

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Housing Grants & Assistance Policy
<b>Decision Maker:</b>	Barbara Nicholls
<b>Cabinet Member:</b>	Councillor Ford
<b>SLT Lead:</b>	Barbara Nicholls
<b>Report Author and contact details:</b>	Alan Grierson Tel: 01708 432498 Email: <a href="mailto:alan.grierson@havering.gov.uk">alan.grierson@havering.gov.uk</a>
<b>Policy context:</b>	Policy on the use of the Disabled Facilities Grant (DFG), the provision of mandatory and discretionary grants to enable disabled people to maintain independence and wellbeing at home, and the terms and conditions for discretionary grants
<b>Financial summary:</b>	Maximise the use of the Council's increasing annual ring-fenced DFG allocation to make best use of all funds available for this purpose.
<b>Relevant OSC:</b>	
<b>Is this decision exempt from being called-in?</b>	Yes

### The subject matter of this report deals with the following Council Objectives

People - Things that matter for residents

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place.

## Part A – Report seeking decision

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

To approve the draft revised Housing Grants and Assistance policy (attached as appendix 1) for implementation.

The Equality and Health Impact Assessment to inform the decision to approve the revised policy has not identified any negative impacts on any protected characteristic groups. A policy implementation action plan will be developed and agreed with the Equalities Team before the end of July to ensure the assistance available through the revised policy is accessible to people in protected characteristic groups. The plan will include:

- targets for the delivery of grants/assistance;
- methodology to ensure the grants/assistance are accessible and delivered effectively to protected characteristic groups;
- monitoring processes to regularly review delivery and ensure continued improvement.

There remains a healthy balance of funds available to fully resource the revised policy. The provision of discretionary grants can be withdrawn in the future (in part or in full) should funds become depleted. A protocol will be established to ensure sufficient funding is always available for mandatory grants (DFGs).

### **AUTHORITY UNDER WHICH DECISION IS MADE**

This decision is made under the powers delegated to members of the Senior Leadership Team (SLT) as outlined in section 3.3 of the Council's constitution, which enables members of the SLT to exercise all the powers delegated to them personally and to make arrangements to secure continuous improvement in the way the Council's functions are exercised having regard to a combination of economy, efficiency and effectiveness.

### **STATEMENT OF THE REASONS FOR THE DECISION**

The Council receives an annual ring-fenced Disabled Facilities Grant capital grant allocation from the Department of Levelling Up, Housing and Communities (the Department) via the Better Care Fund. The purpose of this capital funding is to provide assistance to older and disabled people to help them adapt and maintain their homes and live as independently and safely as possible. The Council's annual grant allocation has increased from £1.8 million in 2020 to over £2.05 million this year and the Council will also receive additional one off funding over the next two years (details yet to be announced).

The provision of Disabled Facilities Grants (DFGs) is mandatory and the Council has been delivering these for a number of years. In May 2019 the Private Housing Health Assistance Policy (now named the Housing Grants and Assistance Policy) was approved to enable the Council to deliver discretionary housing grants as well as DFGs in line with Government policy. This had a

## Non-key Executive Decision

positive impact and has enabled the Council to provide a broader range of housing assistance to older and disabled people to help minimise demand on health and social care services.

The Department issued new guidance to Councils in March 2022 aimed at helping Councils to continually improve and deliver more agile, responsive, and effective grant assistance.

The Housing Grants and Assistance Policy has been reviewed to take account of:

- the learning that has taken place through the delivery of discretionary housing grants over the last 4 years;
- new Disabled Facilities Grant Delivery Guidance from the Department of Levelling Up, Housing and Communities published in March 2022;
- the impact of inflation since May 2019 plus the current predictions about inflation over the next few years;
- the impact of increased building costs over recent years due to the pandemic and other pressures;
- changes in the needs of people with disabilities and the increased demand for larger adaptations for people with very complex needs.

The review of the Policy aims to ensure best use of the increased funds available to deliver DFG funded adaptations and assistance that will best serve the needs of older and disabled people in the coming years. The changes to the revised Policy include:

- a fast track process for urgent cases where the cost of the adaptation/equipment is less than £5K;
- provision for the Adaptations Panel to use discretion to fast track moderate sized grants in urgent cases (up to £15K);
- various other discretionary powers for the Adaptations Panel to ensure all cases are considered in full on their own merit in line with guidelines from the Department;
- a new “exceptional discretionary grant” to ensure all cases are considered in full and on their own merit, with a robust process to ensure appropriate scrutiny for major adaptations;
- temporary financial assistance to supplement the Council’s High Energy Use Medical Equipment Scheme (HEUME Scheme) to help disabled people and those with chronic health conditions meet the cost of running health and life saving equipment at home during the cost of living crisis. (Funds available up to the end of the year and capped at £50 thousand);
- a pilot scheme to provide discretionary assistance to tenants (with the agreement of their landlord) who are living in private rented sector homes affected by minor damp/mould problems to make their home more comfortable to live in and improve the tenant’s quality of life. (Funds capped at £75 thousand, the pilot will be reviewed after one year or sooner if appropriate);
- confirmation of the availability of funding for small equipment (where there is a benefit for more than 1 year) and, where resources allow, the Council may

## **Non-key Executive Decision**

consider other capital expenditure projects that will increase the availability of accommodation adapted to meet the needs of people with disabilities in line with the Council's objectives;

- financial eligibility criteria for individual cases have been revised to take account of inflation since 2019 and the anticipated inflation rates over the next few years;
- the maximum grant allowances have been revised to take account of increased costs associated with housing adaptations and construction.

The revised Housing Grants & Assistance policy cannot be implemented unless it is formally approved as Council policy. The policy should be approved to ensure:

- the systems and processes used to deliver discretionary housing grants can be made quicker for older and disabled people in urgent need of assistance and thus reduce risks to their independence, health and wellbeing;
- the Council continues to minimise the risk of delayed discharges from health services;
- the flexibilities highlighted in recent guidance from the Department are incorporated into the provision of the grants to ensure each case is fully considered on its own merits;
- assistance schemes are broadened to help older and disabled people minimise risks to their health and wellbeing;
- the Council makes best use of the increased ring-fenced funds available to help people adapt and maintain their homes and deliver adapted housing.

## **OTHER OPTIONS CONSIDERED AND REJECTED**

### **Do nothing**

In this option the Private Housing Health Assistance Policy would not have been reviewed and the existing policy would continue to be delivered for the foreseeable future. Risks associated with this option include:

- the opportunity to incorporate the flexibilities outlined in recent guidance from the Department would be missed;
- the Council may not be able to make full use of the increasing resources available to help older and disabled people maintain their independence, health, and wellbeing;
- the maximum grant limits within the existing policy would increasingly struggle to deliver the adaptations and works required by older and disabled people because of increasing home adaptation and construction costs;
- the financial thresholds in the current eligibility criteria for discretionary grants would increasingly exclude some people on lower incomes from grant assistance due to recent high levels of inflation;
- increased risks to the health, wellbeing, and independence of older and disabled people unable to get the adaptations and/or other assistance they need;

### Non-key Executive Decision

- risk of increasing demand and dependence on local health and social care services.

This option was rejected due to the risks associated with it.

#### **Limited review**

In this option the review could have just focussed on incorporating the flexibilities outlined in recent guidance. This would not address the risks associated with inflation and increased costs associated with home adaptations and construction. Although systems and processes would be improved to deliver a more agile and efficient service, fewer older and disabled people would have access to the adaptations and other assistance they need to maintain their independence and wellbeing due to inflation and increased construction costs.

It was decided that the policy review should include a review of the financial eligibility criteria for discretionary grants to ensure older and disabled people on lower incomes are not increasingly excluded from grant assistance.

It was decided that the policy review should also include a review of maximum grant allowances to keep pace with increasing home adaptation and construction costs.

### **PRE-DECISION CONSULTATION**

There has not been any formal consultation with stakeholders or the public following the review of the policy. All relevant internal stakeholders were consulted during the review process up to and including the final draft.

### **NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

**Name:** Alan Grierson

**Designation:** Project Manager

**Signature:**



**Date:** 21 June 2023

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

The Housing Grants, Construction and Regeneration Act 1996 sets out the legal basis for the provision of Disabled Facilities Grants.

The proposed policy has been reviewed to ensure that this is compliant with the relevant legislation which it appears to be. There are therefore minimal legal risks in approving the policy as drafted.

### FINANCIAL IMPLICATIONS AND RISKS

This decision paper is seeking approval to implement the draft revised Housing Grants and Assistance policy. The proposals in this policy will be fully funded from the annual ring fenced Disabled Facilities Grant allocation via the BCF. The 22/23 grant allocation is £2,056,802.

The DFG grant has to be used to fund mandatory DFGs and in addition can be used for discretionary DFGs. The funds available will be prioritised for the mandatory DFGs.

The full costs of the proposals are unknown at this point due to demand being unknown, however the policy will be delivered within the financial resources available and the policy states, "The Council reserves the right to amend or suspend all or some of the discretionary elements of this policy if, in the view of the Council, demand for the discretionary grants made available limits the funds that must always be available for mandatory DFGs." A specific amount has also been set aside for two new categories of assistance within the policy to ensure spend can be contained.

In addition to the annual grant allocation for 22/23 of £2,056,802, there is a balance of previous years underspend of £2,879,832 giving a total of £4,936,634 DFG grant funding available. These underspends have materialised due to lower demand for DFGs especially during COVID.

As the policy gains traction after implementation, the assumption is that the balance of the carry forward funds will reduce over time. Once the new policy is implemented, continued monitoring will be undertaken to understand the demand and to ensure sufficient funding is available to fund mandatory DFGs. A protocol will be drawn up to establish the minimum level of balances that are required in order to fund mandatory DFGs and to categorise the discretionary DFGs to prioritise what discretionary assistance should cease first in the event that the cost of the mandatory DFGs could not be met.

The changes within this policy should not have any adverse implications for the London Borough of Havering's financial position as all costs will be met from the Disabled Facilities Grant.

## Non-key Executive Decision

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

The Housing Grants Team (the Team that manages the housing grants) has been strengthened over the past year to ensure there is sufficient capacity and management support to manage the anticipated increasing number of DFGs and housing grants for older and disabled people.

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

The Equalities & Health Impact Assessment for the reviewed policy has not identified any negative impact on any protected characteristic group. A policy implementation action plan will be developed to ensure the policy is delivered effectively to people in all protected characteristic groups.

The EqHIA is included in appendix 1.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

No environmental or climate change risks have been identified or associated with the Housing Grants and Assistance Policy.

The Equalities and Health Impact Assessment (EqHIA) did not highlight any significant concerns or negative impacts on any protected characteristic.

The EqHIA is included in appendix 1.

The Housing Grants and Assistance Policy should have a modest impact on carbon emissions. In particular the Safe, Warm and Well scheme in the Policy will:

- help to deliver essential repairs in the homes of older and disabled people aimed at making sure people keeping warm in the winter. A well maintained home should be easier to keep warm thus reducing energy consumption;
- deliver the replacement of old gas central heating systems and/or the repair of old central heating systems, which will result in more efficient use of energy to maintain homes and an appropriate level;
- help people to make their homes more wind and weatherproof, again reducing energy usage.

In addition to this the Private Rented Sector Tenant Damp/Mould Assistance Pilot Scheme will help people reduce draughts in homes whilst improving appropriate ventilation.

All of these measures will help reduce the use of fossil fuels and will have a positive impact on climate change.

**Non-key Executive Decision**

**BACKGROUND PAPERS**

None.

**APPENDICIES**

**Appendix 1:** The draft Housing Grants & Assistance Policy & Equalities & Health Impact Assessment for approval.

**Non-key Executive Decision**

**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

**Details of decision maker**

**Signed:**



**Name:** Barbara Nicholls

Cabinet Portfolio held:

CMT Member title: Strategic Director of People

Head of Service title

Other manager title:

Date: 07/08/2023

**Lodging this notice**

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_