wellbeing and keep them secure and safe at home. This service is free to residents aged 60 years and over, or people of any age living with disabilities or life-long limiting illness.

Examples of work undertaken:

Supply and fit door locks.

Supply and fit key safes

Supply and fit plastic and metal grab rails

Supply and fit handrails.

This policy is mainly concerned with the provision of major adaptations.

5.2 ***Eligibility:***

A person if disabled is eligible for a Disabled Facilities Grant assistance for adaptation that is assessed as being 'necessary and appropriate' and that is 'practicable and reasonable'

For the purpose of the legislation relating to Disabled Facilities Grants a person is defined as being disabled if:

- Their sight, hearing or speech is substantially impaired
- They have a mental disorder or impairment of any kind; or
- They are physically and substantially disabled by illness or impairment present at birth or otherwise.

A person aged 18 or over is taken to be disabled if:

- they are registered as a result of any arrangements made under section 29(1) of the National Assistance Act 1948, or
- they are a person for whose welfare arrangements have been made under that section or might be made under it.

A person aged under 18 is considered to be disabled if:

- they are registered in a register of disabled children maintained under the Children Act 1989, or
- in the opinion of BMBC Social Services they are a disabled child as defined for the purpose of Part III of the Children Act 1989.

The Council will only support adaptations that are essential by reason of the applicant's disability.

Adaptations will not be considered to overcome social problems or overcrowding

Registered Provider Properties / Housing Association Properties

- The Council cannot in law refuse to process a properly completed application if the eligibility criteria and processes are satisfied whether it

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is received from an owner-occupier or tenant. However there is a clear expectation that all Registered Social Landlords should fund or contribute to the cost of adaptation work undertaken within their properties.

It should be noted that responsibilities for housing adaptations in council owned properties lie with Berneslai Homes. Tenants in these properties do not have recourse to apply to DFG funds.

Information about adaptations for Berneslai Homes tenants can be found at :

<https://www.berneslaihomes.co.uk/repair-your-home/equipment-and-adaptations/>

5.3 ***Necessary & Appropriate:***

In reaching a determination as to whether works proposed are necessary and appropriate the Council will consult with the Occupational Therapy team. An Occupational Therapist will visit and assess the disabled person's needs and where necessary will consult with DFG officer when advice relating to a technical matter is required. The Council will accept the work recommended in the Occupational Therapy referral as that which is necessary and appropriate to meet the disabled person's needs.

5.4 ***Reasonable and Practicable:***

The Council must be sure that it is reasonable and practicable to approve a grant for adaptation having regard to the age, condition or suitability of properties, for example:

- Where there are multiple or excessive changes in levels.
- Where the property is in a poor or dilapidated condition.
- Where the moving of any existing services would be prohibitively expensive
- Where the property is a listed building or in conservation area and the proposed adaptation would be prohibitively expensive or inappropriate.
- Where the adaptation work would have a detrimental effect on other residents.
- In cases where it is not possible to adapt a property to an appropriate standard or where the cost of the work is considered excessive the Council will take the view that the work is not 'reasonable' and 'practicable'.

The Council will accept the advice of a DFG Project Manager/Officer in the determination that the proposed work is 'reasonable' and 'practicable'.

5.5 ***Referral Priority***

The Occupational Therapist assigns a priority to every referral they make for a DFG.

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Priority A is assessed as individuals whose adaptation(s) should be a priority due to their identified level of risk i.e. there is a serious and imminent risk to health and safety, or the person has a progressive illness which is likely to deteriorate rapidly and become unmanageable within their current environment without the provision of the identified adaptation(s)

Standard Priority is those that do not meet the criteria described above but who are considered to be at risk and have an acknowledged need for the recommended adaptation.

Referrals are processed by priority and in date order of request.

5.6 ***Mandatory Disabled Facilities Grant – Legislative Framework***

- DFG's are mandatory grants and are available to disabled people when work to adapt their home to meet assessed needs are judged necessary and appropriate, and when it is reasonable and practicable to carry them out having regard for the age and condition of the dwelling.
- DFG's are subject to means-test except in the case of a child. This means that an applicant's income and savings have to be assessed to determine the amount of contribution that they must make towards the cost of the required work and the amount of grant available to them. The way that the means-test is carried out is set within the Regulations and the Council does not have any discretion as to how it is applied. Applicants who are in receipt of certain benefits which are referred to as a pass porting benefits are however exempt from the means test (5.9)
- The maximum grant amount is set by statute and is currently £30,000. This amount is reduced by the contribution assessed as payable by the applicant under the means-test.
- It should be noted that Grant money can be recovered following the sale of an adapted property within 10 years of payment providing the Council 'is satisfied that it is reasonable in all circumstances to require the payment'. Grants below £5,000 are excluded and the maximum amount of grant recoverable in any case is limited to £10,000.
- A DFG can only be approved for the disabled person's main residence.
- An application for a DFG by a property owner or landlord must be accompanied by an owner's /landlords certificate.
- In the case of an owner application the intention must be to live in the property as their main residence throughout a period of five years. In the case of a landlord the property must be let or available for letting for the whole five year period. If the property is not available or let or ownership is sold or transferred within a five year period, the grant up to £10,000 plus interest will be repayable to the Council.

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- *Dual Residency of a Disabled Child* – Where parents have joint custody of a disabled child only one property will be classed as the main residence for the purpose of a mandatory DFG. The main residence will be determined by whichever parent receives child benefit. This property may or may not be within the Barnsley Borough although the Council would only be liable for mandatory grant to any property within the boundaries of Barnsley.
- *Disabled Child in Foster Care* – A DFG can be granted for a disabled child in foster care providing the likely length of care at the property is expected to be years rather than months. In such circumstances the grant will be discretionary not mandatory and will be subject to available funding at the time. However due to the diverse circumstances surrounding children in foster care each case will be considered on an individual basis taking into account any local agreements and protocols in place with Children's Services as appropriate.

5.7 **Work Eligible for Mandatory Grant:**

The purpose for which a DFG is given can be summarised as follows:

- Enabling Access – grant may for work to remove or overcome any obstacle(s) which prevent the disabled person from moving freely into or around the home, access to the garden and enjoying the use of the dwelling, facilities and amenities within it.
- Making a Home Safe – grant may be given for certain adaptations to the dwelling to make it safe for a disabled person and other person's living with them. This may include 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 difficulties.
- Access to a room for sleeping – grant may be given for the provision of a room suitable for sleeping where an adaptation to an existing room in a dwelling (upstairs or downstairs) or the access to that room is suitable. Where the disabled person shares that room with a spouse or partner a grant may be given to provide a room of sufficient size so that normal sleeping arrangements can be maintained.
- Access to a bathroom – Grant may be given for the provision of , or access to, a WC, washing, bathing and/or showering facilities.
- Facilitating preparation and cooking of food - grant may be given to rearrange or enlarge a kitchen to improve the manoeuvrability for a wheelchair and to provide specially modified or designed storage units, worktops areas etc. Where most of the cooking and preparation of meals is done by another household member, it would not normally be appropriate to carry out a full adaptation of the kitchen. However, it may be appropriate to carry out certain adaptations that enable the disabled person to perform minor tasks in the kitchen such as preparing light

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meals and drinks.

- Heating, lighting and power – grant may be given to provide or improve the existing heating system in the dwelling to meet the disabled person's needs. A grant would not be given to adapt or install heating in rooms which are not normally used by the disabled person. The installation of central heating will be considered where the well-being and/or mobility of the disabled person is adversely affected. Provision will also be made for the adaptation of heating, lighting and power to make them suitable for the use of the disabled person.
- Dependent Residents – grant may be given for work to enable a disabled occupant better access around the dwelling in order to care for another disabled person who normally resides there whether or not they are related to the disabled person. Such work could include adaptation to part of the dwelling to which the disabled person wouldn't normally need access but which is used by the person for whom they are providing care therefore it would be reasonable for such work to be carried out.
- Common parts – grant may be given for work to enable access to a dwelling through common parts of a building.
- Access to the garden – Adaptation to facilitate access to a garden will only be provided if recommended by a Occupational Therapist.

5.8 ***Repair or Renovation Works***

Repairs or remedial work will not normally be part of a DFG. Where such work is required the owner of the property will be responsible for carrying these out and the Council will not normally approve any DFG until such work is completed to the satisfaction of the Council.

Similarly where remedial or repair work is discovered when adaptation work is underway this will be the responsibility of the owner to fund before the adaptation work can proceed/ continue. In exceptional circumstances, assistance (mandatory or discretionary) may be available for remedial, repair or unforeseen work subject to the availability of resources.

The Council reserves the right to request the owner of a property provide an electrical safety certificate and a gas safety certificate as applicable prior to any work starting.

5.9 ***Application for a Disabled Facilities Grant***

- Owner-occupier's and tenants, licensees or occupiers who are able to satisfy the criteria in the Housing, Grants, Construction and Regeneration Act 1996 are eligible to apply for a DFG.
- Private landlords may also apply for a DFG on behalf of a disabled tenant but must also satisfy the requirements of the Act.
- A landlord's written permission must be obtained before a DFG can be

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approved. Where a landlord withholds permission for the work to be undertaken a grant cannot be given. Furthermore, where the owner of a privately rented property cannot be located, or as died and the property is in probate a grant cannot be given.

- The availability of a grant is dependent on all the following criteria being met:
The work being necessary and appropriate
The work being reasonable and practicable
The applicants' mean-test contribution being less than the approved value of the grant.

5.10 ***Test of Resources***

In accordance with the Act all applicants for a DFG are means tested except in the case of a child. The test of resources only takes into account the resources (income and savings) of the disabled occupant and /or their spouse or partner where applicable and where practicable. It does not take into account outgoings.

Disabled occupant and/or their spouse or partner in receipt of one of the following types of income will be '*pass ported*' through the means-test process;

- Income based Employment Support Allowance
- Income based job seekers allowance
- Pension Credit
- Housing Benefit
- Council Tax Support
- Tax Credit and a yearly income of less than £15,050

The Council would need to see proof of benefit in all cases

5.11 ***Decision Making Criteria***

Once the Council in consultation with the Occupational Therapist has determined the proposed work is necessary, appropriate, reasonable and practicable the following specific expectations and premise are accounted for to ensure the best use of available funds:

- Grant work should fully meet the assessed needs of the applicant. Grants that only partially meet needs will only be considered in exceptional cases. The final decision as to whether to approve a grant that only partially meets the need will be determined by the DFG team's Service Manager and only after all the available information has been considered.
- Work funded by a DFG will be the simplest and most cost-effective adaptation to meet the assessed need(s), this includes any equipment provided via a DFG or other funding source.
- Wherever practicable and realistic the change of use of existing rooms or the reordering of rooms will be the preferred solution and will take

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precedence over both the construction of extensions and the installation of equipment.

- The DFG will generally only fund one adaptation to a property for example only one external door will be ramped. In certain circumstances a case for providing more than one facility can be referred to the DFG panel meeting by the Occupational Therapist recommending the adaptation.
- In certain circumstances a grant up to the estimated cost of providing an adaptation can be used to contribute towards an alternative scheme. For example, where the provision of a through floor lift would meet the assessed needs of the disabled person but the preference of the applicant is for an extension, a grant equal to the cost of the through floor lift could be approved. The agreed alternative works must meet the assessed need of the disabled person as determined by the Occupational Therapist. The responsibility for the project management of an alternative scheme rests with the disabled person / their representative to arrange.
- Where two disabled people occupy the same property as their main residence and both have individually assessed needs by the Occupational Therapist, depending on the adaption(s) required there may be a case for considering two separate DFG applications. In such circumstances this will be referred to the DFG Panel meeting by the referring Occupational Therapist(s) for consideration.

5.12 ***The DFG Process***

Application for a DFG – An applicant for a DFG can only be approved when all required supporting documentation is approved by the Council, The DFG team will provide any applicant with the necessary help and assistance to navigate and complete the application process. It is important that the grant applicant understands the conditions attached to any grant and therefore the Council will ensure these are included in the information in the application pack. If an applicant is unclear about the conditions clarification will be provided on request.

Financial Test of Resources – Once it has been confirmed that the proposed work is necessary, appropriate, reasonable and practicable a test of financial resources will be completed where appropriate, i.e. for disabled adults only. The process for the test is laid out in statute and the Council has no discretion in this area. The means-test is complex and the DFG team offers the applicant assistance to complete the form either within the Councils own premise or the applicants home.

Provisional Test of Resources – As the grant payable is the cost of the work less the amount of contribution calculated by the means-test, the disabled person or their representative may have concerns as to eligibility for a grant prior to making an application. In such circumstances the DFG team may carry

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out a provisional means-test either face to face or over the phone. This will provide the relevant person(s) with an approximate contribution figure, if there is one, should a grant application be made.

Survey – A survey of the property where the adaptation is proposed will be undertaken and a specification of works written. In some cases if the adaptation is for an installation of specialist equipment the Occupational Therapist may organise this survey and provide the quotation e.g. for a ceiling track hoist or for safe space equipment.

Project Management – The DFG team offer the services of a project manager or officer who will manage the adaptation project on behalf of the applicant, This service includes the tendering for and appointing of a suitable contractor(s), application for Planning or Building Control permissions, completion of pre-construction phase plans, agreeing start dates with the applicant and contractor(s) and supervision of the adaptation by carrying out site visits.

The applicant will be offered a choice of contractors to carry out the work however other than in exceptional cases i.e. to prevent an excessive delay to the start of the work; the grant will only fund the lowest tender price.

The Council is allowed to include a project management fee for this service within the grant. The fee charged for this service is 11% of the eligible cost of work. The Council reserves the right to review the Project Management fee as part of its costs / budget review processes.

5.13 ***Council Managed and Non Council Managed Applications***

- The Council has six months to approve a grant once a formal application is made.
- Applicants must not start work before achieving formal grant approval or their application will not be valid. Where planning permission or building regulation approval is required work must not start until these are in place.
- Interim payments can be made direct to the contractor(s) and other professional bodies as appropriate for works satisfactorily completed.
- On completion of work a DFG officer will complete a site visit to ensure all works have been satisfactorily completed and will ask the disabled person or their representative to sign a form to confirm they are happy with the work following which the grant money will be released to the contractor(s). If a building regulations application has been submitted and approved the grant will not normally be released until the completion certificate has been issued.
- All grant applicants are advised to familiarise themselves with the grant conditions to ensure they are fully aware of them. Grant conditions are sent out to applicants as part of the application process.

5.14 ***Applicant Funded Work***

In some cases applicants' may wish to carry out work in addition to that which is eligible for grant funding. This is permissible provided the following

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guidelines are adhered to:

- If an alternative scheme is pursued it must meet all the applicants needs as assessed by the Occupational Therapist. To ensure this the plans must be agreed in advance by the Occupational Therapist.
- The grant will only be based on works agreed by the Occupational Therapist as necessary and appropriate and approved by the Council.
- In order to calculate the amount of grant the applicant is entitled to 3 competitive quotes should be provided for the works as agreed by the Occupational Therapist as necessary and appropriate. In exceptional circumstances the Council may accept two quotes providing the applicant can evidence due process has been followed.
- The applicant will be responsible for funding any unforeseen items.
- No interim payments will be made for alternative schemes if it is not possible to assess from work in progress correct levels of interim payments.
- Full and final monies will only be released once the alternative scheme of works has been completed and an assessment can be made that the completed work fully meets the identified need(s).
- Where the applicant choses to incorporate an adaptation into a larger or new build scheme, the grant will only fund internal works specifically required for the disabled person.
- A grant cannot be used to fund any part of a new build or alteration that was already planned prior to an application for a grant being made. A grant can however be considered for adapting part of a new build to meet the disabled person's needs. This will generally be restricted to internal works. There is an expectation that the needs of the disabled person will be factored in to all structural works.
- Grant funding cannot be used for any improvement works
- In the case of a self-build scheme there is an expectation that the needs of the disabled person will be incorporated into the design. Grant funding may be available for specialist facilities in accordance with the Occupational Therapist assessment.

5.15 ***Applicant taking responsibility for managing own scheme***

- After the means-test has been carried out and it has been established that the applicant is eligible for a grant the applicant will need to obtain three itemised competitive quotes for the work. In exceptional circumstances the Council may accept 2 itemised competitive quotes providing the applicant can evidence due process has been followed.
- If a relative of the applicant provides the quotations the grant will be approved for the cost of materials only. The applicant will be responsible for the cost of labour.
- Quotations will be evaluated by a DFG officer to ensure they cover only identified work and represent value for money. If considered excessive the applicant will be asked to obtain further quotes. Once quotes are accepted the amount of grant offered will be on the lower prices

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submitted. The applicant may choose to appoint one of the alternative contractors; however a grant will not be available for the difference in cost.

- Applicants will retain the right to choose their own contractor providing:
 - I. The contractor is qualified and suitably experienced to undertake the necessary work needed.
 - II. The contractor provides a quotation in accordance with the schedule of work.
 - III. The applicant funds any difference in cost.
- Once the application is formally approved, in writing, the applicant can contact the contractor to arrange a start date. Work should not start until planning and/or building regulations approval is in place, or the applicant has confirmation that the work is exempt otherwise the grant may not be paid.
- As part of the grant conditions the work must be completed within 12 months from the formal approval date and must be carried out by one of the contractors whose estimate was submitted with the application. The contract for work remains between the applicant and contractor.
- If an architect or structural engineer is required the applicant will be responsible for engaging their services. However a DFG officer must approve the estimate for fees for such services before the grant is approved. Applicants are encouraged to ensure these professional services are provided by a suitably qualified person.

5.16 ***Timescales***

Statutory Timescales	Period
From Formal DFG Application to Approval	6 months
From Approval to Completion of Work(s)	12 months
From Approval to Payment of Grant	12 months

5.17 ***Specialist Equipment***

Equipment eligible for a mandatory grant should be fixed to the premises not freestanding. Freestanding equipment may be supplied by the Equipment and Adaptation Service.

5.18 ***Specifications***

All adaptations and DFG work where applicable will be in accordance with Part M of the Building Regulations.

5.19 ***Disputes***

Where a dispute arises regarding the standard of work the Council will withhold any payment until the work has been completed satisfactorily in the

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professional opinion of the Council.

Note: Where the completed work meets the Council's approval but the applicant is not satisfied the Council will not unreasonably withhold payment to the contractor.

5.20 ***Maintenance and Warranties***

When equipment is installed using a DFG the applicant who was awarded the grant becomes the owner of the equipment and is therefore responsible for its maintenance, repairs and for removing the equipment once it is no longer needed. Therefore once grant works have been completed the Council will not finance or organise servicing, repairs or maintenance after the expiry of any applicable warranty period which is usually 12 months. Applicants are advised to consider purchasing longer warranty at the time of installation as repairs can be costly.

A five year warranty will be funded as part of the grant for certain specialist equipment e.g. stair lifts. Information relating to warranties will be provided to the applicant as part of the grant approval process.

5.21 ***Removal of Adaptations and Reinstatement of Work***

The Council do not usually remove adaptations from properties if they are no longer required, neither will reinstatement work be carried out. Applicants will be made aware of this before DFG work is undertaken. Should an applicant change their mind about an adaptation once the Occupational Therapist Assessment and work has been completed unless the Occupational Therapists confirms there has been a significant change in the applicants needs the Council will not remove or carry out any additional work.

5.22 ***Replacement of Facilities / Specialist Equipment***

Consideration to replace damaged or broken facilities or equipment will be given under a further DFG providing it:

- Cannot be repaired
- Has not been wilfully damaged
- Still meets the needs of the disabled person
- Has been annually serviced/maintained in accordance with the manufacturer's instructions, where applicable (including the warranty period); and the warranty period has expired.
- Any decision to replace damaged or broken facilities or equipment will be made by the DFG panel.

A DFG will not be considered where a facility or equipment that was present in a property has been removed by or under the instruction of the disabled person / occupant unless there was a proven good reason for doing so.

5.23 ***Change in Circumstances***

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Certain changes in an applicant's circumstances may affect payment of the grant. Changes prescribed by legislation are:

- Where work is no longer necessary or appropriate to meet the needs of the disabled person.
- The disabled person ceases to live in the property
- The disabled person dies.

In such circumstances the Council can decide:

- Not to pay the grant or any further instalments
- That some of the work should be completed and the grant or some of it will be paid; or
- That the grant application should be re-determined.

In the circumstances described the Council has the right to demand repayment of any grant paid including interest. Each case will be considered on its own merit.

The right to demand repayment also extends to circumstances where the applicant ceases to be entitled to the grant before the work has been completed.

The Council is also entitled to refuse to a grant, any further grant instalments or recalculate the grant when:

- The grant was approved on the basis of inaccurate, incomplete or false information.
- The cost of the work is less than the original estimate.

5.24 ***Repayment in case of Compensation***

It is the condition of the grant that the applicant takes reasonable steps to pursue any relevant claim and to repay the grant so far as appropriate out of the proceeds of a claim. A claim is:

- An insurance or legal claim against another person in respect of damages to the premises to which the grant relates, or
- A legal claim for damages in which the cost of the works to the premises to which the grant relates is part of the claim.

5.25 ***Applicants on the Housing waiting list***

DFG applicants who are on a waiting list for other accommodation will be made aware that they will lose their housing application priority once a DFG is approved. This is because that it is a condition of a DFG that the applicant will live in the property throughout the grant condition period of 5 years (5.6)

5.26 ***Complaints***

It is acknowledged that the grant process is very prescriptive this is to ensure that it is delivered in accordance with the relevant legislation. DFG officers will

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support and guide applicants through the processes and ensure their assessed needs are.

Where an applicant is dissatisfied with the service they have received including where a grant may have been refused they should in the first instance contact the DFG Service Manager who will aim to resolve the issue. If the matter is not resolved to the applicants' satisfaction they can make a formal complaint by contacting the Councils Customer Services Feedback team. Details of how to do this are included in the applicants information pack or can be found on the BMBC online webpage.

5.27 ***Safeguarding***

All safeguarding issues will be reported to the Safeguarding Team in accordance with the Authorities Safeguarding Policy/procedures.

5.28 ***Data Protection***

The Council will comply with the Data Protection Act 1998 and Article 8 of the Human Rights Act and will show proper regard for the confidentiality of applicants and employees personal information. The DFG team in carrying out their responsibilities will work in accordance with the BMBC Data Protection Policy.

5.29 ***Discretionary Disabled Facilities Assistance***

Article 3 of the Housing Grants, Construction and Regeneration Act 1996 clarifies that assistance may be given for a wide range of purposes for example

- to provide small scale adaptations to either meet needs not covered by a mandatory DFG or, by avoiding the procedural complexities of mandatory DFG's to deliver a quicker remedy for urgent adaptations.
- to provide top-up assistance to a mandatory DFG where the Council takes the view that the amount of assistance available under DFG is insufficient to meet the needs of the disabled applicant and their family.
- to assist with the acquisition of other more suitable accommodation and where the Council is satisfied that this will benefit the disabled person at least as much as improving or adapting their existing accommodation.

Powers under Article 3 of The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables Councils to give discretionary assistance in any form for adaptations e.g. grant, loan or equity release. Financial assistance can also be provided indirectly to the disabled person through a third party. There is no restriction on the amount of assistance that may be given. Discretionary assistance may be given in addition, or as an alternative to a mandatory DFG.

5.30 ***DFG Top-Up Funding***

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The Council may, if it sees fit, provide additional assistance for disabled applicants whose eligible adaptation works exceed the Mandatory Grant Limit of £30k.

The maximum discretionary funding (top up) available will be £10,000.

Top up funding will only be considered:

- Where efforts and applications to obtain the necessary and additional funding from elsewhere have been unsuccessful.
- Where failure to have the work carried out would mean that the disabled applicant is unable to remain living in the community.
- Where completion of the work would potentially bring savings in other areas of social care provision, e.g. a reduction in care package costs.
- Where the disabled applicant or their carer would be at significant risk if the work was not completed

The provision of this top up funding ensures that where a need has been identified, and work has been recommended as being 'necessary and appropriate' but the DFG amount awarded does not cover the full cost of the adaptation the Council fulfils its duty to assist with meeting need.

Any top up funding will only be considered having regard to the amount of resources the Council has at the time. If it does not have sufficient resources left to fund other referrals passed to the DFG team by the Occupational Therapy Service at the time the Council reserves the right not to approve any top up funding.

5.31 ***Fast – Track Adaptations***

With the introduction of the Better Care Fund greater opportunities exist for the DFG Service to more effectively contribute to improving the wellbeing of disabled people living in Barnsley, their families and carers and create potential savings for social and healthcare spending.

The following fast track adaptations will only be implemented having regard to the amount of resources available at the time. If the Council does not have sufficient resources to deal with the grant referrals that have been passed to them by the Occupational Therapists the Council reserves the right to suspend or remove the fast track process for identified adaptations.

The Council will adopt a fast track grants process to better manage demand, speed up delivery of certain adaptations, contribute to meeting individual health / social care needs and potentially reduce care costs.

Stair Lifts – These are fitted in circumstances where a person's mobility is restricted, and it is not likely to improve making it difficult for them to negotiate stairs in safety and without undue distress or risk to the carer.

The Council will fast track the provision of a stair-lift for DFG eligible individuals who have a 'Passporting Benefit' where this equipment has been assessed as necessary and appropriate by an Occupational Therapist and where it is practical for this equipment to be installed.

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Through – Floor Lifts – These are fitted in circumstances where the disabled person is unable to safely use a stair lift, where the structure of the staircase is not appropriate for the safe installation of a stair lift. Where ground floor living with access to essential facilities cannot be viably achieved by change of use, reallocation of rooms.

Installation of a vertical lift must enable access to essential facilities on either floor. It should be noted that the construction, design and layout of the property may determine that the property is not suitable for this type of adaptation.

The Council will fast track the provision of thru floor lifts for DFG eligible individuals who have a 'Passporting Benefit' where an Occupational Therapist has recommended the adaptation to be necessary and appropriate and it is feasible for the lift to be installed.

Ceiling Track Hoists – These are fitted in circumstances where the mobile hoist has been considered and found to be inadequate for the disabled person and/or carer(s) to perform transfers, or it is not feasible for them to do so due to limited space. Or where a ceiling track hoist will enhance the disabled person's independence when transferring e.g. self-hoisting or reduce care costs.

The Council will fast track the provision of ceiling track hoists for DFG eligible individuals who have a 'Passporting Benefit' where an Occupational Therapist has recommended the adaptation to be necessary and appropriate and where there is evidence that providing this adaptation will reduce carer costs.

GLOSSARY

6.1 List of abbreviations

DFG – Disabled Facilities Grant

7.0 REFERENCES

- 7.1 The Housing Grants, Construction and Regeneration Act 1996
Health & Social Services and Social Security Adjudications Act 1983 – Section 17
The Disabled Facilities Grant – Before and after the Introduction of the Better Care Fund. Foundations
Barnsley Council Disabled Facilities Review, March 2016. Astral Ltd.

Appendix A – Additional Information

Links to other Schemes

8.1 ***Better Homes Barnsley***

Better Homes Barnsley is the latest Council endorsed energy efficiency scheme operating in the Borough. It is part of a Leeds City Region wide programme called Better Homes Yorkshire. The Better Homes Barnsley Scheme is the primary route through which the Council seeks to tackle cold and damp housing conditions that are unfavourable to good health and wellbeing.

- The Council under this scheme will use mandatory grant and as necessary discretionary monies to fund Gas Boiler Replacement, install full gas central heating systems, provide cavity wall and loft insulation for DFG eligible individuals where the work is assessed as being necessary and appropriate by the Better Homes Contractor who will complete the assessment.
- On satisfactory completion of the agreed work the grant and/or discretionary payment for the energy efficiency work will be paid directly to the Contractor.

8.2 ***Interim Care for Vulnerable Adults leaving Hospital – Shared Lives Service***

Shared Lives Service in partnership with the Barnsley Clinical Commissioning Group (CCG) is providing cost effective preventative care solutions to meet the needs of vulnerable adults leaving hospital.

- Discretionary monies will be used to provide adaptations within the homes of Shared Lives Carer(s) who is registered to provide support as part of this scheme.
- Funding will be provided for the types of adaptations that are normally provisioned for disabled people via a Disabled Facilities Grant.
- The Council will accept the recommendation within an OT assessment as evidence that the adaptation is necessary and appropriate to support an accessible and safe living environment for individuals on the scheme and carer(s).

8.3 **Procurement**

Project Management Services

- 8.3.1 Extensions – The procurement and management of extensions can be time consuming for DFG Officers. Currently the DFG Service outsources the

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planning and building regulations element of work for all extensions. The DFG service reserves the right to outsource to a suitable contractor/company as necessary the project management of extensions so that the through out of other adaptation work and grant spend are maintained at an appropriate level.

8.3.2 ***Procurement Efficiencies – 2017 /18***

The DFG Service will prioritise and establish the following procurement efficiencies to reduce costs and save administration time

- Create a framework order for modular access ramps and as appropriate will with other Services / Organisations seek to procure wherever possible fixed price items as part of a block contract.
- Procure services of a Surveyor to develop a schedule of rates for contracting standard works removing the necessity to tender every piece of work separately