



# Housing Assistance Policy

## 2023 – 2025

### (Revision 4.0)

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## **1. Introduction**

One of the key priorities for Hastings Borough Council is tackling homelessness and ensuring quality housing. One of the ways we will try to achieve this, is to ensure opportunities to support residents through available grant funding is utilised.

This policy sets out the housing assistance currently available, who may be eligible to apply, what it can be used for, and the type of assistance being provided.

In summary this covers three areas of assistance;

1. Mandatory Disabled Facilities Grants (DFG's)
2. Discretionary Disabled Facilities Grants
3. Housing Renewal Loans

The relevant sections below provide further information on these areas.

## **2. Policy Objectives**

The assistance available under this policy has been considered and agreed based on an understanding of the housing stock in the Hastings and St Leonards area and the challenges it presents. This includes the age of the housing and its impact on the suitability and ability for adaptations, the demand for certain types of housing and the availability of supply, the tenure mix across the borough and the demand for temporary accommodation.

In addition, it is recognised Hastings Borough Council is one of the more deprived Local Authority areas in the country. As a result, this impacts on a homeowner's ability to repair and maintain their properties. Those in rented accommodation may also struggle to move to alternative accommodation if the property they are renting becomes no longer suitable, for example, due to their need for adaptations.

The objectives of this policy are to support the key priority of tackling homelessness and ensuring quality accommodation by;

- Managing the provision of, and actively promoting disabled facilities grants so people have the choice to live independently and healthily in their own homes for longer
- To support people in temporary accommodation and as far as reasonably possible ensure it is suitable for their needs whilst they are waiting to move to longer term accommodation
- To encourage empty homes to be brought back into use to improve the availability of housing stock in the area
- To decrease levels of fuel poverty within private sector housing
- To improve the condition of the private sector housing stock

- To promote and foster an environment of self-sufficiency through the recycling of money used to fund financial assistance

### **3. Financial Resources Available**

The Disabled Facilities Grant funding available is awarded to the Council each year. It is a capital grant which is available to people of all ages and in all housing tenures (whether renting privately, from social landlords or council or owner occupiers), to contribute to the cost of adaptations.

For Disabled Facilities Grants the funds awarded for 2023 to 2024 are £2,056,655. This is provided to Hastings Borough Council by East Sussex County Council via the Better Care Fund.

With the exception of mandatory disabled facilities grants, all other financial assistance measures are discretionary.

The Council will not approve any assistance or commit spending on any assistance / property when the budget available has been exhausted. Therefore, the Council reserves the right to defer approval and/or payments, in line with the statutory framework. This is to ensure that budgets are managed effectively.

Funds may be used for other schemes / assistance (e.g., flexible assistance corresponding to the outcomes of the Better Care Fund), at the discretion of the Head of Housing, (or their authorised nominee) and subject to a cost benefit analysis, where that scheme /assistance has a direct benefit to the objectives of this policy. Any changes will be made in line with the Councils adopted financial rules.

### **4. Types of Assistance Available**

There are three main sources of assistance available. These are;

1. Mandatory Disabled Facilities Grants
2. Discretionary Disabled Facilities Grant
3. Housing Renewal Loans

## 5. Mandatory Disabled Facilities Grant (DFG)

### Purpose

Mandatory Disabled Facilities Grants are available to help applicants meet the cost of adaptations to a disabled persons home.

### Eligibility

All owner occupiers, tenants, licensees, and occupiers are eligible to apply for a grant provided they are able to satisfy the criteria of Sections 19 to 22 of The Housing Grants, Construction and Regeneration Act 1996. An overview of those requirements is covered in this policy.

Landlords can apply for a grant on behalf of a tenant with a disability, but the same criteria must be satisfied.

Occupiers of park homes and houseboats can also apply for assistance.

Full details of the legal framework for mandatory DFGs are set out in The Housing Grants Construction and Regeneration Act 1996

<https://www.legislation.gov.uk/ukpga/1996/53/contents> as amended by the  
Regulatory Reform (Housing Assistance) (England and Wales) Order 2002  
<https://www.legislation.gov.uk/uksi/2002/1860/contents/made>

### Eligible Work

A grant is available for the following purposes:

- Adaptations to aid access into and around the dwelling
- Ensuring the safety of a disabled person
- Provision of suitable bathroom facilities, sleeping facilities, heating and access to lighting and power
- Provision of suitable kitchen facilities or adaptation of existing kitchen
- Adaptation to enable the disabled person to care for dependent residents
- Facilitating access to and from a garden by a disabled occupant or making access to a garden safe for a disabled occupant

Works are available to the common parts of a building containing flats where the disabled person is an occupant of one of the flats.

Where more than one solution meets the needs of the disabled person, the Council will only grant assist the most cost-effective option.

### Amount of Assistance

As part of an application for a mandatory DFG, a standard test of resources (means test) must be carried out. This calculates the amount, if any, the applicant, or disabled person has to contribute towards the costs of the works. The means test applies to the disabled person and any partner living with them.

The applicant will be required to provide information about all sources of income and savings. Evidence about their financial circumstances will be required to be produced as part of the test of resource process.

This test of resources is carried out in accordance with the Housing Renewal Grants Regulations 1996 (as amended) <https://www.legislation.gov.uk/uksi/1996/2890/made> which is subject to revision from time to time.

If the disabled person is a child or the disabled person is in receipt of certain income related “passport” benefits, the test is not applied.

The maximum amount of grant assistance is set by law. The current statutory limit for a mandatory DFG is set at £30,000.

Therefore, the maximum grant available will be £30,000 less any assessed contribution to the cost of the works determined by the test of resource.

## **Conditions**

The property to be adapted must be the disabled persons main or only residence.

The council must be satisfied the works are necessary and appropriate to meet the needs of the disabled person. This is achieved through consultation with the Occupational Therapists and Sensory Impairment Workers employed by East Sussex County Council.

The council must also be satisfied it is reasonable and practicable to carry out the eligible works, having regard to the age and condition of the dwelling or building. This is achieved through an officer visiting the property to be adapted.

The council will verify the ownership of the property via a Land Registry search. The owner(s) of the property must agree to the proposed adaptations and their signed consent will be needed.

The applicant and/or disabled person will be asked to sign and confirm there is an intention to remain living in the property for the next 5 years.

Where the grant value awarded is over £5000, repayment by the recipient will be required if the property is disposed of (e.g. by sale, assignment, transfer or otherwise) within 10 years following payment for the completed work. The amount repayable will not exceed £10,000 in relation to a mandatory disabled facilities grant. This requirement only applies to a recipient who has a qualifying owner's interest in the property where the works are being carried out.

In these cases, the Council will register a Local Land Charge against the property for the repayment.

On deciding whether to require repayment the council must consider the following factors:

- The extent to which the recipient of the grant would suffer financial hardship if they were required to repay the grant,

- whether disposal of the property is to enable the recipient to take up employment or change location of the employment,
- for reasons connected with physical or mental health or well-being,
- whether the disposal is to enable the recipient to live with, near any person who is disabled and/or in need of care which the recipient intends to provide.

Where grant aid is provided for specialist equipment (e.g., stairlifts) and the person who received the grant no longer resides in the property or ceases to use the specialist equipment provided within 5 years of completion of the grant, the Council may exercise its right to reclaim the equipment and allocate it for reuse elsewhere.

## **6. Discretionary Disabled Facilities Grant Assistance**

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. Full details of the legislation can be found via the following link

<https://www.legislation.gov.uk/uksi/2002/1860/contents/made>

Through this Financial Assistance Policy, the council has set out the ways in which it will use disabled facilities grant funding more widely in order to support people who may need adaptations.

**The following types of assistance are discretionary and as such are subject to capital funds being available. For this reason, the provision of this assistance may be limited or discontinued at any time.**

### **Purpose**

The discretionary assistance offered under the disabled facilities grant process is set out in the table below. The options available under this process have been identified as areas where barriers may otherwise exist. The aim of the discretionary assistance is to try and remove those barriers as far as is reasonably possible, within the scope of this policy and applicable legislation.

### **Eligibility**

Eligibility for discretionary assistance may vary depending on the type of discretionary disabled facilities grant being accessed. Please see table at pages 9 – 18.

### **Eligible Work**

The eligible work under each discretionary option will vary depending on the nature of the assistance being offered. However, the overarching principle of all eligible works on offer, is to provide financial assistance to meet (in whole or in part) the assessed needs of the applicant. This may be alongside a mandatory disabled facilities grant or as a separate application for assistance.

### **Amount of Assistance**

The amount of assistance available and whether means testing will be required is detailed in the table at pages 9-18 under each separate option.

### **Conditions**

The property to be adapted must be the disabled persons main or only residence unless otherwise stated.

The council must be satisfied the works are necessary and appropriate to meet the needs of the disabled person. This is achieved through consultation with the Occupational Therapists and Sensory Impairment Workers employed by East Sussex County Council.

The council must also be satisfied it is reasonable and practicable to carry out the eligible works having regard to the age and condition of the dwelling or building. This is achieved through a visit to the property to be adapted by an officer.

The council will verify the ownership of the property via a Land Registry search. The owner of the property must agree to the proposed adaptations and their signed consent will be needed.

The applicant and/or disabled person will be asked to sign and confirm there is an intention to remain living in the property for the next 5 years.

The disabled facilities grant is a capital grant. Therefore, any financial assistance provided towards ancillary costs of achieving adaptations, must have a direct link and impact on the deliverability of the adaptation work being undertaken.

Any discretionary assistance provided will require repayment by the recipient if the property is disposed of (e.g., by sale, assignment, transfer or otherwise) within 10 years following payment for the completed work / activity. The amount repayable will be the full amount of the discretionary assistance provided. This condition only applies to recipients with a qualifying owner's interest in the property being adapted.

The Council will register a Local Land Charge against the property for the repayment.

Where the value of a discretionary disabled facilities grant is £5000 or less and the recipient is not receiving a mandatory disabled facilities grant, there will be no requirement for repayment and a local land charge will not be placed against the property.

Where a mandatory disabled facilities grant is also undertaken, any discretionary disabled facilities grant amount will be an additional to any charge on the property available to the Local Authority under the mandatory disabled facilities charge mentioned in the section above.

On deciding whether to require repayment the council must consider the following factors:

- The extent to which the recipient of the grant would suffer financial hardship if they were required to repay the grant,
- whether disposal of the property is to enable the recipient to take up employment or change location of the employment,
- for reasons connected with physical or mental health or well-being,
- whether the disposal is to enable the recipient to live with, near any person who is disabled and/or in need of care which the recipient intends to provide.

Where grant aid is provided for specialist equipment (e.g., stairlifts) and the person who received the grant no longer resides in the property or ceases to use the specialist equipment provided within 5 years of completion of the grant, the Council may exercise its right to reclaim the equipment and allocate it for reuse elsewhere.

| Discretionary Assistance Option  | Scope of Works   | Eligibility   | Amount of Assistance Offered  | Additional Information – (to be read in conjunction with the full policy related to Discretionary DFG assistance)  |
|--|--|---|---|--|
| <p><b>Discretionary Disability Relocation Assistance</b> - Where adaptation of an existing home is not considered to be reasonable or practicable, assistance will be considered to help enable an applicant to move to a more suitable property.</p> <p>This will be where it is more cost effective than adapting their current home to make it suitable for present and future needs.</p> <p>The new property may need some adaptation.</p> <p>All re-housing options will be carefully considered and discussed with the disabled person and others concerned, including Social Services and health professionals, family and friends.</p> | <p>The discretionary assistance can cover costs incurred in relocating to the new property.</p> <p>This can include estate agents' fees, solicitors' fees, stamp duty, the relocation of specialist equipment for the disabled person, and removal costs.</p> <p>For a move to a private rented property this can include rental deposits on the new property, removal costs, relocation of specialist equipment.</p> <p>It would not include allowances towards furnishings or fittings (other than those considered specialist equipment).</p> | <p>Applicants must be the owner of the property or a private rented tenant, and the needs of the disabled person will need to have been assessed by an Occupational Therapist</p> <p>For each case, a cost benefit analysis will be undertaken considering the potential cost of adapting the existing property and of adapting any future property in relation to the amount of eligible assistance.</p> | <p>Maximum of <b>£20,000</b> less any determined contribution from the test of resources.</p> | <p>This applies only where works requiring a mandatory DFG are necessary and includes moving into another Local Authority area as well as within Hastings.</p> <p>In addition, to those set out under this policy;</p> <p>Applicants will be subject to the DFG statutory test of resources unless in receipt of one of the "passport" benefits. However, if the property to which the applicant is relocating requires adaptations and the applicant will be making a mandatory disabled facility grant application in respect of that property and they will be liable for a contribution towards the cost of adaptation work, no deduction shall be made for any contribution in respect of this relocation assistance.</p> <p>No further discretionary assistance for the same purpose will usually be payable from five years of the completion of the purchase of the new property unless there are exceptional circumstances.</p> |

| Discretionary Assistance Option  | Scope of Works  | Eligibility                                    | Amount of Assistance Offered  | Additional Information – (to be read in conjunction with the full policy related to Discretionary DFG assistance)  |
|--|---|--|---|--|
| <b>Discretionary Disabled Facilities Grant “top-up” Assistance</b> - The maximum amount of mandatory DFG was set by statute in 2008 at £30,000. Since this time there has been a general increase in build costs for adaptations such that in some instances £30,000 is insufficient to provide adaptations to meet the needs of the disabled person and their family. | Covers the costs of adaptations needed under the mandatory disabled facilities grant which exceed the statutory limit of £30,000  | As set out under the mandatory DFG eligibility | Maximum <b>£30,000</b> less any determined contribution from the test of resources. |  |
| <b>Fast Track Minor Adaptations Grant</b> - To undertake minor adaptations to a property to either: <ul style="list-style-type: none"> <li>➤ avoid someone ending up in acute care (for example as a result of a fall) or</li> <li>➤ to enable expedited hospital discharge</li> </ul>   | Minor adaptations that will either be preventative in nature to avoid a disabled person being exposed to unnecessary risk as a result of their disability.<br><br>Alternatively, the adaptations may be needed to facilitate an expedited hospital discharge. | As set out under the mandatory DFG eligibility | Between £1000 up to a maximum of £5000<br><br>No test of resources required         | In addition, to those set out under this policy;<br><br>If an adaptation costs below £1000 then it will be considered to be a Minor Adaptation and East Sussex County Council Adult Social Care will assess the required need and equipment required. A referral will not be made to Hastings Borough Council for grant assistance.<br><br>Works must be an adaptation to the property, and it does not cover the costs of medical equipment or aids.<br><br>The funding will only be considered if there is no other relevant health or social care funding eligible for the client. It excludes packages of care funded by NHS continuing healthcare fund. |

| Discretionary Assistance Option  | Scope of Works  | Eligibility                                    | Amount of Assistance Offered   | Additional Information – (to be read in conjunction with the full policy related to DFG assistance)  |
|--|---|--|--|--|
| <b>Removal of Means Test for Internal Stairlift Applications -</b><br>falls are the largest cause of emergency hospital admissions for older people therefore the removal of the need to means test will significantly decrease the installation time for stairlifts | Installation of any type of internal stairlift(s) for the purposes set out in eligible works under mandatory DFG. | As set out under the mandatory DFG eligibility | £10,000<br>No test of resources required                                     | This assistance only applies where the only assessed need for the applicant is an internal stairlift(s)  |
| <b>Feasibility Studies</b> – where complex work is anticipated or where preliminary investigations/work is required to determine whether an adaptation project/grant is viable   | For the purposes of eligible works as set out under the mandatory DFG section                                     | As set out under the mandatory DFG eligibility | Maximum £5000 less any determined contribution from the test of resources.   | In addition, to those set out under this policy; If a mandatory DFG is approved the discretionary assistance will be included in the mandatory grant and will not be an additional separate amount   |
| <b>Assistive Technology and Innovation Assistance</b> - for bespoke projects to pilot assistive technology or other innovations to improve the lives of disabled residents   | For the purposes of eligible works as set out under the mandatory DFG section                                     | As set out under the mandatory DFG eligibility | Maximum £20,000 less any determined contribution from the test of resources. | Assistance will be awarded on a case-by-case basis having regard to the Occupational Therapist recommendations   |
| <b>Adapting Temporary Accommodation</b> – where a disabled applicant is living in temporary accommodation allocated by the council, the cost of adapting the temporary accommodation to meet the needs of the applicant  | For the purposes of eligible works as set out under the mandatory DFG section                                     | As set out under the mandatory DFG eligibility | Maximum £30,000 less any determined contribution from the test of resources. | The owner of the temporary accommodation must agree the accommodation will continue to be let to the applicant for as long as it is required.<br>Accommodation that becomes vacant must be prioritised for reletting to other clients in need of such adaptations. |

| Discretionary Assistance Option  | Scope of Works   | Eligibility   | Amount of Assistance Offered | Additional Information – (to be read in conjunction with the full policy related to DFG assistance)  |
|--|--|---|------------------------------|--|
| <b>Hospital Discharge Assistance</b> - to support people with disabilities being discharged from hospital where the condition of their property means recommended adaptations cannot take place. | Examples include: <ul style="list-style-type: none"> <li>➤ decluttering (excluding hoarding support services)</li> <li>➤ deep cleaning</li> <li>➤ urgent home repairs to remove a serious hazard (owner occupiers only)</li> </ul> | As set out under the mandatory DFG<br>Urgent home repairs are only applicable to owner occupiers.<br>Landlords and social registered providers are required under specific legislation to ensure their homes meet certain standards and are free from serious hazards which pose a risk to health and safety. | Maximum £5000                | In addition to those set out under this policy;<br>The funding will only be considered if there is no other relevant health or social care funding eligible for the client. It excludes packages of care funded by NHS continuing healthcare fund.<br>Eligible works will be determined as a Category 1 (serious) or Category 2 (Band D/E) using the statutory Housing Health and Safety Rating System under the Housing Act 2004.<br>The additional negative impact such hazards have on someone's condition, will be assessed by the Occupational Therapist. |
| <b>Hardship Assistance</b> - To assist mandatory DFG applicants who have an assessed means tested contribution but have insufficient funds to meet that obligation.                              | For the purposes of eligible works as set out under the mandatory DFG section  | As set out under the mandatory DFG  | Maximum £10,000              | Applicants must have been assessed by a third-party loan provider who have determined the applicant/disabled person will be left in unnecessary financial hardship by making the required loan repayments.   |

| Discretionary Assistance Option   | Scope of Works  | Eligibility  | Amount of Assistance Offered   | Additional Information – (to be read in conjunction with the full policy related to DFG assistance)  |
|---|---|--|--|--|
| <b>Discretionary Children's Grant – Adapting a Second property –</b><br>where a disabled child splits their time between 2 different properties as a result of parental / guardian separation, the cost of making adaptations to the second property. | For the purposes of eligible works as set out under the mandatory DFG section   | As set out under the mandatory DFG eligibility   | Maximum £30,000 – no means test required for children's adaptations          | In addition, to those set out under this policy;<br>The second property must be where the child spends time with their other parent/guardian when they are not at their primary residence. The property must be located within the Hastings Borough Council area.  |
| <b>Essential Home Repairs –</b><br>discretionary assistance to owner-occupier applicants whose properties have a serious hazard likely to cause harm and further impact negatively on their condition.  | To cover the costs of repair work required to mitigate/remove the disrepair so as to facilitate the identified mandatory DFG works to proceed<br>and/or<br>to remove the risk of harm from poor property conditions which affects the ability of the property to be safe for the disabled applicant | Owner occupiers only who have been assessed by an Occupational Therapist as needing adaptations to their home.<br>Landlords and social registered providers are required under specific legislation to ensure their homes meet certain standards and are free from serious hazards which pose a risk to health and safety. | Maximum £10,000 less any determined contribution from the test of resources. | Eligible works will be determined as a Category 1 (serious) or Category 2 (Band D/E) using the statutory Housing Health and Safety Rating System under the Housing Act 2004.<br>The additional negative impact such hazards have on someone's condition, will be assessed by the Occupational Therapist. |

| Discretionary Assistance Option  | Scope of Works  | Eligibility   | Amount of Assistance Offered  | Additional Information – (to be read in conjunction with the full policy related to DFG assistance)   |
|--|---|---|---|---|
| <p><b>Alternative Accommodation during adaptations work</b> - where due to their disability the applicant is unable to remain in the property whilst the works are being carried out. (where Occupational Therapist recommendations specify this may also include a parent/carer)</p> <p>(This does not cover alternative accommodation for reasons of general inconvenience and disruption whilst works are undertaken)</p> | <p>For the purposes of eligible works as set out under the mandatory DFG section</p>  | <p>As set out under the mandatory DFG eligibility</p> | <p>Each case assessed on circumstances. E.g., duration of works, type of accommodation needed (agreed in consultation with Occupational Therapist), length of time accommodation needed etc</p> | <p>In addition, to those set out under this policy; The disability of the applicant must be such that an Occupational Therapist has determined they cannot remain at the property whilst adaptation works are taking place due to the direct adverse impact this has on their condition.</p> <p>Alternative accommodation will only be funded for the period of time the Occupational Therapist determine the applicant needs to be away from the property. For example, this may be for the entire duration of the works or whilst a certain part of the works is being carried out.</p> <p>The funding will only be considered if there is no other relevant health or social care funding eligible for the client, which should be statutorily covered by other agencies or providers.</p> |
| <p><b>Dementia Assistance</b> – To make homes dementia friendly – to help people with dementia, to make minor changes to the home that would support them to live in their own home safely and for longer</p>  | <p>May cover items such as (but not limited to):<br/>Replacing floor coverings causing confusion or safety issues<br/><br/>Changing cupboards to make contents visual<br/><br/>Noise reduction measures</p> | <p>As set out under the mandatory DFG eligibility</p> | <p>Maximum £5000</p>  | <p>In addition, to those set out under this policy; The dementia grant cannot pay for items that can be funded through a mandatory disabled facilities grant, or equipment already provided by the Occupational Therapy Team (OT) but can be used for additional OT recommendations.</p> <p>It does not cover packages of care.</p>   |

| Discretionary Assistance Option  | Scope of Works   | Eligibility  | Amount of Assistance Offered | Additional Information – (to be read in conjunction with the full policy related to DFG assistance)   |
|--|--|--|------------------------------|---|
| <b>Discretionary DFG for Child Garden Adaptations - Mandatory</b><br>DFGs only fund access to the garden. This additional assistance will allow children who are wheelchair users or have challenging behaviours, and who often cannot access local parks, the opportunity to have access to a safe outdoor space. | To facilitate play and normal development opportunities. Examples may include;<br><br>Fencing<br>Level Surfaces<br>Wheelchair accessible paths<br>Safe play area | As set out under the mandatory DFG eligibility   | Maximum £10,000              |   |
| <b>Discretionary DFG for Working Age Applicants with a rapidly deteriorating or terminal condition –</b> to provide assistance to applicants of working age (who may still be currently working) who have a rapidly deteriorating or terminal conditions (such as Motor Neurone Disease [MND]).                    | For the purposes of eligible works as set out under the mandatory DFG section.   | As set out under the mandatory DFG eligibility excluding the requirement for a test of resources as determined by the Housing Renewal Grants Regulations 1996 (as amended) | Maximum £15,000              | Assistance will be awarded on a case-by-case basis having regard to medical prognosis and family circumstances on the recommendation of, and in agreement with Social Care. |
| <b>Discretionary Provision to support a Mandatory DFG Applications –</b> Council Tax Reduction will be added to the list of passporting benefits for applicants of mandatory DFG's   | For the purposes of eligible works as set out under the mandatory DFG section.   | As set out under the mandatory DFG eligibility   | N/A                          |   |

| Discretionary Assistance Option   | Scope of Works   | Eligibility  | Amount of Assistance Offered   | Additional Information – (to be read in conjunction with the full policy related to DFG assistance)  |
|---|--|--|--|--|
| <b>Extended Warranties</b> - 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.  | For the purposes of eligible works as set out under the mandatory DFG section. | As set out under the mandatory DFG eligibility   | N/A  |  |
| <b>Supporting an increase in the number of Adaptable and Accessible Homes at build stage</b> - at the time of writing it is mandatory for all new dwellings to meet M4(1) requirements as a visitable dwelling. However, meeting M4(2) - accessible and adaptable and M4(3)- wheelchair user dwellings requirements depend on locally adopted planning policy requirements<br><br>The aim is to encourage developers / builders to incorporate more M4(2) and M4(3) properties on their developments over and above those required to meet planning policy requirements and to increase the availability of these properties. | For the purposes of eligible works as set out under the mandatory DFG section  | Registered Providers, or other housing organisations providing adapted housing to low-income families nominated by the Council from its waiting lists, within the Hastings and St Leonards | Maximum £50,000 per property subject to a limit based on available funding | In addition, to those set out under this policy:<br><br>Specific terms and conditions to be agreed on a case-by-case basis dependent on circumstances and current demand and need for certain types of property. |

| Discretionary Assistance Option  | Scope of Works  | Eligibility  | Amount of Assistance Offered | Additional Information – (to be read in conjunction with the full policy related to DFG assistance)  |
|--|---|--|------------------------------|--|
| <p><b>Adaptations Assistance for Empty Homes</b> – there is a shortage of supply of accessible properties for those with disabilities and properties that are suitable for adaptation for persons with a disability. It is recognised there may be properties currently empty which could be utilised to provide a home for someone who's current property is not suitable for adaptation.</p> <p>The aim is to increase the supply of properties available to those needing adaptations and to maximise the use of existing housing stock so as to reduce the number of empty homes in the borough.</p> | <p>For the purposes of eligible works as set out under the mandatory DFG section.</p> | <p>Properties that have been determined as long-term empty from council records.</p> | <p>Maximum £50,000</p>       | <p>In addition, to those set out under this policy; Assistance is conditional on the Council having tenant nomination rights for a five-year period with the rent set at Local Housing Allowance level.</p> <p>The property being considered must be of a type which Hastings Borough Council Housing Options Team identifies as being required, based on the needs of those with a disability on the housing register.</p> <p>Adaptations to the property being considered must be reasonable and practicable. The council must be satisfied the works are necessary and appropriate to meet the needs of the disabled person. This is achieved through consultation with the Occupational Therapists and Sensory Impairment Workers employed by East Sussex County Council.</p> <p>Any works carried out both as part of the general works and any eligible under this discretionary assistance must be capable of ensuring the property meets the minimum energy efficiency standard for a rental property.</p> |

## **7. The Disabled Facilities Grant Application Process and Associated Conditions**

The below information is applicable to both mandatory and discretionary disabled facilities grant assistance.

### **Preliminary Enquiries**

General information about what a disabled facilities grant is and how applicants can proceed with an application can be found by visiting the Council website at <https://www.hastings.gov.uk/housing/improvement/dfg/> . If this does not answer your specific query, you can contact 01424 451031 and ask to speak to a member of the Adaptations Team.

Hastings Borough Council administer the disabled facilities grant and application process. However, it is East Sussex County Council who are responsible for determining that any proposed adaptations are necessary and appropriate to meet the needs of the disabled occupant. This is achieved through assessment by a qualified Occupational Therapist. Therefore, residents who have not yet been assessed should contact Health and Social Care Connect on 0345 60 80 191. Further information can be found at <https://www.eastsussex.gov.uk/social-care/getting-help-from-us/contact-adult-social-care> For children's grants, further information can be found at <https://www.eastsussexchildren.nhs.uk/>

### **Making an Application**

All applications for assistance shall be made on the appropriate Council application form and accompanied by all relevant supporting documents. This will include recommendations from an Occupational Therapist if we have not already received them directly from East Sussex County Council.

In making an application, the applicant gives us permission to verify information with other Council services, or statutory agencies.

Before approving assistance, the Council will need to see proof of ownership to enable property ownership to be confirmed. A copy of the proof of title will be obtained through the Land Registry. Other accepted forms of proof of ownership will be at the Council's discretion.

Applications initiated by a qualifying tenant must be accompanied by a tenants' certificate stating that the applicant is a qualifying tenant of the dwelling and, that the disabled applicant intends to live in the dwelling as their only or main residence.

Tenants, as defined within this policy may make applications where they are eligible for assistance. However, the Council will require written consent from the owner of the property before approving the grant.

Adaptations must be carried out in accordance with recommendations made by the Occupational Therapist and schedules of work agreed and approved by the Council.

The Council will not normally approve any applications for a grant if the relevant works have started before the application has been approved. This condition may be waived at the discretion of the Head of Housing.

Assistance will only be approved for the benefit of applicants who are able to provide evidence of a valid National Insurance Number.

### **Means Testing**

Where applicable, as part of an application for assistance within this policy, a test of resources will be carried out in order to assess the amount, if any, that the applicant will contribute to the cost of the works. The means test will be the same as that applied to mandatory DFGs. The applicant(s) is/are required to provide information about all sources of income and all savings and to provide evidence to support the information given.

A failure to provide full and accurate information may result in an application for assistance being recalculated or refused depending on the circumstances. Any deliberate attempts to mislead, provide false information, or a failure to disclose relevant information could result in formal action being taken by the Council.

### **Permissions and Consents**

The Council will not approve assistance unless the appropriate permissions and/or consents have been obtained, e.g., planning permission, listed building consent, building control approval, consent of the appropriate water company, etc.

### **Ancillary Fees and Charges**

Fees and charges associated with any of the grants/assistance will be paid as part of the provision that grant/assistance, subject to the maximum amounts available under that type of grant/assistance. Examples of ancillary fees and charges include;

- Fees charged by a Home Improvement Agency
- Private architects or surveyor fees
- Charges for planning permission, or building regulations approval
- Charges relating to Party Wall Act 1996 awards
- Fees relating to structural reports
- The costs of any electrical report carried out by an appropriately qualified electrician, required by the Council, to establish what electrical works are necessary
- Land Registry fees

The Council will determine which fees are eligible for assistance, the level of the fees, and whether they are properly incurred.

The maximum fee level is 25% of the eligible assistance value, which includes agent fees. The Housing Renewal Manager retains discretion to waive this maximum amount in exceptional circumstances.

### **Costs and Reasonableness of Works**

The following applies where works are required as part of the assistance:

The Council will consider the cost of all proposed eligible work and the reasonableness of the cost, based on the quotations submitted.

Where the Council does not deem the quotes to be reasonable, the Council will approve a level of assistance for which it believes the works could reasonably be carried out. The level of any assistance approved may be the total cost of agreed works, or, where the applicants' financial assessment requires them to raise some funding of their own, the difference between the value of their own funding and the total cost of agreed works.

### **Unforeseen Works**

Additional funding will only be provided above the original approval level in the event of unforeseen work being needed to allow completion of eligible works, or associated works, of a nature to protect the health and safety of occupiers, or evidence to show increases in costs to the contractor. The Council must be able to independently confirm any such increases, by means of inspection.

No unforeseen works can commence until written confirmation from the Council has been received as to whether these works are reasonable in terms of cost, are truly unforeseen, and whether the works are necessary. In exceptional circumstances, this term can be waived where the Officer dealing with the grant/assistance agrees either verbally, or in writing, (without necessarily carrying out an inspection) that the works may commence, due to risks to the health and safety of the occupants. A formal re-approval of assistance will be required before any payment above, or below, the original approval level is paid.

### **Abortive Works**

This term relates to situations where an application for assistance has been aborted before works have been completed, for example where the applicant has died. For Disabled Facilities Grants, consideration will be given to payment of a proportion of the grant assistance in line with current legislation and guidance and at the discretion of the Housing Renewal Manager.

### **Payments**

The payment of any assistance is conditional upon the eligible works being carried out to the satisfaction of the relevant council officer. Where relevant any certification required for elements of those works, e.g., Gas Safe Certificate, Part P compliance Certificate, etc. will need to be provided before payment is made. The Council will require an acceptable invoice for the works carried out, and any ancillary charges, or services.

All payments will be made directly to the Home Improvement Agency if the applicant is their client, or to a private agency (for example a surveyor), or to the contractor. The applicant will be advised that a payment has been made, the amount, and the date of payment.

The Council reserve the right to make a payment direct to the applicant in certain circumstances, for example, where there is a dispute over the standard and quality of work with the contractor.

The Council will consider requests for interim payments if they are requested before works commence, or in exceptional circumstances. However, it will not normally approve an interim payment of more than 90% of the cost of completed work and, in aggregate, no more than 90% of the total approved cost of the work before final completion.

### **Maintenance**

Maintenance of a property is the owner's responsibility, and the council will take any lack of maintenance into account when considering eligible works.

### **Local Land Charge applied to properties in receipt of a Disabled Facilities Grant (DFG)**

A charge local land charge is where the Local Authority legally records a charge on the local land charges record. This charge does not recover any debt but goes with land so, on disposal of the land, the charge is carried forward to the next owner, unless agreement is reached to settle the debt, plus compound interest at a reasonable rate determined by the Council, prior to the sale, if not settled beforehand.

On deciding whether to require repayment the council must take into account; the extent to which the recipient of the grant would suffer financial hardship if they were required to repay the grant, whether disposal of the premises is to enable the recipient to take up employment or change location of the employment, for reasons connected with physical or mental health or well-being or whether the disposal is to enable the recipient to live with, near any person who is disabled and/or in need of care which the recipient intends to provide.

### **Mandatory DFGs**

Where the cost of the DFG exceeds £5,000, the Local Authority is able to place a local land charge against the property (limited to a maximum charge of £10,000); repayable if the property is sold within ten years. This applies only to recipients with a qualifying owners' interest in the property being adapted. The purpose of this is to allow for recycling of funds for DFGs. In each case the Council will take account of the individual circumstances of an applicant in deciding whether the charge should be made.

## Discretionary DFG Assistance

Depending on the type of Discretionary Disabled Facilities Grant assistance being offered the Local Authority will place a land charge against the property for the full amount of discretionary grant assistance being offered. If discretionary assistance is being provided in addition to a mandatory disabled facilities grant, then this will result in 2 charges being placed on the property for the respective amounts.

Where the value of a discretionary disabled facilities grant is £5,000 or less and the recipient is not receiving a mandatory disabled facilities grant, there will be no requirement for repayment and a local land charge will not be placed against the property.

## **After Adaptations have been Completed**

Following completion of any adaptations, where conditions are attached, the applicant(s) shall, upon receiving a written request from the Council, reply in writing, within 21 days of the date of the request, stating how they are complying with any of the terms and conditions of the assistance enquired about. Failure to comply with this item will be deemed a failure of conditions, requiring total repayment of assistance plus compound interest at a reasonable rate determined by the Council.

## **Applications for further Disabled Facilities Grants**

There is an expectation the initial adaptation will meet the long-term needs of the client, to prevent successive applications. However, it is accepted further adaptations may be required for a disabled person who has a deteriorating condition. The council will make every attempt to expedite procedures and work with East Sussex County Council Occupational Therapists to achieve interim solutions, where delays may occur.

There is no restriction on DFGs for the same property, and depending on the time lapse between applications, there is provision for any means tested contribution made on the first grant not to be taken into account on a subsequent application. This is five years for a tenants' application, and ten years for an owner-occupier's application.

## **Holiday and second homes**

Holiday residences and second homes (as defined by Council Tax) will not be provided with grants/assistance or loans.

## **Contractor Issues**

Where the recipient of a grant has agreed for the council home improvement agency to undertake works and the council to pay contractors directly, any concerns or complaints regarding the adaptations work should be raised with us. The recipient's assistance will be required where appropriate to assist in the investigation of any complaint; e.g., providing access to their property for any assessment, repair works that may be required.

## **Buildings Insurance**

Applicants must maintain adequate buildings insurance throughout the applicable condition periods unless they do not have an insurable interest in the property.

## **Prevention of Fraud**

Information provided to the Council by applicants as part of the application process will be checked thoroughly and may be shared with other departments of the Council, and other organisations involved in any aspect of handling public funds, to help prevent and detect fraud, or in investigation of other possible criminal activities. The council will continue to implement our internal procedures to detect and prevent fraud throughout the assistance process. These procedures have regard to relevant statutory instruments and guidance.

## **Arrangements for applications which fall outside of this policy**

This policy aims to cover a comprehensive range of circumstances where assistance can be provided. There will be circumstances that arise in which exceptions to this policy will need to be considered. In such cases, the Head of Housing will exercise discretion as appropriate, guided by the principles that inform this policy, alongside appropriate legislation and, if applicable, any statutory guidance.

## **Timescales for the Delivery of Assistance**

It is a requirement under the Housing Grants, Construction and Regeneration Act 1996 that any completed applications received for a Disabled Facilities Grant should receive a decision, as to whether grant funding will be provided, within 6 months of receipt of the application.

Hastings Borough Council process applications as quickly as is reasonably possible. The timescale may vary depending on the level of demand. At the time of drafting, all applications received by Hastings Borough Council over the last 3 financial years have been determined within that timeframe.

Once approval has been granted, the adaptations work will commence as soon as a start date is confirmed with the contractor via our Home Improvement Agency (Town and Country Housing). This timescale will vary depending on the level of demand and availability of tradespeople. The average time for works to be completed following grant approval in 2022/2023 was 124 days (including weekends/bank holidays etc).

In certain circumstances a DFG may be fast tracked for approval if the Occupational Therapist has determined there is a heightened risk or need.

## **Performance Monitoring**

Various performance monitoring parameters are used to ensure the DFG process is working as effectively as possible. This includes quarterly reporting on the number and type of grants approved, tenure or properties receiving adaptations, average costs, timescales for delivery, and reasons for closure of applications and why they did not proceed.

This information helps inform policy decisions and identify potential barriers to the accessing of disabled facilities grants. We then use this information as a continuous cycle of review and best practice to ensure the process is as effective and efficient as possible.

## **8. Discretionary Housing Renewal Loans**

### **Purpose**

Hastings Borough Council works with Parity Trust, a trusted ethical loans partner, to administer a small fund for housing loans. Availability and accessibility of loans is strictly administered by the Council and Parity Trust and are only approved where the applicant can afford to repay.

### **Eligibility**

The qualifying conditions for the assistance are that the applicant;

- Is aged 18 years or more, and
- Is the owner, a tenant (for certain forms of loans only), or has a right to exclusive occupation of at least five years, and
- Has a duty, or power to carry out works (if applicable)

### **Eligible Work**

Loans can be used to assist people needing the following types of help;

- Meeting the financial contribution to a mandatory Disabled Facilities Grant
- Topping up a Mandatory Disabled Facilities Grant, where the grant does not cover all the costs
- Assisting someone move house, where their home cannot be adapted for their disability needs
- Urgent repairs to a home (owner occupiers only)
- Renovating homes (owner occupiers only)
- Assisting in bringing long term empty homes back into use
- Improvements to the energy efficiency of a home (including whole house retrofit and renewable energy technologies)
- Other types of help may be considered, dependant on circumstances at the discretion of the Housing Renewal Manager

### **Amount of Assistance**

The amount of assistance is dependent on the affordability of the loan as determined by Parity Trust.

### **Conditions**

See general terms and conditions of loans provided by Parity Trust. For more information, please see the following link

[https://www.hastings.gov.uk/housing/improvement/housing\\_grants/](https://www.hastings.gov.uk/housing/improvement/housing_grants/) or call 01424 451031.

## **9. Implementation, Monitoring and Review**

This policy will apply to all new applications received from 7 June 2023.

The policy will be monitored in accordance with local performance indicators and will be reviewed on a three-year cycle from that date or as circumstances dictate.

## **10. Complaints about this policy and/or Decisions made**

Complaints about how the policy is operated in individual cases, for example where assistance is refused, will be considered by the Head of Housing, or their authorised nominee. Complaints can be made online <https://www.hastings.gov.uk/my-council/complaints/make/> or in writing to Hastings Borough Council, 4<sup>th</sup> Floor, Muriel Matters House, 2 Breeds Place, Hastings, East Sussex, TN34 3UY.