

Aids and Adaptations Policy 2022-2027

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1.0 Foreword by Cllr Elizabeth Kangethe, Cabinet Member and Champion for Disabled People

The London Borough of Barking & Dagenham iD

Under the **Housing Act 2004**, Local Authorities have a duty to keep housing conditions under review, including having regard to hazards that might be dangerous or prejudicial to health for certain vulnerable groups.

The **Social Care White Paper**

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The borough is also very diverse with 83% of pupils attending schools identifying as black and minority ethnic backgrounds.

Barking and Dagenham is a young borough, with around 63,400 children and young people under the age of 18, 30% of the total population, the highest proportion in the UK. 74% are from ethnic minorities and the proportion of children and young people who speak English as an additional language is more than 2.5 times than the national average. This level of diversity is even more prominent among the younger population, where four in five children are not from a White British background. 23.8% of children under 16 in the borough are living in low-income families, an increasing proportion, and way above England average of 17.1%.

The council strives for the borough to be a place in which residents are supported to achieve independent, healthy, safe, and fulfilling lives. The healthy life expectancy of residents is 60.1 and 62.5 years of age for males and females respectively, this contrasts with the London averages of 64.2 and 64.4 years old for male and females, respectively. Residents of Barking and Dagenham are spending a greater proportion of their lives in ill health and therefore increasing the demand on social care and health services.

The assistance outlined in this policy aims to support people to remain living independently in their homes for as long as they wish to, and it is safe for them to. The assistance also supports the priority of the Better Care Fund Plan for 2021-22 which is for Community Support and Independence and aims "To support people to remain well in the community and maximise their independence and reduce admissions".

5.0 Equality and Diversity

The Council is committed to fulfilling its roles as an employer, service provider, purchaser of goods and services and community leader without discrimination. We will apply this policy fairly and give equal treatment regardless of age, disability, gender, sexual orientation, transgender status/gender reassignment, race and religion/belief. All members, employees and agents of the Council must seek to eliminate discrimination and promote equality and good relations between all groups. The Council's equality information can be found on the council's website - [Equality and diversity | LBBD](#).

We want to improve the lives and well-being of everyone in the Borough. This policy is particularly relevant for anyone who has a disability or long-term condition. Our aim is to ensure that people have a safe and suitable home and immediate surrounding areas so that they can live independently in their current home for as long as is possible.

The Council and its agents will record and monitor data to gain insight on the impact of this policy on diverse customers and help improve operational processes.

6.0 Principles of assistance

The Council recognises that the primary responsibility for repairing and maintaining a property rests with the owner³. However, the Council has certain statutory responsibilities to

³ The owner' is defined as the owner occupier or landlord.

fulfil and must also take steps to protect and assist vulnerable members of the community whilst providing advice to all residents to help them maintain their own homes and utilise government funding where appropriate.

The Council provides support to older and disabled individuals, and their carers, to help them to remain living independently, confidently safely and with dignity in their own homes. Housing assistance can help to reduce the impact of a disabling environment and therefore maximise independence. It can help to prevent or delay the need for care and support, both of which are central themes of the Care Act 2014.

In addition, housing assistance provides support to carers in their caring role and underpins

applicant, particularly for more extensive adaptations, as the service will organise and manage both the application and the work.

The Team will:

Where applicable, assess the applicant's financial circumstances by a statutory **means test** which will identify any contribution to be paid towards the cost of the works.

Arrange for a technical officer to visit to discuss how the adaptations can be provided in the home and what building works or alterations are required to provide them.

Draw up a schedule of works and plans (and planning permission or building regulations approval if required).

Assist in the completion of the formal DFG application forms.

Supervise the contractor on site on behalf of the applicant.

Deal with any unforeseen works and interim payments.

Arrange final payment to the contractor and collect any certificates and guarantees from them and pass them on the applicant.

Option 2 – Customer Contractor process

This option is where an applicant may wish to use the services of the Council's DFG support service to prepare their application for DFG, including the preparation of drawings but wishes to use their own choice of contractor to carry out the works.

A comprehensive information pack will be provided to any applicants who wish to pursue this option including the role that the DFG Support Service and the responsibilities regarding the works which will transfer to the applicant.

11.0 Complaints

The Aids and Adaptions Policy does not have an appeal process in relation to what adaptations have been recommended by the Occupational Therapist. If the service user is

The Team is committed to ensuring good quality customer service and the performance measures used are based around measuring and improving the quality of service and customer outcomes as well as ensuring improvements in the speed of service delivery.

13.0 Key definitions, references and abbreviations

RRO – Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
<http://www.legislation.gov.uk/ukxi/2002/1860/article/3/made>

– Housing Grants, Construction and Regeneration Act 1996

<http://www.legislation.gov.uk/ukpga/1996/53/contents>

Total Council DFG – the Disabled Facilities Grant that the Local Authority receives

Individually awarded DFG- the Disabled Facilities Grant that individuals receive following the assessment and eligibility processes outlined above

DDFA – Discretionary Disabled Facilities Assistance

BCF – Better Care Fund

HHSRS – the Housing Health and Safety Rating System, the prescribed system under the Housing Act 2004 for measuring hazards associated with housing conditions

ECO – Energy Company Obligation

Certified Date – the date certified by the service on behalf of the Council as that on which the execution of eligible works is completed to the Councils satisfaction. In this instance being the works complete date.

Dwelling – a building or part of a building occupied or intended to be occupied as a separate dwelling, together with any yard, garden, outhouse, and appurtenance belonging to it or usually enjoyed with it.

Exempt disposal – a disposal or transfer of the whole or part of the premises to a person whose main residence is the property and who is (a) one of the joint owners of the dwelling, or (b) the wife, husband, or partner (including same sex) of the owner or one of the joint owners of that property.

Relevant disposal – a conveyance of the freehold or an assignment of the lease, or the granting of a long lease (one of over 21 years, otherwise than at rack rent)

Customer – individuals being assessed or receiving a DFG

Carer – individuals who look after people with care and support needs in a personal capacity

Contractor – organisation commissioned to support the DFG process, including architects and building companies

Member of family a person is a member of the applicant's family if they are the spouse of the applicant or living together as partners, or is the grandparent, parent or dependent child of the applicant or their spouse or partner (inclusive of same sex partners, stepchildren, adopted and foster children).

Owner-occupier – whilst this term is self-explanatory, where appropriate it will include certain tenants with repairing type leases (sometimes called FRI or Full Repairing and Insuring Leases, of a suitable duration) who would otherwise be unable to insist their 'superior landlord' undertake renovations. Repairing lease tenants would qualify for DFG in their own right, with permission

14.0 Appendix 1 Grants Available

A. Mandatory Disabled Facilities Grant

This is included for context and information purposes. The Council will award mandatory Disabled Facilities Grant (DFG) according to the governing legislation – principally the 1996 Housing Grants, Construction and Regeneration Act and subordinate Regulations and Orders as amended - and guidance issued by central Government, and which details amongst other matters the types of work that are to be funded, the maximum grant payable (currently £30,000), and the appropriate test of financial resources where applicable.

Qualifying Criteria

All owner-occupiers and tenants, licensees or occupiers who can satisfy the criteria in sections 19-22 of the 1996 Act are eligible to *apply* for DFG, but applicants must be aged 18 or over (this does not apply to the disabled person, who may be younger). Tenants of Social Housing Providers and private landlords are also eligible to apply, but Council tenants should apply directly to the Housing Department which has a parallel and equally effective system for adaptations. Being eligible to apply does not automatically confer approval – some cases will not meet statutory tests as described below, and others may have significant means tested contributions more than the cost of works.

As a part of the application process, the Council will require certificates relating to property ownership and future occupation and will request permission from the owner. The Council would reasonably want to ensure the tenant has the right to carry out the works and that the landlord would not object or attempt to reinstate the property and evict the client.

Qualifying Works

Those works eligible for mandatory DFG are set out in section 23(1) of the 1996 Act, as amended. These are;

- i. facilitating access by the disabled occupant to and from the dwelling, qualifying houseboat or qualifying park home, (now including the garden) or
- ii. making the dwelling, qualifying houseboat or qualifying park home safe for the disabled occupant and other persons residing with them;
- iii. facilitating access by the disabled occupant to a room used or usable as the principal family room;
- iv. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
- v. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
- vi. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
- vii. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there

- ix. improving any heating system in the dwelling, qualifying houseboat or qualifying park home to meet the needs of the disabled occupant or, if there is no existing heating system or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet their needs;
- x. facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
- xi. facilitating access and movement by the disabled occupant around the dwelling, qualifying houseboat or qualifying park home in order to enable them to care for a person who is normally resident and is in need of such care;

contractors are suitably qualified, and the result meets the Council Equipment and Adaptations Service and Occupational Therapist's requirements.

Financial Assistance

Mandatory DFG will be subject to a means test in accordance with the regulations made under the 1996 Act, as amended. The maximum mandatory DFG award is currently £30,000 minus any contribution required by a 'means test' (test of financial resources). Successive applications may be awarded for those persons whose condition is degenerative, or they develop additional needs. If the maximum grant limit is changed by statute then the maximum available DFG award by Barking and Dagenham Council will reflect this, and similarly if the means test is changed then Barking and Dagenham Council will use the current means test outlined within Statute where appropriate.

At the time of publication, where successive applications are awarded, the applicants' assessed contribution to the first grant award will be considered if within the period of the contribution originally calculated (10 years if owner, 5 years if tenant).

the extent to which the recipient of the grant would suffer financial hardship were they to be required to repay all or any of the grant;

whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of their employment;

whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or of a disabled occupant of the premises;

B. Adaptations Grant

Aims

This grant aims to support residents who are unable to access the Mandatory DFG due to means test considerations to receive funding for adaptations to help them remain living in their home.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually and reviewed bi-annually by the Commissioning Director in consultation with the Strategic Director for Adults and Children's and the Cabinet Member and Champion for Disabled People.

The grant will only be available whilst funds permit as it is a discretionary grant. Funding may be withdrawn with immediate effect, however in such circumstances mandatory DFG will continue to be available.

Who will it help and what works will be done?

It will use the same eligibility criteria as the Mandatory DFG but will not be means tested.

Anyone eligible for a Disabled Facilities Grant is also eligible for an Adaptations Grant including any person who is, or is applying on behalf of someone who is:

registered or registerable⁵ as disabled

A person over the age of 18 is eligible to apply for an Adaptations Grant under the same criteria as a Disabled Facilities Grant, this can be for themselves or on behalf of the disabled person if they:

own their own home as a freeholder or leaseholder (with at least 5 years left to run),
are a tenant or life tenant,
or have a license to occupy a park home on a licensed site and live in the Barking and Dagenham

Unless otherwise stated in this document all other aspects of the provision of Disabled Facilities Grant under the Housing Grants Construction and Regeneration Act 1996 and associated regulations and guidance shall apply including the list of eligible works.

The eligible works will be determined in consultation with a suitably qualified professional which includes an Occupational Therapist and the cost of the eligible works shall be determined so as to provide 'best value'. These may be decided by an appropriate schedule of rates, a 'mini tender' process or in exceptional circumstances, a single quotation for the eligible works.

The eligible works shall be 'necessary and appropriate' to meet the needs of the disabled occupant and it must be 'reasonable and practicable' to carry out the relevant works having regard to the age and condition of the dwelling. Regard shall be had to the associated guidance and good practice in determining these factors.

⁵ registerable - the person is eligible under the definition of disabled as defined under section 6(1) of the Equality Act

Will it be means-tested?

Any grant eligible works paid under this grant will not be subject to a 'means test' of the financial resources of the disabled occupant. Therefore, they will be entitled to receive a full grant to cover the cost of the eligible works up to £15,000 (including any fees and VA

C. Top-Up Grant

Aims

The aim of the scheme is to help the vulnerable members of the community where the Mandatory Disabled Facilities Grant (DFG) is insufficient to cover the full cost of the works or where the works are out of scope of the legislation but by completing them there would be demonstrable savings to the wider public purse and clear benefits to the applicant and/or their family/carers.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually and reviewed bi-annually by the Commissioning Director in consultation with the Strategic Director for Adults and Children's and the Cabinet Member and Champion for Disabled People.

The grant will only be available whilst funds permit as it is a discretionary grant. Funding may be withdrawn with immediate effect, however in such circumstances mandatory DFG will continue to be available.

D. Safe & Well Grant

Aims

The Safe and Well Grant is available for property clearances and cleaning and essential property repairs which are

The grant will only be available whilst funds permit as it is a discretionary grant. Funding may be withdrawn with immediate effect, however in such circumstances mandatory DFG will continue to be available.

[How to apply?](#)

Through the Council's Adult Social Care Team or the Hoarding Support Service.

Funding will be awarded on a case-by-case basis at the discretion of the Council's Senior Management.

E. Relocation Grant

Aims

The aim of the scheme is to help vulnerable members of the community where it is not possible to adapt their current home, but by supporting them to move to more suitable accommodation there would be demonstrable savings to the wider public purse and clear benefits to both

The current property may contain hazards or defects which would not be sufficiently addressed by the works or otherwise by the client or owner.

The property owner (landlord) refuses to permit the adaptation.

The property is for sale, or pending foreclosure, bankruptcy (as security against debt) or repossession.

The tenancy is due to end and not be renewed or is otherwise unstable.

Relationship breakdown.

The client wishes to downsize

Funding will not be given towards the purchase price of an alternative property but may be provided towards legal and moving costs.

Moving and house purchase finance will be determined on a case-by-case basis determined by:

the tenure and location of the original and new properties

the residual equity and any increased mortgage debt

whether moving within the Council's jurisdiction, or beyond

whether the original property is unadaptable, unaffordable or poor value to adapt,

whether moving is purely an occupier choice or because of a landlord's refusal to permit adaptation.

Mandatory DFG of up to £30,000 is available for adaptations in properties residents have moved to (within the local area only) but may be reduced by any assessed contributions.

How to apply?

G. Professional Fees Grant

Aims

For the preparation of a Mandatory DFG application it is sometimes necessary to incur professional fees, such as for Architectural services, which if the works are unable to proceed are not able to be paid under the mandatory DFG if works are cancelled when no formal application for assistance has been made.

The purpose of this grant is to enable those fees to be paid in those instances where the cancellation of the application is due to circumstances beyond the control of either the applicant or the equipment and adaptations service.

The professional fees grant will not be available in circumstances where an applicant changes their mind regarding proceeding with an adaptation after fees have been incurred.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually and reviewed bi-annually by the Commissioning Director in consultation with the Strategic Director for Adults and Children's and the Cabinet Member and Champion for Disabled People.

The grant will only be available whilst funds permit as it is a discretionary grant. Funding may be withdrawn with immediate effect, however in such circumstances mandatory DFG will continue to be available.

Who will it help?

It will help anyone who is eligible to apply for a Mandatory DFG, subject to all personal and financial eligibility criteria.

Will it be means tested?

The Mandatory DFG means test will apply.

How much funding might be available?

The maximum funding available is £2,500 per applicant/property.

Will there be a charge against the property?

No, there will be no charge placed against the property.

Will there be any conditions attached?

The person must be a permanent resident of Barking and Dagenham and the property must be their permanent address.

A maximum of one application will be considered in any 5-year period.

How MC /pl3l8871 0 595n32twil

15.0 Appendix 2 Summary of Responsibilities

Document	Reason	Managed Application Process	Customer Contractor Process	Customer Managed Process
Completed and signed application form	To apply for the funding	LBBB	LBBB	Applicant
Proof of financial circumstances to support your test of resources	As detailed in the application form	LBBB	LBBB	Applicant
Signed Certificate of Ownership/ Tenancy	To prove ownership of the property	LBBB	LBBB	Applicant
Completed Owner's Certificate	To confirm your intention to remain in the property for 5 years following completion of the works	LBBB	LBBB	Applicant
Asbestos Report (if required)	To ensure safe working environment	LBBB	LBBB	Applicant
Land registry check/ Landlord permission	To prove ownership/ provide consent from landlord to the works	LBBB	LBBB	Applicant
Signed general consent form	To agree to repay the grant funding in line with the charge outlined in the Housing Assistance Policy	LBBB	LBBB	Applicant
Specification of works Drawings/ Plans (if required)	To provide full specification of works To show the design of the schemes 11.04 Tf 11.0.	LBBB	LBBB	Applicant

