

Home adaptations and assistance policy

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Section 1: Home Adaptations and Assistance Policy

1.1 Introduction

This document succeeds the previous version of the Home Adaptations and Assistance Policy approved in 2018 and sets out policy guidance for home adaptations and assistance in Herefordshire.

The Regulatory Reform Order 2002 introduced a wider discretionary power to allow local authorities to provide a range of financial and other assistance for repairs, improvements and adaptations. The intention was to allow greater flexibility and discretion in delivering housing renewal to address local needs. The authority may only use powers identified within the RRO if there is a published local Housing Assistance policy.

By publishing a housing assistance policy under the RRO the housing authority is also able use government funding for DFG more flexibly. The ring fenced DFG funding is provided annually by the government through the Better Care Fund (BCF), and the funding must be spent in accordance with the local BCF plans. The DFG funding may be spent in three ways: in accordance with mandatory DFG approvals, providing assistance in accordance with the local published Housing Assistance Policy or for other agreed social care capital funding projects.

The Home Adaptations and Assistance Policy identifies the flexibilities under the RRO that Herefordshire Council has agreed to make available to meet these wider local housing needs, and that can be funded via the DFG capital budget.

The policy also makes reference to the current statutory duties and recommended practice in the area of home adaptations and assistance to disabled people who wish to remain living independently in their own homes.

Recent Guidance Changes

In March 2022 the Government introduced revised guidance around Disabled Facilities Grant delivery. This policy has been updated with reference to the revised guidance,

Another recent document “Housing Associations and Home Adaptations; Finding ways to say yes” published by Foundations also in March 2022 has also informed the review of this policy, and changes made in reference to this are identified within the text.

In 2020 a high court ruling on a Disabled Facilities Grant request: *R (McKeown) v Islington LBC* [2020] EWHC 779 (Admin), [2020] PTSR 1319 , caused some national discussion around the interpretation of this with regards to an apparent inference that different “purposes” can be considered separately within a property with a separate DFG application for each purpose. This is case is referred to within the section on mandatory DFGs.

Legislative Framework

The legislative framework governing the mandatory disabled facilities grants (DFGs) is provided by the Housing Grants, Construction and Regeneration Act 1996, and Housing Renewal Grants Regulations 1996. Since 1990 housing authorities have been under a

statutory duty to provide grant aid to disabled people (adults and children) for a range of adaptations to their homes.

The regulations, statutory instruments and orders around this legislation have been supplemented and amended in England regularly since 1996 to reflect changes in disabled facilities grant provision and other areas of wider national policy.

Within Herefordshire council both the “housing authority” and “social services authority” as referred to within legislation lie within the Community Wellbeing department of the council. Disabled facilities grants and related assistance are administered by the in-house home improvement agency (HIA) “You at Home”, which undertakes the council’s housing authority function in this regard.

The Housing Act 2004 provided local authorities with duties and powers to tackle poor housing conditions. The idea behind the act was that local authorities would look at the condition of properties using a risk assessment approach called the Housing Health and Safety Rating System (HHSRS). Local authorities would then give priority to dealing with the greatest risks to health and safety in dwellings. Officers use the formal scoring system within HHSRS to demonstrate the seriousness of hazards that can cause harm in dwellings. If the officer finds a serious hazard (i.e. one in the higher scoring bands A – C, called a category 1 hazard in the act) the local authority is under a duty to take action. The home improvement agency team works in liaison with Herefordshire council’s environmental health team to give advice and support to private owners and tenants when a category 1 hazard is identified during site surveys for works within the remit of the home adaptations and assistance policy. In addition the home improvement agency works with housing commissioning colleagues to ensure that stock conditions surveys and other appropriate housing research & developments can help inform appropriate forms of assistance within this policy.

The Care Act 2014 came into effect from April 2015 and housing is extensively referenced throughout the associated guidance which specifically acknowledges the importance of suitable living accommodation in enabling people to live independently. Housing is included in the key definitions of wellbeing, prevention and integration. To achieve the main aims of the Care Act practical help must be available to help the residents of Herefordshire live independently at home, including the provision of adaptations and community equipment, alongside integrated information and advice about housing, care and related financial options.

Social service authorities are required to provide community equipment and adaptations costing £1,000 or less without charge¹. Within this policy adaptations costing £1,000 or less are referred to as minor adaptations and as such are procured separately to adaptations arranged under the disabled facilities grants process, which applies to adaptations costing in excess of £1,000, referred to as major adaptations.

The Chronically Sick and Disabled Persons Act 1970 Section 2 continues to apply to children and places a strong duty on social services in relation to adaptations, along with the Housing Grants, Construction and Regeneration Act 1996.

¹ The Care and Support (Charging and Assessment of Resources) Regulations 2014, regulation 3

1.2 National and Local Policy

The home adaptations and assistance policy is compiled with reference to the legislation referred to above and takes into account the following local policies:

Local Housing Strategy 2021-2026

Affordable Warmth Strategy 2016-19

Housing Allocation Scheme 2010

Housing Enforcement Policy

Housing Market Area Needs Assessment – Final Report July 2021

County Plan 2020-2024

Herefordshire Health and Wellbeing Strategy

1.3 Key Issues

In Herefordshire with regards to the local policies cited above the key issues that must be addressed by the home adaptations and assistance policy are as follows:

- Statutory legislative duties and government guidance
- The challenges presented in the Care Act 2014 to offer practical help to the residents of Herefordshire to live independently at home including the provision of adaptations and community equipment, preventing, delaying or reducing the need for care and support.
- Adaptations to aid independent living for older persons in their own homes rather than moving to care homes.
- Improve the quality of life by providing adaptations to the homes of disabled people.
- Assisting with hospital discharge to return home, and reduce delayed transfers of care.
- Improving housing safety and security
- Reducing the risk of falls at home
- Linking with other agencies to help reduce fuel poverty.
- Supporting disabled children, young people and their families
- End of life care – supporting people to die in their usual place of residence rather than elsewhere.

1.4 Working with local partners

It is recognised that the council does not have the resources to address all housing adaptation issues, and so in order to meet needs, and deliver an effective policy, the principals of partnership and collaborative working will continue to be strengthened and

developed between our existing partners. This includes registered providers, energy efficiency partnerships, internal departments and directorates, health partners and voluntary sector organisations.

Registered Providers & Private Landlords

Whilst any individual, regardless of tenure, is entitled to apply for a disabled facilities grant; in the case of tenants of registered providers good practice points towards the development of an adaptations agreement with the local registered providers, including strategies for making best use of adapted properties through allocations practice and policy.

To this end, prior to DFG funding being released landlords, including registered providers in Herefordshire are required to sign a certificate agreeing to future re-letting of the property to tenants on the basis of their needs for the adaptation wherever possible. Compliance with this is now audited at intervals by Strategic Housing colleagues, and landlords are encouraged to ensure that they identify properties appropriately when being advertised on Home Point for re-letting. Where appropriate Herefordshire Council may also seek to secure nomination rights to a property where a grant has been given under this policy.

Council Owned Properties

In 2021 Herefordshire Council has itself become a registered provider of a small number council properties. As the council does not hold a Housing Revenue Budget to fund adaptations, where required these may be funded via DFG budget.

Adaptations on Travellers Sites operated by Herefordshire Council will be discussed on a case by case basis with relevant Property/ Strategic Assets colleagues to identify any other appropriate funding sources available.

Strategic Housing & New Build Properties

The Housing Occupational Therapist works closely with Strategic Housing colleagues to assist with design briefs for new build properties and where required identify or negotiate additional funding solutions to meet individual needs.

Environmental Health

The Home Improvement Agency undertake inspections under the HHSRS, to identify where Category 1 hazards may be impacting on the residents' health in owner occupied properties. Liaison with Environmental Health takes place where required to discuss and agree best practice in complex situations. Referrals can be received from home owners themselves or via various agencies including health and social care teams.

1.5 Types of assistance

To address these key issues for the period of this policy the following types of assistance, which are expanded upon later in this section, will be available:

1. Mandatory Disabled Facilities Grants
2. Professional and Technical advice
3. Emergency Repayable Grant
4. Discretionary Disabled Facilities Grant
5. Discretionary Fast Track Adaptations Scheme
6. Relocation Grant
7. Housing Occupational Therapist
8. Minor Adaptations & Handyperson Scheme
9. Technology Enabled Care Services

This policy will be reviewed towards the end of the policy period or sooner if prompted by central government legislative or significant funding changes, or significant local or council policy developments which may have impact on this policy. This policy framework clearly directs resources to the priority client groups at this time.

1.6 Mandatory Disabled Facilities Grant

This means tested assistance is provided in accordance with statute, and is subject to a maximum grant limit of £30,000², for adaptations to facilitate access into and around the home and for essential provisions within it for the disabled applicant and his or her family. This maximum grant will be reduced by the assessed client financial contribution under the means test.

An applicant must be:

- A private owner or tenant of the dwelling requiring adaptation. A registered provider or landlord may apply on behalf of a tenant.

or

- The owner or tenant of a houseboat or caravan requiring adaptation. A landlord may apply on behalf of a tenant.

A “dwelling” means a building or part of a building occupied or intended to be occupied as a separate dwelling, together with any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it.

“Ownership” is defined under the legislation, and where the property is jointly owned all owners should be agreeable to the works and sign the relevant documentation.

In accordance with Care Act requirements adaptations costing less than £1,000 will not normally be considered for a disabled facilities grant but instead be funded as a minor

² Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008

adaptation in private properties or directed to the relevant registered provider (see section below).

“Necessary and appropriate”

The local authority has a duty to consider what adaptation works are “necessary and appropriate” in relation to the purpose for which the grant application is made.

Section 24 of the Housing Grants, Construction and Regeneration Act 1996 places a duty on housing authorities that are not themselves a social care authority to consult the relevant social care authority on the adaptation needs of disabled people seeking help via a disabled facilities grant. In Herefordshire the occupational therapy team in the adults and wellbeing directorate will normally perform this function, along with colleagues in children’s services. In some circumstances recommendations are considered from occupational therapy staff in Wye Valley Trust, private occupational therapists, or other sources at the home improvement agency manager’s discretion.

Complex adaptations will be subject to a panel discussion between occupational therapy and home improvement agency colleagues.

“Reasonable and practicable”

Section 24(3)(b) of the Housing Grants, Construction and Regeneration Act 1996 requires housing authorities to satisfy themselves whether it is “reasonable” and “practicable” to carry out the relevant works having regard to the age and condition of the dwelling. For example the dwelling may be considered too old or dilapidated to merit improvement.

Tenure & Means Testing

In the case of an application by an owner occupier or tenant, the disabled person (and, where applicable, their partner or other person) will be subject to the government prescribed means test for the disabled facilities grant.

Where the disabled occupant is a child or qualifying young person³ there is no means test.

Any contributions made by the applicant towards the cost of works under this type of grant will be taken into account with regard to any future application within a 10 year period in accordance with the Housing Regeneration Grants Regulations 1996.

In recent government guidance authorities are advised that Government funding for the Disabled Facilities Grant is intended to fund adaptations for owner occupiers, private tenants or tenants of registered providers (housing associations). Eligible council tenants can apply for a DFG in the same way as any other applicant. However local housing authorities with a Housing Revenue Account (HRA) should self-fund home adaptations for council tenants through this account.

In 2021 Herefordshire Council became a registered provider of a small number council properties. Due to the size of the current council housing stock, the council does not hold

³ As defined within The Housing Renewal Grants (Amendment) (England) Regulations 2009

a Housing Revenue Budget, and therefore where appropriate adaptations to these properties may be funded via DFG budget.

Where an adaptation is required on council owned or managed land, such as a travellers' site, the Home Improvement Agency will liaise with relevant teams to agree appropriate funding routes for the required adaptations.

Local Land Charges

In accordance with legislation⁴ local authorities may impose conditions around repayment of the disabled facilities grant for owner occupiers in certain circumstances. Herefordshire Council applies this power, by placing a local land charge on the property, subject to a condition period of 10 years from the certified date, in either or both of the following circumstances:

- Where the grant exceeds £5,000 the Council will apply a local land charge where it considers it reasonable to do so. Repayment may be required where the property is disposed of by sale, assignment, transfer or otherwise. Where the cost of the DFG exceeds £5,000 the limit of the maximum charge will be £10,000. The authority will use its discretion as to whether a land charge will be placed for amounts under £500.
- In accordance with Government guidance the Council may consider waiving repayment in the following circumstances:
 - Where repayment of the grant would cause evidenced financial hardship;
 - Where the applicant has been required to move for employment purposes;
 - Where the move is related to the applicant's or disabled person's physical or mental health or well-being; or
 - The move is needed to provide or receive care from others.
- The council will consider not placing a local land charge where the application is being made for a child in a long-term foster placement
- Where works for which a grant are paid are also the subject of an insurance claim or legal claim against another person. In this case the applicant is required to take reasonable steps to pursue that claim and repay the grant out of the proceeds. In the event of a breach, the Council may demand repayment of the appropriate part of the grant with compound interest.

A local land charge will not be considered for properties owned by a landlord.

⁴ The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008

Successive or Concurrent Applications

It is recognised that sometimes a disabled person's condition is degenerative or other circumstances have changed, and further adaptations to their home may be required at a later date. The Housing Grants, Construction and Regeneration Act 1996 does not place any restriction on successive applications for a DFG. The Housing Renewal Grants Regulations 1996 (1996 SI 2890) makes provision for a reduction in the amount of the applicant's contribution in specific circumstances relating to a successive application.

The High Court decision on the case *McKeown v London Borough of Islington* March 2020 has been interpreted by some as implying that concurrent grants can be offered for different purposes under the DFG legislation. It is the opinion of Herefordshire Council that this is not specifically the way this judgement should be interpreted. Nevertheless with the approval of the Head of Prevention Services, in the event that there is no other identified route to meet a client's needs, the option of a second concurrent DFG may be considered.

Warranties and Recycling

Applicants are required to notify the council if, and as soon as, any specialised equipment provided under the grant is no longer needed. The council may choose to recover the unwanted specialised equipment by prior written notice and will make good any damage caused to the property by recovery.

In line with the quality assurance arrangements provided within the Home Improvement Agency's current procurement process, adaptations installed via the Direct Purchasing System will be subject to a 2 year warranty. Where appropriate, servicing and maintenance arrangements will be included within the cost of the Disabled Facilities Grant during that warranty period.

In circumstances where financial hardship is evidenced, and if funding permits, the cost of extended service & warranties may at times be included within the disabled facilities grant.

Technical Support

Herefordshire Council Home Improvement Agency team is able to provide professional & technical advice to DFG applicants for a fee of the total cost of the works – as described in the section below.

1.7 Professional and Technical Advice

The home improvement agency offers an advice & professional support service to help people stay warm, safe and independent in their own homes by arranging repairs, improvements of adaptations.

The advice, guidance and practical support that the agency may be able to offer can range from small repairs and minor adaptations such as fitting a new lock or grab rail, to guiding the client through large adaptations schemes or an emergency repayable grant, or helping to find and manage a reputable contractor to carry out the necessary work.

Where the council is unable to provide financial assistance such as loans or grants the property owner or tenant will be offered impartial free advice about:

- Liaison with other council teams including environmental health to identify and prioritise emergency repairs using the housing health and safety rating system (HHSRS) (see below)
- Signposting to Talk Community options
- Signposting for advice regarding charitable funding options.
- Signposting as appropriate to other agencies or services, e.g. affordable warmth, Herefordshire fire & rescue service, falls team etc.

In addition the home improvement agency offers the following support to other teams within the council's Community Wellbeing services:

- Feasibility visits to support occupational therapists with complex cases.
- Attending joint visits with housing solutions colleagues and occupational therapists to advise on options around adaptation of existing properties on the accessible homes register.
- Advice to social workers or other colleagues where a client's property is in significant disrepair and requires a Housing, Health and Safety Rating System assessment

Fees

The agency does not charge for advice only. In accordance with legislation⁵ certain services and charges may be included within a disabled facilities grant. The home improvement agency will charge a fee where agency support is provided for a disabled facilities grant application or other grant assisted works within this policy or where an owner occupier or tenant wishes to be supported with arrangements for their adaptations on a private basis by the agency.

The fee charged will be set by the Director of Community Wellbeing.

Housing, Health and Safety Rating System

This is an evidence based risk assessment procedure introduced in the Housing Act 2004 for residential properties. It replaced the housing fitness standard from 6th April 2006 in England. Local authorities will base enforcement decisions in respect of all residential properties on assessments under the housing, health and safety rating system (HHSRS). This assessment process is designed to enable local authorities to address more effectively the hazards to health and safety present in the home.

The home improvement agency will work with private owners and tenants and the environmental health department to give advice and support with category 1 hazards (identified under the HHSRS) identified in the home. In addition the home improvement agency will give advice regarding eligibility for an emergency repayable grant – see below.

⁵ Statutory instrument No 2889

Charitable Funding

Most charitable organisations will only contribute towards the cost of an adaptation in very specific circumstances for particular groups of beneficiaries.

In some circumstances, the home improvement agency caseworker may be able to help clients by supporting individual applications to relevant organisations. These circumstances will mainly be where the test of resources has resulted in an assessed financial contribution by the applicant that they cannot afford but is less than the total amount of the works. Additionally where the upper limit of the grant has been exceeded charitable funding may be sought if applicable.

1.8 Emergency Repayable Grant

This is a discretionary grant for emergency and essential works of repair that remedy a serious hazard that could adversely affect health or safety, determined using the housing health and safety rating system. It is intended to provide a safety net for urgent repairs for those most vulnerable in the community. The grant is repaid when the ownership of the property changes, or on transfer of the property to family members.

Eligible works include items such as:

- securing the fabric of the property against dangerous wind and rain penetration;
- works to defective electrical installation where there is immediate risk of electric shock or fire;
- remedial works where there is a risk of carbon monoxide poisoning. Such works will be limited to removal of the defective appliance not its replacement; and
- the repair of a domestic water heating appliance.

The emergency grant will be available subject to the following conditions:

- The works required must address an immediate risk of serious harm or injury to the occupants. It is intended that the grant will normally only be available for works identified to 'make safe' serious hazards, or provide assurance that the person is safe e.g. category 1 hazards and is subject to recommendation by a Home Improvement Agency surveyor.
- Other risks caused by the structural condition of the property may be considered if essential to facilitate works by other partner agencies which are required to enable the person to remain living safely in their own home.
- The essential work cannot be carried out through other schemes.
- The same works have not been grant funded within the last 5 years, unless required now under exceptional circumstances.
- The grant amount available will normally be up to a maximum of £25,000 any 10 year period. Any grant in excess of this will require authorisation by the head of prevention services.
- The grant amount required will only be provided after all other financial routes have been considered, including the ability of occupiers and owners of the dwelling to pay for the work or find alternative housing.

The applicant or their partner, at the time of the completed application, must:

- be aged 18 or over
- agree to the payment of an administration fee, as detailed in the schedule of fees and charges.
- undertake a means test to calculate any contribution they may need to make, based on income and assets,
- live in the property as their only residence;
- be the sole owner-occupier of the property or joint owner-occupier of the property with their partner, for at least three years prior to application.
- be vulnerable and normally in receipt of, or have an entitlement to, disability benefit or a means tested benefit.

Works must not have commenced before the application is approved, and must be completed within 6 months of the approval date.

The repayable grant, (enforced through local land charges), must be repaid to the local authority in full when the grant recipient disposes of the property in respect of which the grant was given. The applicant, together with any joint owner will be required to agree to a legal charge being taken on the property to ensure repayment of the grant.

Where the amount of grant required is less than £500 the local authority will use its discretion as to whether or not a land charge will be imposed.

Each application will be considered on a case-by-case basis by the home improvement agency manager following recommendation by an officer of Herefordshire council.

In certain circumstances where it may not be possible to place a land charge on the property, the decision to award an Emergency grant will be made by the Head of Prevention Services.

1.9 Discretionary Disabled Facilities Grant

The council may consider offering a discretionary disabled facilities grant in the following circumstances:

1. Where the cost of eligible works under a mandatory disabled facilities grant are higher than the grant limit, or where the payment of a means tested contribution will cause “undue hardship”*, and where other financial routes have been explored and ruled out. **“Undue hardship” will be determined by application of the Social Services Means Test as a comparator to the DFG Means Test, or by evidence of significant outstanding financial debts or responsibilities.
2. Where there are works required that cannot be considered for mandatory grants (as set out in subsection 1 of section 23 of the Housing Grants, Construction and Regeneration Act). For example:

- Works to provide more satisfactory internal living arrangements for a disabled occupant where the works are not of a mandatory nature and where they would be of direct benefit to the disabled occupant rather than other members of the household. Such works might include extending or enlarging a dwelling that is already suitable for the disabled occupant in all other respects.
- Adapting or providing a room to be used for a disabled person who is housebound but nevertheless able to work from home.

The offer of such assistance will be subject to assessment by and the support of an occupational therapist. In Herefordshire the occupational therapy team in the Community Wellbeing directorate will normally perform this function, along with colleagues in children's services. In some circumstances recommendations are considered from occupational therapy staff in Wye Valley Trust, private occupational therapists, or other sources at the home improvement agency manager's discretion.

The disabled person (and, where applicable, their partner or other relevant person) will be subject to a means test equivalent to that used for a Disabled Facilities Grant. In the case of an application for a disabled child, the parents or owner of the property will be subject to the means test.

Where the authority considers it reasonable to do so the discretionary disabled facilities grant will incur a local land charge which must be repaid to the local authority in full when the grant recipient disposes of the property in respect of which the grant was given. Repayment may be required where the property is disposed of by sale, assignment, transfer or otherwise. Where the cost of the discretionary DFG exceeds £5,000 the limit of the maximum charge will be £ £30,000.

In accordance with Government guidance the Council may consider waiving repayment in the following circumstances:

- Where repayment of the grant would cause evidenced financial hardship;
- Where the applicant has been required to move for employment purposes;
- Where the move is related to the applicant's or disabled person's physical or mental health or well-being; or
- The move is needed to provide or receive care from others.

The council may consider waiving the placement of a local land charge where the application is being made for a child in a long-term foster placement

The applicant, together with any joint owner, will be required to agree to the charge being taken on the property.

In certain circumstances where it may not be possible to place a land charge on the property, the decision to award a Discretionary Disabled Facilities Grant will be made in conjunction with the Head of Prevention Services.

Where the discretionary DFG is required to top up a landlord application for a DFG within a Social Rented Property, discussions will first be held with relevant partners to identify any other appropriate funding routes to avoid the need for a Discretionary DFG.

The assistance will normally be subject to a maximum limit of £50,000 within any 10 year period. In accordance with the Council's financial regulations any amount over £30k will be subject to approval by the Head of Prevention Services.

The grant amount required will only be provided after all other financial routes have been considered, including the ability of occupiers and owners of the dwelling to pay for the work or find suitable alternative housing.

1.10 Discretionary Fast Track Adaptations Scheme

The council will offer a discretionary non means tested grant for adaptations up to £5k for people who are in end of life care situations or to facilitate urgent hospital discharge. In accordance with current NHS definitions people are considered to be approaching the end of life when they are likely to die within the next 12 months.

The adaptation must still meet the requirements of the DFG mandatory grant as being necessary and appropriate to meet the identified needs, and reasonable and practicable to install.

Any other identified options or funding routes to meet needs in a timely way will also be considered with the disabled person, applicant and/or landlord. Where ever possible adaptations that are reusable or recyclable will be considered within this scheme. Only one application per person will normally be considered under this scheme.

1.11 Discretionary Assistance

It is recognised that whilst most circumstances relating to home adaptations provision are covered within the other types of assistance available in this policy, one off circumstances cannot be predicted and may hinder the completion of an adaptation scheme or be required in addition to other assistance to meet wider family or carer needs rather than the needs of the disabled occupant. For example, sometimes the provision of an additional WC is required for wider family use, where the disabled person may need to spend a long time in the existing facility due to the nature of their disability.

This discretionary assistance will normally be subject to both a means test equivalent to that used for the disabled facilities grant, and will usually have maximum limit of £10,000. The assistance will require authorisation by the Head of Prevention Services. The grant amount required will only be provided after all other financial routes have been considered, including the ability of occupiers and owners of the dwelling to pay for the work or find suitable alternative housing.

The discretionary assistance will incur a local land charge which must be repaid to the local authority in full when the grant recipient disposes of the property in respect of which the grant was given. The applicant, together with any joint owner, will be required to agree to the charge being taken on the property.

In accordance with Government guidance the Council may consider waiving repayment in the following circumstances:

- Where repayment of the grant would cause evidenced financial hardship;
- Where the applicant has been required to move for employment purposes;
- Where the move is related to the applicant's or disabled person's physical or mental health or well-being; or
- The move is needed to provide or receive care from others.

The council will consider waiving the placement of a local land charge where the application is being made for a child in a long-term foster placement

In certain circumstances where it may not be possible to place a land charge on the property, the decision to award a Discretionary Grant will be made by the Head of Prevention Services.

1.12 Relocation Assistance

This assistance may be available to owner-occupiers where relocation is considered the most cost effective or practical option and where the existing home is unsuitable for improvement, repair or adaptation.

The council must have inspected the new property prior to an offer being made, although no guarantee of assistance following purchase can be given.

The maximum amount of financial assistance will be £20,000 and will cover costs including estate agents fees, solicitor's fees, stamp duty, difference in purchase price.

Persons eligible will be limited to those who have not previously received relocation assistance, and are eligible financially for a mandatory disabled facility grant but it has been considered not reasonable or practicable by the council to adapt the property.

Where the application is for a disabled child living in family owned property the property owner will be subject to a means test equivalent to that used for a disabled facilities grant, for the relocation assistance.

The relocation assistance will incur a local land charge subject to a condition period of 5 years from the certified date for the full amount of the grant.

In the event that the property is disposed of within the 5 year condition period the land charge must be repaid to the local authority in full when the grant recipient disposes of the property in respect of which the grant was given.

The applicant together with any joint owner will be required to agree to a charge being taken on the property. Where the amount of grant required is less than £500 the local authority will use its discretion as to whether or not a local land charge will be imposed.

An occupational therapist will usually be involved in assessing the suitability of proposed new properties identified by the applicant.

In certain circumstances where it may not be possible to place a land charge on the property, the decision to award a Discretionary Disabled Facilities Grant will be made by the Head of Prevention Services.

The following additional conditions apply:

- The assistance is only payable to an owner occupier upon the successful completion of the purchase of the 'new' property and the disabled person then occupying that property as their only and main residence
- To qualify for this grant the applicant must have been resident in the property for at least 2 years prior to making an application to move.
- The applicant must agree to live in the property as their only or main residence for a period of 5 years (or such shorter period as the person's health or other relevant circumstances permit).

1.13 Housing Occupational Therapist

The Housing Occupational Therapist works closely with Strategic Housing colleagues to assist with design briefs for new build properties and where required identify or negotiate additional funding solutions to meet individual needs. The post holder is based within the Home Improvement Agency and also assists with liaison with Housing Solutions colleagues around the Accessible Homes Register, progression of major adaptations and development of processes and procedures for adaptations as required.

1.14 Minor Adaptations & Handyperson Assistance

The home improvement agency technicians provide a range of minor adaptations and handyperson assistance.

Minor Adaptations (ICES) are those minor adaptations that meet eligible needs of disabled people and their carers under the Care Act in private properties. These are funded by Herefordshire council as part of the integrated community equipment services (ICES) where equipment and minor adaptations (costing £1,000 or less) are provided free of charge to those with eligible needs and installed by the home improvement agency technicians. These will normally be a range of adaptations such as:

- Grab rails
- Stair rails
- Half steps
- Wooden ramps for short term use.

The target timescale for installation of these adaptations is within 7 working days of receipt of referral.

A Minor Adaptations Rapid Response Service is also provided by the HIA technicians to prevent delayed discharge from hospital. These works will normally be of a minor and emergency nature and possibly prior to more extensive future works. Typically these works will include:

- Keysafe
- Grab rails

The target timescale for provision of these works is within 2 working days from receipt of referral.

The Handyperson Service offers a quick and effective solution to housing problems, at low cost, that is carried out by the experienced HIA Technicians. The service can carry out subsidised home repairs, improvements and maintenance such as:

- Keysafe installation
- Door chains
- Grab rails
- Very small plumbing jobs
- Changing tap washers
- Changing batteries (smoke detectors)
- Changing heating timers
- Providing portable equipment (heaters)
- Security measures (door and window locks)
- Curtain rails
- Half steps
- Stair rails (using mop-stick)
- Small Key-clamp type rails

This service is available to owner occupiers, private tenants, or tenants of registered providers. Consent for the work will be required from the property owner, and will be sought if required by the Home Improvement Agency. Target timescale for completion of these works is within 28 calendar days. An hourly charge applies to this service. The charge will be set by the Director of Community Wellbeing but will be at a rate equivalent to the local rates charged by voluntary agencies for similar services.

1.15 Technology Enabled Care Services

As part of its Regulatory Reform Order flexibilities, the council also provides assessment and loan arrangements of a range of standard and specialist technology products which help support vulnerable people to remain living in their own homes. This equipment may be to summon assistance where required, or to help control their home environment and activities within the home safely and appropriately. In addition the service offers advice and installations to help facilitate effective assessment of people's needs to support them to remain living at home.

The Occupational Therapy team provides assessment and advice to ensure appropriate equipment and installations are identified, makes appropriate orders for provision of relevant items through the integrated community equipment service procures and oversees the installation of other specialist technology, and sets up links with appropriate finance and monitoring services.

Telecare requiring annual subscription or linking to a monitoring service is free for the first 6 weeks of the service and thereafter a weekly charge applies.

1.16 Procurement Frameworks

The Home Improvement Agency works with the council's procurement team to ensure that financial procedures are followed in accordance with the financial procedure rules of the constitution of Herefordshire Council. Adaptation related procurement frameworks or dynamic purchasing schemes can sometimes help make efficiency savings whilst ensuring quality adaptations services. Herefordshire council will join such schemes where there is evidence that the schemes will provide appropriate quality and levels of service within the county.

1.17 Enquiries for Adaptations or Assistance

Enquires for occupational therapy assessment, disabled facilities grants, relocation assistance & minor adaptations should be made to:

Herefordshire Council
Community Wellbeing Directorate
Access and Referral Team
Tel: 01432 260101

Enquiries for professional & technical advice, emergency repayable grant, & handyperson assistance should be made to:

Herefordshire Council
Home Improvement Agency (You at Home)
Tel: 01432 260757
Email: yahreferrals@herefordshire.gov.uk

Terms and Conditions

The council will not approve an application for assistance if any of the assisted works have been carried out before the application is approved. The council may, subject to means testing, pay ancillary fees and charges associated with eligible works, for example;

- Home improvement agency fees (associated with assisting vulnerable client's accessing grants, loans and services).
- Planning and building regulation fees,
- Survey fees, completion of forms and certificates.
- Other specialist contractor/consultant fees

The council will inspect the completed works prior to payments being made. Interim payments will be paid on application at the discretion of the council.

Upon satisfactory completion the repayment conditions agreed are attached to the approval for the assistance to come into force and will be registered as a local land charge unless otherwise agreed.

1.17 Equality of Service

Herefordshire Council ensures that adaptation services are equally accessible to all in line with the Equality Act 2010.

1.18 Compliments, complaints and appeals

All applicants have the right to make comment to the council using the formal compliments and complaints procedure about any aspect of the service received.

Full details of how to make a compliment or complaint can be found on the Council's website.

Schedule of Fees and Charges

This document should be read in conjunction with the Home Adaptation and Assistance Policy

1 Local Land Charges placed on a property to repay Disabled Facilities Grant

In accordance with legislation, local authorities may impose conditions around repayment of the Disabled Facilities Grant for owner occupiers in certain circumstances. Herefordshire Council applies this power, by placing a local land charge on the property, subject to a condition period of 10 years from the certified date.

| Item | Conditions | Repayment amount | Notes and Discretions |
|------|--|--|---|
| 1.1 | Where the grant exceeds £5,000 but is less than £5,500. | The full amount of any local land charge applied | The Council will use its discretion as to whether a local land charge will be applied. This discretion is delegated to the Independent Living Services Manager. |
| 1.2 | Where the grant exceeds £5,500. | The full amount of any local land charge applied up to a maximum of £10,000 subject to a condition period of 10 years from the certified date | The discretion not to apply a land charge is delegated to the Head of Prevention Services. A local land charge will not be considered for properties owned by a landlord. |
| 1.3 | Where the grant exceeds £5,000 repayment may be required where the property is disposed of by sale, assignment, transfer or otherwise. | The full amount of any local land charge applied up to a maximum charge of £10,000 subject to a condition period of 10 years from the certified date | The Council may use its discretion as to whether to waive repayment of the land charge at the time of property disposal. This discretion is delegated to the Head of Prevention Services. |

2 Home Improvement Agency Fees

The Home Improvement Agency does not charge for advice only. In accordance with legislation, certain services and charges may be included within a Disabled Facilities Grant

| Item | Conditions | Repayment amount | Notes and Discretions |
|------|---|---|--|
| 2.1 | Where the Home Improvement Agency provides support for a disabled facilities grant application or where an owner occupier or tenant decides to go ahead with other grant assisted works within this policy or on a private basis supported by the agency. | The Home Improvement Agency will charge a fee of an agreed percentage of the net cost of works to cover these services. | The fee will be set by the Director for Community Wellbeing. |

3 Emergency Repayable grant

A discretionary grant for emergency and essential works of repair that remedy a serious hazard that could adversely affect health or safety, determined using the housing health and safety rating system. It is enforced through the application of local land charges and is repaid when the ownership of the property changes, or on transfer of the property to family members

| Item | Conditions | Repayment amount | Notes and Discretions |
|------|--|---|---|
| 3.1 | Where the grant is less than £500 | The full amount of any local land charge applied | The authority will use its discretion as to whether a local land charge will be applied. This discretion is delegated to the Independent Living Services Manager |
| 3.2 | Where the grant exceeds £500, up to a maximum of £25,000 within any 10 year period | The full amount of any local land charge applied. | The Council may use its discretion as to whether to waive repayment of the local land charge at the time of property disposal. This discretion is delegated to the Head of Prevention Services. In certain circumstances where it may not be possible to place a land charge on the property, the decision to award an Emergency grant will be made by the Head of Prevention Services. |

4 Discretionary Disabled Facilities Grant

A discretionary grant in addition to the Disabled Facilities Grant or which can be awarded if the necessary works cannot be considered for funding through mandatory grants. It will incur a local land charge which must be repaid to the local authority in full when the grant recipient disposes of the property in respect of which the grant was given. The applicant, together with any joint owner, will be required to agree to the charge being taken on the property.

| Item | Conditions | Repayment amount | Notes and Discretions |
|------|--|--|---|
| 4.1 | Where the grant is less than £500 | The full amount of any local land charge applied | The council will use its discretion as to whether a local land charge will be applied. This discretion is delegated to the Independent Living Services Manager. |
| 4.2 | Where the grant exceeds £500, up to a maximum of £50,000 within any 10 year period | The full amount of any local land charge Applied, up to a maximum charge of £30,000. | The Council may use its discretion as to whether to waive repayment of the local land charge at the time of property disposal. This discretion is delegated to the Head of Prevention Services. In certain circumstances where it may not be possible to place a land charge on the property, the decision to award the Discretionary DFG will be made in conjunction with the Head of Prevention Services. |

5 Discretionary Fast Track Adaptations Scheme

The Council will offer a discretionary non means tested grant for adaptations up to £5k for people who are in palliative care situations or to facilitate urgent hospital discharge. Any other identified options or funding routes to meet needs in a timely way will also be discussed with the disabled person, applicant and/or landlord.

| Item | Conditions | Repayment amount | Notes and Discretions |
|------|---|------------------|-----------------------|
| 5.1 | Amounts are subject to need in eligible circumstances up to a maximum of £5,000 | - | - |

6 Discretionary Assistance

Where one off circumstances which cannot be predicated are not covered by other types of assistance within this policy, discretionary assistance may be considered.

Discretionary assistance is subject to a means test equivalent to that used for the disabled facilities grant and has a maximum limit of £10,000. The assistance will require authorisation by the Head of Prevention Services, and is subject to a local land charge.

| Item | Conditions | Repayment amount | Notes and Discretions |
|------|--|--|---|
| 6.1 | Where the grant is less than £500 | The full amount of any local land charge applied | The authority will use its discretion as to whether a land charge will be applied. |
| 6.2 | Where the grant exceeds £500, up to a maximum of £10,000 | The full amount of any local land charge applied | In circumstances where it may not be possible to place a land charge on the property the decision to award a Discretionary Grant will be taken by the Head of Prevention Services. |
| 6.3 | Where the grant exceeds £500 repayment may be required where the property is disposed of by sale, assignment, transfer or otherwise. | The full amount of any local land charge applied up to a maximum charge of £10,000 | The Council may use its discretion as to whether to waive repayment of the local land charge at the time of property disposal. This discretion is delegated to the Head of Prevention Services. |

7 Relocation Assistance

This assistance may be available to owner-occupiers where relocation is considered the most cost effective or practical option and where the existing home is unsuitable for improvement, repair or adaptation. The maximum amount of financial assistance will be £20,000 and will cover costs including estate agents fees, solicitor's fees, stamp duty, difference in purchase price. A local land charge may be applied.

| Item | Conditions | Repayment amount | Notes and Discretions |
|------|--|---|--|
| 7.1 | Where the grant is less than £500 | The full amount of any local land charge applied | The Council will use its discretion as to whether a land charge will be applied. This discretion is delegated to the Independent Living Services Manager |
| 7.2 | Where the grant exceeds £500 | The full amount of any local land charge applied subject to a condition period of 5 years from the certified date | A local land charge will be applied. In circumstances where it may not be possible to place a land charge on the property the decision to award a Discretionary Grant will be taken by the Head of Prevention Services. |
| 7.3 | Where the grant exceeds £500 repayment may be required where the property is disposed of by sale, assignment, transfer or otherwise. | The full amount of any local land charge applied up to a maximum charge of £20,000 subject to a condition period of 5 years from the certified date | The Council may use its discretion as to whether to waive repayment of the local land charge at the time of property disposal. This discretion is delegated to the Head of Prevention Services. |

8 Handyperson Service

The home improvement agency technicians provide a range of minor adaptations and a Handyperson service,

| Item | Conditions | Repayment amount | Notes and Discretions |
|------|---|---|---|
| 8.1 | An hourly charge applies to the Handyperson service at a rate equivalent to the local rates charged by voluntary agencies for similar services. | The full hourly cost of the work, plus relevant materials | The hourly charge will be set by the Director for Adults & Wellbeing. |

9 Technology Enabled Care Services

The council also operates an in-house technology team which helps support vulnerable people to remain living in their own homes with appropriate equipment and technology to summon assistance where required, or to control their home environment and activities within the home safely and appropriately

| Item | Conditions | Repayment amount | Notes and Discretions |
|------|--|------------------|---|
| 9.1 | Telecare is free for the first 6 weeks of the service and thereafter a weekly charge applies for equipment requiring subscription or linked services | - | The charge will be set by the Director of Community Wellbeing |

Terms and Conditions applying to all Charges and Fees

The council will not approve an application for assistance if any of the assisted works have been carried out before the application is approved. The council may, subject to means testing, pay ancillary fees and charges associated with eligible works, for example;

- Home improvement agency fees (a percentage of the net cost of adaptation works associated with assisting vulnerable client's accessing grants, loans and services set by the Director of Adults & Wellbeing.
- Planning and building regulation fees,
- Survey fees, completion of forms and certificates. Other specialist contractor/consultant fees