

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT & NEIGHBOURHOODS

TO:	Housing Neighbourhoods and Leisure Committee		
DATE:	6 November 2019	AGENDA ITEM:	
TITLE:	PRIVATE SECTOR RENEWAL & DISABLED ADAPTATIONS POLICY		
LEAD COUNCILLOR:	John Ennis	PORTFOLIO:	Housing
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report seeks approval of the draft updated Private Sector Renewal & Disabled Adaptations Policy for consultation, with the final report and policy being presented to Policy Committee in February 2020. This report relates to the private sector only. The Council Housing Adaptations policy is a separate document.
- 1.2 The updates to the policy will enable the Council to deliver Housing Assistance and Disabled Adaptations in the private sector in a person centred and outcome focused way. This updated policy meets the objectives of the Better Care Fund, to increase the uptake of Disabled Facilities Grants and work collaboratively with health and social care colleagues. It is anticipated that this policy will enable a more proportionate and responsive service, delaying hospital admissions, falls or moves to residential or nursing homes. The measures in this policy will further support care and support services to actively promote wellbeing and independence, and enables early intervention avoiding crisis intervention.
- 1.3 The following discretionary grants are offered as part of the updated policy:
 - Health & Wellbeing at Home Grant
 - Discretionary Fees Grant
 - Amended Relocation Grant
 - Disabled Facilities Grant Top up

2. RECOMMENDED ACTION

- 2.1 That members agree the draft Private Sector Renewal and Disabled Adaptations Policy (private sector) for consultation, with the final policy being presented to Policy Committee in February 2020.

3. POLICY CONTEXT

- 3.1 The Autumn Statement 2015 contained a commitment to provide £500m by 2019/20 for Disabled Facilities Grants (DFGs), to fund 85,000 home adaptations in year. It is estimated

that this funding will prevent 8,500 people from needing to move into a care home between 2019 to 2026. Reading received a £1.055m share of this funding.

- 3.2 The benefits of adapting the home to serve the occupiers needs are recognised as an effective way to improve the health and wellbeing of older people and disabled adults and children. A more accessible home environment can improve independence, reduce risk and reduce reliance on assistance. As the body of evidence demonstrating the benefits of home adaptations grows, so does the recognition that the sooner they are installed, the greater will be the preventative benefits. A common theme in legislation and policy across the UK is the need for a more preventative approach to interventions, including adaptations, for older people, disabled children and adults, to maximise health and wellbeing.
- 3.3 Research has shown that there is a direct impact on the health and well-being of residents resulting from the homes in which they live; therefore, poor housing can contribute to poor health. Each year hazards in the home result in unnecessary injuries, episodes of ill-health, and harm to mental health and in many cases the occupiers do not link the poor condition of their homes with a potential negative impact on their health. The poorest housing stock can be found in the private sector, and in some cases residents who own their own home are not able to maintain them and as a result hazards can develop.
- 3.4 Home adaptations can prevent falls, reduce hospital admissions, reduce reliance on care, avoid the need to move into residential care and significantly improve quality of life and wellbeing for individuals, their families and carers.
- 3.5 There is also a significant impact on care package cost avoidance and delays in care for those residents in receipt of a DFGs. In 2018/19 there was a cost avoidance of £158k as a result of DFG's. This is continuing at a similar level in 2019/20. Cost avoidance is calculated by reviewing the levels of care provided by formal or informal carers, family and friends before and after a DFG. For example before a stairlift goes in the family member is visiting 2 or 3 times a day to empty the commode, after the stairlift has been fitted the person regains their independence and access to their bathroom upstairs. The family member is no longer required to provide high levels of care, avoiding carer break down and future reliance on social care provision.
- 3.6 Foundations (appointed by the Ministry of Housing, Communities & Local Government to oversee a national network of nearly 200 home improvement agencies (HIAs) and handyperson providers across England) said in their DFG Review in 2018
- 3.7 *“Home is central to everyone’s lives, but is particularly important for disabled and older people, as it is where they spend most of their time. Increasing numbers are living alone, especially in later life. Ability to get in and out of the home, move around inside, access the bathroom, receive friends, cook and go to bed has a significant effect on people’s dignity, autonomy and wellbeing. The majority of disabled people are living in ordinary housing but only 7% of homes in England have basic accessibility features such as downstairs toilets and level access. Three quarters of deaths relating to falls happen in the home, and falls represent 10-25% of ambulance call-outs to older adults. Once admitted in an emergency, older people use more bed days than other people (65%) and falls often precipitate a move into residential care.*
- 3.8 *90% of adaptations provided are level access showers, stair lifts or ramps. The average cost is around £9,000 but most work is under £5,000. The challenge is to join up the process and shift the thinking from ‘welfare’ to ‘investment’ so that decisions are taken, not at crisis point, but in a more preventative way that is based on the long-term health and wellbeing of disabled people and their families”. (Foundations)*
- 3.9 Disabled Facilities Grants (DFGs) remain mandatory and are available from local authorities in England under the Housing Grants, Construction and Regeneration Act 1996. They are

only available to private sector residents including Registered Social Landlords (RSLs) and the applicant and their partner is subject to a means test. There is no means test for children's DFGs. The DFG provides a mechanism for essential adaptations to be carried out such as stairlifts, ramps, improved lighting, bathroom adaptations to enable disabled people to give access to essential facilities within the home and access to and from their homes.

- 3.10 There is a thorough application processes whether for a stairlift costing £1500 or a £30,000 extension. In order to qualify for a DFG the required adaptations need to be necessary and appropriate (as determined by Adult Social Services and Brighter Futures Occupational Therapists) to meet the needs of the disabled person. It must also be reasonable and practicable (determined by the Private Sector Housing Team) for the relevant works to be carried out.
- 3.11 In 2015 the government introduced the Better Care Fund (BCF) in an attempt to bring health and social care together in an integrated way. The fund is a combination of government funding from the Department of Health and the Ministry for Housing Communities and Local Government and includes the grant allocation for DFGs. The 2017-19 Integration and BCF policy framework document lists the conditions that BCF must be used to address. Funding must be used to contribute to the maintenance of adult social care services in each local authority, which also has a health benefit.
- 3.12 BCF long term plan outcomes includes properly joined-up care and actions to cut delayed hospital discharges which will help free up pressure on hospital beds. The plan seeks to join-up health and care services, so that people can manage their own health and wellbeing, and live independently in their communities for as long as possible.
- 3.13 The BCF has been created to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them integrated health and social care services, resulting in an improved experience and better quality of life.
- 3.14 The BCF objectives for Reading are:
- Reduced admissions to residential and nursing care homes
 - Reduce avoidable emergency admissions
 - Assist disabled adults and children to remain in their own homes
 - Prevent admissions to care and to assist with delayed transfers where possible.
 - Falls prevention
 - Cost avoidance of care
 - Support for carers and families
- 3.15 Council Housing does not attract the DFG funding and whilst the same principles of the DFG criteria are followed in Reading the funding for adaptations in Council stock are funded from the Housing Revenue Account (HRA) and a separate adaptations policy exists.
- 3.16 In 2016 the Home improvement Agency Service was bought in house with the Private Sector Housing Team managing the adaptations and home improvements grants and loans service in the private sector and Property Services managing the adaptations in the Council stock as well as delivering minor adaptations cross tenure.
- 3.17 There are 2 Housing Occupational Therapists (OTs), one based in the Private Sector Housing Team and one in RBC housing. This has resulted in improved links with Adult Social Care and Brighter Future for Children and created a one stop shop process through direct referrals, assessment and delivery of the adaptations.
- 3.18 Over the last five years (including this financial year) the Council have completed approximately 200 major adaptations (stairlifts, bathroom adaptations, ramps, extensions)

with a total value of £2million in the private sector. The majority of these adaptations are in the homes of adults with an average of 4 adaptations per annum in the homes of disabled children.

- 3.19 In addition to the DFGs, Reading are one of the few local authorities who continue to provide home improvement grants to assist residents to carry out essential repairs to their homes and enable them to remain living there. These grants are discretionary and funded through capital resources. Over the last 5 years (including the current financial year) the council have assisted 45 residents with essential repairs such as electrics, roof, damp proofing, and repairs to windows/doors to reduce excess cold as well as providing boilers. Often these grants will be linked to DFGs, for example the council may need to carry out electrical works such as a rewire to enable a stairlift or shower to be fitted and to make the property safe.
- 3.20 Reading is also part of a 17 Local Authority consortium that delivers the Flexible Home Improvement Loan Scheme (FHIL). There are a number of loans in the suite to include a Home Improvement Loan for people over 60, an empty homes loan and landlord loan. Royal Borough of Windsor and Maidenhead are the lead authority.
- 3.21 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the "Order") came into effect in July 2003 and led to a major change in the way local authorities can provide financial assistance to people to repair and improve private sector homes. The Order set aside the previously prescribed grants (other than the Disabled Facilities Grant, which remains a mandatory grant) and allowed local authorities to adopt a flexible approach to providing financial assistance to reflect local circumstances, needs and resources. In 2008-09 the Government extended the scope of the Regulatory Reform Order to include the use of DFG funding. This allows Local Authorities to use specific DFG funding for wider purposes. This includes help with the cost of moving and adapting or improving another property where it is deemed to be a more cost effective option.
- 3.22 If a local authority wishes to use the powers under the Order it must adopt a policy setting out how it will use these powers. The purpose of the policy is to detail the type of assistance available to households living in the private sector, the eligibility criteria and the procedures for accessing assistance.
- 3.23 Following the introduction of the Order a policy was developed in 2003 and this was updated in 2007 and a separate Housing Adaptations policy was produced in 2012.

4. THE PROPOSAL

- 4.1 The updated draft policy will enable the council to deliver Housing Assistance and Disabled Adaptations in a person centred and outcome focused way. The updated policy meets the objectives of the Better Care Fund, to increase the uptake of DFGs and work collaboratively with health and social care colleagues. It is anticipated that this policy will enable a more proportionate and responsive service, delaying hospital admissions, falls or moves to residential or nursing homes. The measures in this policy will further support care and support services to actively promote wellbeing and independence, and enables early intervention avoiding crisis intervention.
- 4.2 The policy is attached in Appendix 1 and details all the grants and loans on offer but outlined below are the main changes introduced in this draft policy:
- 4.3 **Health & Well Being at Home Grant** - this is a new grant and the purpose of it is to enable:
- An applicant to manage their health and wellbeing in their own home;
 - Make a property suitable to facilitate safe hospital discharge;
 - Prevent hospital admissions or readmissions and
 - Reduce admission to long term care.

This grant will not be means tested and will have a maximum upper limit of £5,000. The types of adaptations/housing assistance that will be provided include stairlifts, ramps, deep clean, de-cluttering of essential rooms, repair/replacement of boilers. This grant will enable Hospital OTs and social care staff to respond to unsafe housing to ensure safe and more responsive discharges from hospital in many cases with low cost input to resolve imminent risks.

- 4.4 As part of the policy review the councils Lead Occupational Therapist and the Head Occupational Therapist at the Royal Berkshire Hospital carried out a survey in 2018. The survey examined the cost impact on the number of bed days lost with 6 patients in Royal Berkshire Hospital who were “bed blocking” due to inadequate Housing. These patients all owned their own properties and for a number of health reasons were no longer able to maintain their homes and with no support from friends or family required input from the hospital OT and adult social care. All 6 patients were assessed as being able to return home with care packages but could not be discharged due to the unsafe environments they were living in. The cost to RBH was £96,250 in delayed discharges
- 4.5 This proposed new grant will reduce delayed discharge and help with avoiding unnecessary admissions into hospital.
- 4.6 **Discretionary Professional Fees** - where there are extensive adaptations needed and an Architect is required to draw up plans; or where there is concern about the structure of the existing building and a structural engineer is required the cost of these professionals is often needed to be paid prior to the grant approval. This is usually the case with complex adaptations in the homes of children to meet long term needs and generally the family are unable to fund these costs. The outcome is that adaptations potentially not going ahead. By offering this grant will enable adaptations to proceed in a more timely fashion. The grant will have an upper limit of £5,000 and the funds will be added to the Disabled Facilities Grant once approved.
- 4.7 **Discretionary Accommodation Fees** - this is a new grant with a maximum spend of £5,000 towards the cost of temporary accommodation where there are significant and disruptive works to be carried out at the property which would render it unsuitable for the resident to remain. An assessment will be made by the Private Sector Housing Technical Officer and OT. There have been a number of cases where either it has not been possible to adapt the property or where trying to find sources of funding to enable someone to temporarily move out of the property has caused significant additional delay and distress to the resident and their well being.
- 4.8 **Relocation Grant** - This grant has been amended to include tenants in the private rented sector, with an upper limit of £5,000 to enable them to move to more suitable alternative accommodation that would better meet their needs. This grant already exists for owner occupiers.
- 4.9 **Top up funding for a DFG** - The mandatory DFG grant limit is £30,000 which no longer meets the cost of providing extensions such as a wheelchair accessible downstairs bathroom or bedrooms. The current costs can range from £45k to £60k+. This new grant will enable a discretionary maximum grant of an additional £30,000 to top up a mandatory DFG, where the cost of work has exceeded the grant maximum. This will enable extensions and complex adaptations to go ahead, to support families to continue to care for disabled adults and children in their own homes.
- 4.10 The top up grant will be means tested to include parents of disabled children and will only be offered if there are no other sources of funding available. A charge will be placed against the property and registered with HM Land Registry with repayment whenever the property is sold.

- 4.11 Over the last 5 years there have been 5 cases of which 3 were for children where the cost of work has exceeded the grant maximum by an average of £15,000. The children's DFGs are typically over the grant maximum, with one case in 2018/19 requiring funding to be sought by the family of £27,000. The council do not have records of the number of people who have withdrawn due to inability to fund additional costs but Officers experience and anecdotal evidence suggests more than the 5 recorded had not proceeded with the DFG.
- 4.12 In 2017, there was a backlog of DFG assessments and 2 OTs were employed on a temporary basis to fast track assessments. As part of this project they were tasked with looking at the outcomes for customers. They had 71 cases of which 59 were assessed for a Disabled Facilities Grant. 11 of these did not progress due to the inability to afford their means tested contribution. It is the proposal of this new policy where it can be evidenced, that where applicant is unable to make their contribution, they will be offered to have the Social Services test of resources carried out which looks at both income and expenditure (unlike the DFG means test) and depending on the outcome their contribution will be paid for as part of the grant. This will link to the BCF priorities described above and more importantly potentially reduce the risk of hospital admission and delayed discharge and also intensive care packages having to be provided.
- 4.13 **Occupational Therapist Assistant** - From information recently received from Brighter Futures for Children Occupational Therapists, there is no waiting list for DFG assessments, but there are capacity issues within the existing work force with priorities stretched to meet complex needs. To address this, it is proposed that the existing DFG OTs capacity is increased in the Private Sector Housing Team to take direct referrals for children's DFGs. This will be done by creating a new OT assistant post.
- 4.14 There is funding within existing resources to fund the new OT assistant post, and the post holder will also access the Occupational Therapist degree apprenticeship though the apprenticeship levy. With supervision and oversight by the Senior OT within the team for simple DFGs e.g. stairlift and wet rooms. This also reflects the OT apprentice posts created to support the Council Housing OT.
- 4.15 There is no significant change to the Housing Assistance grants and loans being offered.

5.0 CONTRIBUTION TO STRATEGIC AIMS

- 5.1 In relation to the Council's Corporate Plan the following themes are appropriate:
- 5.2 Providing homes for those most in need - this policy will improve housing conditions and enable residents to remain living in their own homes.
- 5.3 Protecting and enhancing the lives of vulnerable adults and children.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 The policy will be consulted on and the final policy will be presented to Housing Neighbourhoods and Leisure Committee in March 2020.
- 6.2 Publicity will be carried out both in the form of press releases and contact with community groups and organisations such as Age Concern.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 No group will be adversely affected by the introduction of these schemes.

8.0 ENVIRONMENTAL IMPLICATIONS

8.1 Adaptations and repairs will be carried out to meet the Building Regulations Standards for sustainable design and construction.

9. LEGAL IMPLICATIONS

9.1 **The Care Act 2014** - is applicable to adults - Section 1 of the Care Act states that local authorities have a general duty to promote the wellbeing and independence of the disabled person. This includes the physical, mental and emotional wellbeing. Therefore home adaptations are highly relevant to the individual's wellbeing and regard should be given to their own views, wishes and feelings.

9.2 Section 2 places duties on the local authorities to identify, provide and arrange services that help people prevent developing needs for care and support or delay people deteriorating such that they would need on-going care and support.

9.3 However, eligibility criteria from the Care Act or any other legislation should not be applied to adaptations, but the principles of wellbeing should be considered.

9.4 **The Chronically Sick and Disabled Person Act (1970 Section 2)** - Continues to apply to children, it gives local authorities a duty to assess and assist chronically sick or disabled children that may be necessary and appropriate with assistance in arranging adaptations or the provision of additional facilities to promote safety, comfort and convenience.

9.5 **Housing Grants, Construction and Regeneration Act 1996** - Disabled Facilities Grants are governed by this legislation and DFGs remain a mandatory duty for Local Authorities

9.6 **The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002** -

Came into effect in July 2003 and led to a major change in the way local authorities can provide financial assistance to people to repair and improve private sector homes. The Order set aside the previously prescribed grants (other than the Disabled Facilities Grant, which remains a mandatory grant) and allowed local authorities to adopt a flexible approach to providing financial assistance to reflect local circumstances, needs and resources.

9.7 In 2008-09 the Government extended the scope of the Regulatory Reform Order to include the use of Disabled Facilities Grants money. This allows Local Authorities to use specific DFG funding for wider purposes. This includes help with the cost of moving and adapting or improving another property where it is deemed to be a more cost effective option.

9.8 If a local authority wishes to use the powers under the RRO it must adopt a policy setting out how it will use these powers. This policy details the type of assistance available to households living in the private sector, the eligibility criteria and the procedures for accessing assistance.

10. FINANCIAL IMPLICATIONS

- 10.1 The funding for DFGs sits within the Better Care Fund and for 2019/20 it is £1,055million.
- 10.2 The funding for Housing Assistance Grants is £320k and this is funded from RBC capital funds.
- 10.3 The Private Sector Housing Team charge a 10% fee for managing each DFG for applicants and this is re-invested back into the service running costs. An average of £40k is achieved
- 10.4 There is funding available for the OT assistant post within existing budgets
- 10.5 The financial implications arising from the proposals set out in this report are set out below:-

Revenue Implications

See note below	2020/21 £000	2021/22 £000	2022/23 £000
Employee costs	£234k	£234k	£234k
Other running costs	£5k	£5k	£5k
DFGs and Private Sector Renewal Grants	£1,136,000	£1,136,000	£1,136,000
Expenditure	£1,375,000	£1,375,000	£1,375,000
Income from:			
Fees and charges			
Grant funding - Better Care Fund DFG	£1,055	£1,055	£1,055
Capital Funding	£320k	£320k	£320k
Total Income:	£1,375,000	£1,375,000	£1,375,000

Note - this team is funded by DFG funding and capital recharge relating to Private Sector Renewals

- 10.6 Risk Assessment
- 10.7 The key risk might be the demand outstrips funds available however in this case mandatory DFGs will be given priority

11. BACKGROUND PAPERS

- 11.1 The Royal College of Occupational Therapists 2019 Adaptations without delay
- 11.2 The UK Government's recent review of Disabled Facilities Grants (DFGs)⁴ in BRIEFING PAPER Number 03011, 28 December 2016 House Of Commons.
- 11.3 Foundations DFG Review 2018
- 11.4 Better Care Fund www.rcot.co.uk/practice-resources/rcot-publications/downloads/care-act-2014-dfg