

REPORT TITLE: DISABLED FACILITIES GRANTS

2 FEBRUARY 2023

REPORT OF CABINET MEMBER: Deputy Leader and Cabinet Member for
Community and Housing Councillor Paula Ferguson

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WARD(S): ALL

PURPOSE

To seek approval of the Disabled Facilities Grant (DFG) Policy 2023–2025. The DFG is a mandatory grant which enables people with disabilities to have adaptation works undertaken in their own homes to facilitate independent and safe living.

The DFG is provided under the Housing Grants, Construction and Regeneration Act 1996. Local Authorities have a statutory duty and powers to provide DFGs to applicants who qualify.

This policy replaces the previous DFG Policy and Procedures v.11 of 6th August 2019.

RECOMMENDATIONS:

1. That the Disabled Facilities Grant Policy 2023 – 2025 found at Appendix A be approved and in particular note the introduction of new discretionary grants in the form of:-
 - a) Welfare Grant;
 - b) Heating Grant;
 - c) Relocation Grant;
 - d) Top Up Grant;
2. Approve that the discretionary grant level is capped at a maximum of £100k;
3. Approve that any Local Land Charge placed on a property will have no expiry date;

4. That authority be delegated to the Corporate Head of Housing in consultation with the Deputy Leader and Cabinet Member for Community and Housing to make minor changes when required to the DFG policy.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

The proposed DFG policy supports the Council Plan 2020 – 2025 in respect of the four key priorities of Homes for all, Living well, Vibrant local economy and Your services, Your voice.

1.1 Homes for all

Providing DFG grant funding towards adaptations for people with disabilities that enables them to remain living independently in their own homes helps to create more diverse, healthy and cohesive communities and allows more people with disabilities and their families to remain living and working in the district.

1.2 Vibrant Local Economy

A key aspect of the Disabled Facilities Grant is the employment of contractors to undertake the adaptation works which assists with the creation of well-paid skilled employment across the district.

1.3 Living Well

The policy contributes towards the priority of 'Living Well', as it assists residents with continuing to live well in their homes by supporting independent living for longer and helps to reduce health inequalities.

1.4 Your Services, Your Voice

The renewal of the DFG policy aligns with the aim for continuous improvement in cost-effectiveness and helping to achieve a balanced budget and stable council finances.

2 FINANCIAL IMPLICATIONS

2.1 Funding for DFGs comes from central Government as part of the Department of Health and Social Care's Better Care Fund (BCF). It is distributed to Winchester City Council (the council) and other Hampshire local authorities in May of each year via Hampshire County Council under a formula determined by NHS England.

2.2 For the financial year 2022/23 the council was allocated £1,231,035 which was the same as the previous financial year. It has been reported that the DFG grant allocation to local authorities will likely not increase and will remain the same up until and including financial year 2024/25.

2.3 Despite the restrictions imposed by the pandemic in 2020/21 the DFG service (which sits within the Strategic Housing Service) awarded £938k of its annual allocation. Since January 2022 the DFG Service has been staffed by two full

time case officers and a Housing Occupational Therapist (OT). It is anticipated this year that based upon our current and committed spend to date, and a projection of likely referrals and inflationary related cost increases that the DFG award for 2022/23 will be fully allocated. As at 19/01/2023 £949,258 of the DFG award had been spent and £518,201 committed.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 A procurement process was undertaken last year in conjunction with Hampshire County Council to secure a framework of approved contractors to deliver the installation of wet rooms the value of which is invariably below £10k. We offer grant applicants the opportunity to use one of the approved contractors on that list, but they are not bound to accept the offer. The terms of the contractors place on the list also does not guarantee them work. In respect of the new grants we are offering – welfare and heating – each individual grant will be under £10k, as the maximum for each is £2k and £4k respectively and £8k in respect of the relocation grant. All of the new grants we are offering will be covered by the council's current procurement framework.

4 WORKFORCE IMPLICATIONS

- 4.1 An additional DFG Case Officer was recruited in January 2022 to meet the demand in DFG applications and to reduce waiting lists and the former Case Officer was delegated greater supervisory responsibilities and promoted to a higher pay band. Both posts are contracted until July 2023 and it is intended to extend these until when the BCF funding is reviewed in 2025. If current demand stays stable, no further resources will be needed.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 Recommendations within the report have no impact on council property and assets.

6 CONSULTATION AND COMMUNICATION

- 6.1 Cllr Ferguson, Deputy Leader and Cabinet Member for Communities and Housing has been fully consulted on this policy; it has also been presented to and discussed with TACT (Tenants and Council Together) group. The report was well received and TACT were appreciative of the presentation as they were unaware of the DFG and a number of their friends and relatives could be eligible. TACT also highlighted the need for better promotion of the DFG and entitlement which will be addressed. The report has also been debated in numerous Private Sector Housing team meetings and scrutinised by the Business and Housing Policy Committee at its meeting on 29 November 2022. The committee provided comments and feedback regarding the policy and it was well supported.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 Where replacement works are undertaken to upgrade a heating source the applicant will be encouraged to install a new heating source with an energy efficiency rating of at least Band C.

8 PUBLIC SECTOR EQUALITY DUTY

- 8.1 Under s149 (1) of the Equality Act the council must have due regard, in the exercise of its functions, (and Cabinet must, as the decision maker in respect of the proposed decision, have due regard) to the need to:
- a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
 - b) Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share them.
 - c) Foster good relations between persons who share relevant protected characteristics and persons who do not share them.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 An Equality Impact Assessment has been completed which has considered those with 'protected equality characteristics' and has identified that the DFG Policy will not negatively impact on any of those groups.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 None required

11 RISK MANAGEMENT

Risk	Mitigation	Opportunities
Financial Exposure Risk of not committing allocated budget	Detailed financial monitoring and promotion of DFGs	Publicity of DFG service to attract referrals
Exposure to challenge Risk of BCF financial allocation being substantially reduced.	Seek to retain a large proportion of the current £1m DFG unspent carried forward funding	Exploration of alternative funding sources from charities etc. e.g. SSAFA (Soldiers, Sailors, Airmen and Families Association) for certain specific cases.
Innovation Introducing the four new discretionary grants	Will help to achieve the spend of the annual DFG financial allocation and meet the objectives of the	

	Better Care Fund	
Reputation Failing to update the DFG policy would result in the DFG service not being adequately supported through lack of clear guidance	Introducing a new policy will give clarity and guidance to staff and the public as to what the DFG Service can offer residents across the district.	May lead to greater involvement with other OTs / Health Professionals and organisations
Achievement of outcome Likely to be achieved if current staffing levels are maintained	Critical that current staffing levels are at least maintained	Keep staffing levels under review to ensure the council is able to meet demand and administer the grant fully
Property None		
Community Support OT referrals withdrawn from Hampshire County Council	Need for increased medical assessments by in-house PSH OT.	
Timescales Excessive DFG referrals causes applications not to be approved within statutory time limits	Critical that current staffing levels are at least maintained	
Project capacity If the DFG team reduces in capacity to adequately deliver the service	The resources within the DFG team remain as they currently are	

12 SUPPORTING INFORMATION:

12.1 Background

12.2 Under the Housing Grants, Construction and Regeneration Act 1996 the council in its capacity as a housing authority, has a statutory duty to provide DFGs to applicants who qualify

12.3 The main purpose of the DFG is to enable aids and adaptations to be installed in the homes of older people and those with a disability. In law, the works to adapt a home must be considered both 'necessary and appropriate' to meet the needs of the individual and it should also be 'reasonable and practicable' to undertake the adaptations which should enable a person to live independently and safely in their home. This prevents the need for people to

have to move into a care home or possibly be admitted to hospital reducing the burden on the social care system and NHS. DFGs are generally subject to a financial test of resources which means that the applicant's income and savings have to be assessed.

- 12.4 The Housing Renewal Grants (Services and Charges Order) 1996 lists the services and charges which are eligible to be included in the DFG calculation and includes services which are typically provided by a DFG Grant Officer.
- 12.5 Councils are encouraged to actively compare these costs with other local authorities and service providers and to keep the cost of eligible fees and charges to a minimum but without compromising the quality of the service provided to the resident'. Fees are typically calculated as a percentage of the cost of the eligible works and included in the calculation of the eligible expense for each individual grant.
- 12.6 The council provides an end-to-end service for internally managed DFGs under £30k, acting as agent for the applicant and charges a fee of 12% plus VAT of the grant provided towards the cost of works. This fee forms part of the grant funding allocated and applicants do not contribute financially themselves. The service fee is recycled back into the Private Sector Housing budget.
- 12.7 Guidance published by the Department for Levelling Up, Housing & Communities (DLUHC) – DFG Delivery: Guidance for Local Authorities in England – states in respect of fees and charges:
- 12.8 “Clearly only reasonable and necessary fees and charges should be eligible for assistance. Authorities should seek to keep the cost of eligible fees and charges to a minimum but without compromising the quality of service provided to the customer”.
- 12.9 A recent survey by Foundations [the National Body for Home Improvement Agencies (HIAs)] identified that nationally DFG service fee charges by local authorities range generally from 6% to 15%.
- 12.10 The council will offer the same service at the same fee rate of 12% to all applicants, apart from when a grant approaches or exceeds £25k. At this point a service fee of £2,030 plus VAT at 20% will be applied equating to a total service fee charge of £2,436. The fees are included within the grant allocation.
- 12.11 Grants with a value of in excess of £30k are project managed by the council's external agents who charge a fee in addition to the fees as outlined in (12.10). All fees charged are included within the grant allocation.
- 12.12 The Adult Social Care White Paper, People at the Heart of Care published in December 2021 announced that £573 million is being made available for DFGs in each year from 2022/23 to 2024/25. The White Paper included a commitment to consult in 2022 on some key DFG reforms. These included

reforming the financial means test, reviewing the allocation methodology, and increasing the upper limit for the mandatory grant. As yet, no decisions have been announced by government of any changes in respect of these three points.

- 12.13 There is both a mandatory and discretionary element to DFGs. All local authorities must operate the mandatory scheme but Winchester is the only local authority in Hampshire to have such a generous discretionary 'Top Up' scheme above £30k. Under the new proposed policy, the maximum discretionary grant will be capped at £100k inclusive of the £30k mandatory entitlement.
- 12.14 Types of grants:
- 12.15 **Mandatory** – to fund any DFG works judged 'necessary and appropriate' to meet the client's needs and when it is 'reasonable and practicable' to carry them out having regard to the age, condition or internal layout etc. of the dwelling. The majority of mandatory DFG works undertaken are for showers, wet rooms, ramping and stair lifts. The maximum funding level is up to £30,000 for children's DFGs and those on pass-porting benefits for example. Universal Credit / Guaranteed Pension Credit / Housing Benefit.
- 12.16 **Discretionary** - the council under its current DFG policy is able to offer discretionary grants. These have been provided for funding schemes which exceed the mandatory limit of £30k and for any grant under £15k.
- 12.17 The policy sets out both the mandatory legal framework and the discretionary element proposed by the council for DFGs and how the council will use its powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) to provide discretionary grant assistance in order to promote independent living and well-being for residents in the Winchester district.
- 12.18 In order for the council to use its discretionary powers under the RRO it must have a policy. The new DFG policy sets out the intentions and obligations of the council to deliver DFGs including, but not restricted to, the introduction of a new discretionary DFG Welfare, Heating, Top Up and Relocation grant. It also caps the discretionary grant funding level at a maximum of £100,000.
- 12.19 The rationale for setting a maximum cap on discretionary grants is in order to ensure that the budget can be more evenly spread to meet increasing need, particularly as there is no indication from central Government that the DFG allocation will be uplifted and it is anticipated inflationary cost pressures are likely to remain high in the near future. This will help meet local demand and assist in the council being able to offer the maximum possible number of DFGs, so that more adaptations reach those who need them the most.
- 12.20 Using its powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) the council will provide the first £15,000 for works under any grant application regardless of the assessed contribution of

the applicant. Those applicants assessed as needing to contribute to the cost of works will only be required to contribute when the costs exceed this £15,000 threshold.

12.21 Main Changes from Previous Policy

12.22 The council wishes to use its full discretion by introducing in the spirit of the Better Care Fund new discretionary DFG grants. These are consistent with the broader aims set down in the DFG Delivery Guidance for Local Authorities in England and will enable people to remain living with greater independence at home in safe, warm and suitable housing, and will enable / help facilitate the discharge of patients in hospital back into their homes to prevent bed blocking.

12.23 It is proposed that four new specific discretionary DFG grants are introduced. These have been reviewed by an independent external technical accounting adviser as well as the council Section 151 officer to ensure that the increased scope and range of grants proposed is acceptable use of the Better Care Fund. The advice received approved the implementation, scope and range of grants proposed, with some slight revisions. The DFG policy has been amended to reflect the received advice.

12.24 The four proposed grant are:

12.25 **Welfare Grant** – to fund small scale works which are critical to a client's welfare which have been identified by a social worker or other professional. Type of works will include deep cleans and declutters and minor essential works which should reasonably reduce or remove the risk or hazard. The maximum grant funding level available will be up to £2,000.

12.26 The grant will contribute towards converting a home that cannot currently be inhabited by the person applying for the grant into one which can be. For example by cleaning / decluttering of the kitchen/living room/hallway/bathroom/bedroom (and extra bedrooms if there is a need for carers to stay overnight) in particular in preparation of the installation of equipment.

12.27 **Heating Grant** – Replacement of boilers, radiators and other substantial components of heating systems to bring systems and equipment up to a higher standard of reliability, safety or usability as might be required by an owner occupier with disabilities, or to restore use of heating and hot water for vulnerable owner occupiers. Referrals for this grant need to come directly from specific organisations such as Local Energy Advice Partnership (LEAP), Hampshire County Council's 'Hitting the Cold Spots' or The Environment Centre (TEC) etc. This will ensure that the appropriate screening has been applied to the client's circumstances i.e. they will be on pass-porting benefits and disabled. For clients in the community who are not on any income assessed benefits who come into contact with the council's DFG service and are in need may be assisted if they can prove they do not have savings in excess of £6,000. This is in line with Universal Credit savings limits. The maximum grant funding level available will be up to £4,000.

- 12.28 **Relocation Grant** – to assist disabled persons, who are owner/occupiers to relocate to another property if adaptations to their current home through the DFG are determined not to be reasonable or practicable and they are considering relocation to another more suitable property they intend to purchase as their home. Such assistance supports best value by ensuring DFG grant funding is focused on properties where adaptations can be reasonably delivered and enabling people to move where this is not the case. The maximum grant funding level available will be up to £8,000.
- 12.29 **Top Up Grant** – to facilitate more complex and expensive adaptations for eligible clients who are owner occupiers or social housing tenants of Registered Social Landlords (RSLs). The maximum grant funding level available will be up to £100,000 inclusive of all work costs and fees associated with the works including but not limited to a contingency allowance; architect, agent and planning fees and the council's DFG service charge etc.
- 12.30 DFGs are exclusive to home owners and private rented and registered social landlord (RSL) tenants. As the council has a Housing Revenue Account (HRA) it is expected that it should self-fund adaptations to its own housing stock for council tenants through this account. Therefore there is a separate policy for council tenants seeking adaptations.
- 12.31 An internal audit report undertaken by Southern Internal Audit Partnership in December 2021 made 3 main recommendations to the DFG service:
- To update and review the current DFG policy and procedures
 - To update the list of approved contractors
 - To increase performance monitoring
- 12.32 This paper introduces the new Disabled Facilities Grants (DFG) Policy and is the last of the recommendations to be completed.
- 12.33 Following consultation with Foundations it was advised any procedural element was not required and should be stripped out. The new DFG policy is therefore now more streamlined and solely a policy document without a procedural section. Foundations is funded by The Department for Levelling Up, Housing and Communities (DLUHC) and act as a centre of expertise and provide support to local authorities in respect of the delivery of DFG home adaptations.
- 12.34 In addition to supporting a number of the key priorities in the Council Plan 2020 – 2025, the policy additionally links in with the Housing Strategy 2017/18 – 2022/23 Priority 2 – To improve the housing circumstances of vulnerable and excluded households, by assisting in the promotion of independent living and the support and creation of accessible homes, particularly for those with disabilities.

12.35 Local Land Charge and Client Contributions

12.36 The previous policy had a formula in order to determine a client's contribution towards discretionary works that exceed £30,000. This would usually total a few thousand pounds which a client would pay on completion of the works. The rest of the cost of the works would be placed on the property as a Local Land Charge. This charge would expire in 10 years from the works completion date.

12.37 The revised policy no longer requires clients to make a contribution upon completion of the works, however, the Local Land Charge that will be placed on the property will have no expiry date. This removes the need to use the formula for client contributions which is difficult for clients to understand and takes up valuable time in the process of getting works agreed. A legal charge that doesn't expire means that the council is guaranteed to have the money returned when the property is sold, even if this is at a much later date. The council still has the ability to waive this charge if the client would suffer financial hardship but this would be considered on a case by case basis. Should a client wish to contribute to the works in order to lessen or avoid a legal charge that would also be acceptable. To date the council hasn't waived a charge due to financial hardship.

12.38 Upper Limit on 'Top up Grant' for grants over £30,000

12.39 The funding limit for this type of grant will be capped at £100,000 inclusive of all work costs and fees associated with the works. These will include but are not limited to a contingency fee, architect and planning fees and Winchester City Council's service charge etc.

12.40 For applicants entitled to up to £30,000 mandatory funding this translates into a £30,000 mandatory grant and discretionary £70,000 Top Up Grant. For applicants not entitled to mandatory funding this translates to a £15,000 discretionary grant and a £85,000 discretionary Top Up Grant.

12.41 Previously there was no upper limit on top up grants but the cost of living crisis and inflationary cost pressures have caused a significant cost increase in the delivery of projects such as extensions. The DFG budget we are allocated from central government is likely to remain static until 2025 and will not be raised in line with inflation. This essentially means a cut to our budget over the next few years. The budget needs to be available to cover the needs of everyone in the district who is referred into our service. A limit on projects allows an element of control and is a clear benchmark for the client which ensures funding will only address what clients essentially require in their home as determined by an Occupational Therapist.

12.42 Previous grant allocation approvals:

12.43 In the year 2021/22 the council approved 97 DFG applications with a total value of approximately £1.1m. The average value of each DFG grant awarded was £11,518. Of these:

- 6 grants with an average cost of £17,951 were approved under the mandatory part of the Disabled Facilities Grant and were means tested which means that some people may have had to pay a contribution towards their grant.
- 86 grants were discretionary grants of under £15,000, awarded to applicants that would not have qualified for assistance under the mandatory part of the Disabled Facilities Grant. The discretionary element of the grant funding ensures housing need is met and reduces the need for residential care and hospitalisation.
- 5 grants were discretionary grants in excess of £30k specifically targeted to prevent hospital admission or care breakdown.

The top three adaptations provided in 2021/ 22 were:

Type of adaptation	Number of adaptations	Average Cost
Level access showers	37	£6-7k
Curved Stair Lifts	22	£4.5-5k
Straight Track Star Lifts	17	£2.2-2.5k

12.44 The number of grants awarded across all tenures were:

Tenure	Number
Owner occupiers	70
Private Tenants	4
RSL Tenants	23

12.45 Comparable approvals in preceding years:

Financial Year	Approved DFG	Grant Funding	Average DFG
	Cases	Approved	Awarded
2017/18	80	£636,760	£8,179
2018/19	73	£1,121,615	£15,577
2019/20	70	£687,584	£9,822
2020/21	78	£945,014	£11,973

2021/22	97	£1,094,279	£11,518
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13 Census 2021 Data

- 13.1 Data from the 2021 census details that the Winchester population increased at a faster rate between 2011 and 2021 than it did between 2001 and 2011. In 2021 the total combined male and female population for Winchester was 127,500. Woman formed the highest (51.3%) of the population and men formed (48.7%) of the population. In the ten year period from 2011 up until 2021 the biggest population increase in Winchester has been 11.8% in the 65+ age group. The Office for National Statistics (ONS) estimates the proportion of people aged 65 years and over in England as a whole, is projected to increase from 18.2% to 20.7% of the total population between mid-2018 and mid-2028. The proportion is also projected to increase for all regions and local authorities. It is therefore predicted that there will be an increasing demand on the DFG service.
- 13.2 The DFG process is initiated by an assessment being carried out by an Occupational Therapist (OT) who will establish the needs of the applicant and then submit a referral to the council making recommendations as to the type of adaptation(s) required. The most common adaptations needed are stair lifts, ramping and level access showers.
- 13.3 Council officers then process the referral to determine if the works required are both 'necessary and appropriate' and 'reasonable and practicable' in accordance with legislation. Where required, a financial means test assessment will also be undertaken to establish the applicant's eligibility for a grant. The discretionary grants policy allows recommended eligible works of a value up to £15,000 to be completed without the need for a financial assessment being completed.
- 13.4 Where the required conditions are met, council officers will identify a contractor from a pre-determined list of contractors. The contractors were selected following a tendering procurement process undertaken in consultation with Hampshire County Council in July 2022. Once a suitable contractor has been appointed council officers or agents of the council (in respect of more complicated and costly DFGs) will oversee the works through to completion. Upon satisfactory completion of the works, the council will pay the grant funding directly to the contractor(s).
- 13.5 In some instances an applicant may wish to use their own contractor but this is not normally the case, as the bulk of the DFG applications received by the council are from elderly and / or vulnerable individuals who do not have the desire or inclination to take on the responsibility of finding contractors and prefer to let the council lead on this.
- 13.6 The council however is not responsible for the work of the contractor and the contractual relationship is solely between the applicant and the contractor.

13.7 Examples of How DFGs can Change Lives

13.8 The DFG team have recently completed a mini extension/existing conservatory conversion underway for a client with very significant Parkinson's disease. The conversion will enable the individual to live downstairs at home with access to a bed and a shower. Without the DFG, the gentleman would likely have had to go into a care home.

13.9 The DFG team have also recently just closed a case which was completing a deep clean for a client in hospital. Adult Services contacted the council as the person couldn't be discharged home unless it was completed. The council quickly got it approved and prevented a bed being taken up in the hospital. The cost of the works were under £2k and included:

- Deep Clean Property to bring it back to a hygienic and liveable standard.
- Clean heavily soiled bathroom, downstairs cloakroom and kitchen areas.

13.10 Conclusion

13.11 It is recommended that the council adopts the proposed DFG Policy 2023 – 2025 in full; adopts the four new discretionary grants; agrees to the discretionary grant level cap of £100k; that any Local Land Charge placed on a property will have no expiry date; that the service charge is reduced from 12% to 10.5% and authority is delegated to the Corporate Head of Housing in consultation with the Deputy Leader and Cabinet Member for Community and Housing to enable them to make minor changes when required to the DFG policy.

14 OTHER OPTIONS CONSIDERED AND REJECTED

14.1 In order to maximise the DFG grant budget a reduction to the service fee was investigated with a proposal to change it from the current 12% to an across the board flat fee of £500 per grant. However, based on a projection of fees likely to be received this financial year, it would have resulted in a reduction of income from roughly £92k to £44k. This option was therefore rejected.

14.2 The option to do nothing and not have an up-to-date policy in place would result in the delivery of the DFG service not being properly supported. Not to renew the DFG policy is therefore not an option and is rejected.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

BHP36 / Disabled Facilities Grants / 29 November 2022

Other Background Documents:-

Disabled Facility Grants Policy & Procedures version 06/8/2019:

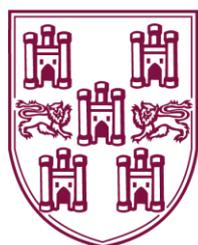
<https://www.winchester.gov.uk/housing/private-housing-and-empty-properties/disabled-facilities-grant>

Disabled Facilities Grant (DFG) Delivery: Guidance for Local Authorities in England:

APPENDICES:

Appendix A - Disabled Facilities Grant Policy 2023 - 2025

Appendix B – Equality Impact Assessment



Winchester
City Council

Disabled Facilities Grant Policy

2023 -2025

Housing Grants, Construction & Regeneration Act 1996
The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002

Document created:	
Agreed by Committee:	
Author:	
Review Date:	

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1.0 Introduction

- Adaptations are needed by many disabled people so that they can remain safe and independent in their own home. They can be needed by people of all ages, but as our population ages and life expectancy increases, the number of people needing assistance to adapt their homes is expected to grow. Winchester City Council (the council) is committed to helping these residents achieve a home which meets their needs.
- Under the Housing Grants, Construction and Regeneration Act 1996 (the Act), the council, in its capacity as a housing authority, has a statutory duty to provide Disabled Facilities Grants (DFGs) to applicants who qualify. DFGs are mandatory grants available to disabled people when works to adapt their home are judged necessary and appropriate to meet their needs and when it is reasonable and practicable to carry them out having regard to the age and condition of the dwelling or building. DFGs are available to fund adaptations to the homes of elderly, vulnerable or disabled residents to enable them to live independently at home or be cared for at home.
- In order for the council to use its discretionary powers under the Regulatory Reform Order (RRO) it must have a policy. This policy sets out the mandatory legal framework for DFGs, and how the council intends to use its powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) to provide discretionary DFG assistance to promote independent living and well-being. It sets out the flexible policy the council has adopted in respect of DFGs.
- This policy replaces the former Disabled Facility Grants Policy and Procedure 2018 and supersedes any other council policy relating to Disabled Facilities Grants.
- The policy links with the Council Plan 2020-2025 and contributes towards the Council Plan priority of 'Living Well' as it assists residents with continuing to live well within their homes by supporting independent living for longer.

2.0 Aims of the Policy

- To improve the lives of people with disabilities by enabling access and movement around their own home with the use of adaptations
- To allow more effective use of the Better Care Fund, cutting out bureaucracy and contributing to the aims of the fund, in particular, reducing hospital admissions and allowing early hospital discharges.
- To reduce the need for domiciliary and residential care by allowing people with disabilities to live more independently in their own homes.
- To provide advice, information and support regarding the adaptation of properties to meet accessibility needs, and provide a framework of assistance to vulnerable groups.
- To treat individuals fairly regardless of age, race, religion, sex, gender, disability and sexual orientation and to protect their rights under Data Protection and human rights legislation.

3.0 Regulatory Framework

There are a number of legal provisions governing DFGs and their application. The administration of DFGs primarily comes under the Housing Grants, Construction & Regeneration Act 1996 (the Act) and subsequent associated legislation including:

- Housing Grants, Construction and Regeneration Act 1996 (“The Act”) (as amended)
- Housing Renewal Grants (Services and Charges) Order 1996
- The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008
- The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (“The Order”)
- The Housing Renewals Grants (Amendment)(England) Regulations 2008
- The Disabled Facilities Grants (Maximum Amounts and Additional Purposes)(England) Order 2008
- Delivering Housing Adaptations for Disabled People – A good practice guide (June2006)
- The Equalities Act 2010
- Disabled Facilities Grant (DFG) delivery: Guidance for Local Authorities in England 2022

4.0 Definition of a Disabled Person

For the purposes of the legislation relating to DFG’s a person is defined as being disabled if:

- Their sight, hearing or speech is substantially impaired;
- They have a mental health disorder is this a statutory term? or impairment of any kind; or
- They are physically disabled by illness or impairment present since birth or otherwise

A person aged 18 or over is considered disabled if:

- They are registered as a result of arrangements made under section 29(1) of the National Assistance Act 1948; or
- They are a person for whom welfare arrangements have been made under that section or might be made under it.

A person aged under 18 is considered disabled if:

- They are registered as a disabled child maintained under the Children Act 1989; or
- In the opinion of Hampshire County Council's Children's Services they are a disabled child as defined for the purposes of Part III of the Children Act 1989.

5.0 Mandatory DFG Eligibility Criteria

5.1 The Works

Eligibility criteria for DFGs are laid out in Section 23 of The Housing Grants, Construction and Regeneration (as amended) Act 1996 and primarily relate to accessing principal rooms within the home and accessing and using essential facilities including access to gardens and outside areas of a property.

Grants are dependent on:

- The works being necessary and appropriate;
- The works being reasonable and practicable; and
- A financial assessment where appropriate, to establish the applicant's eligibility for a grant.

Facilitating Access - For works to remove or help overcome any obstacles that prevent the applicant from moving freely into and around the dwelling. This may include access to the garden or yard (front, side, or rear) which means immediate access from the dwelling. It does not include landscaping.

Making a Dwelling or Building Safe - Adaptations to the dwelling or building to make it safe for the applicant and other persons living with them.

Access to a Family Room – Works to ensure the applicant has access to a room used for or usable as the principal family room.

Access to a Room usable for Sleeping - The provision of a room usable for sleeping where the adaptation of an existing room in the dwelling (upstairs or downstairs) or the access to that room is unsuitable in the particular circumstances.

Access to a Bathroom - The provision of, or access to, a WC, washing, bathing and/or showering facilities.

Facilitating Preparation of and Cooking of Food - The rearrangement or enlargement of a kitchen to improve the access for a wheelchair and to provide specially modified or designed storage units, work top area etc. Where most of the cooking and preparation of meals is done by another household member, it would not normally be appropriate to carry out full adaptations to the kitchen.

Heating, Light and Power - To provide or improve the existing heating system in the dwelling to meet the applicant's needs. A grant will not be given to adapt or install heating in rooms which are not normally used by the applicant.

5.2 The Applicant

DFGs are available to homeowners, owners of qualifying houseboats, owners of qualifying park homes, tenants of private landlords and tenants of Housing Associations. Grants are also available for adaptations to the common parts of buildings containing one or more flats. Winchester City Council tenants can apply for a grant however, it is normal practise for housing authorities with a Housing Revenue Account (HRA) to fund these adaptations. The council's Property Services Team therefore have a separate policy for processing tenant's applications.

The council cannot, by law, refuse to process a properly made DFG application that it receives from an owner-occupier or tenant. If the eligibility criteria and proper process are satisfied, the council must, approve the appropriate grant, providing funds are available.

Application for a Disabled Facilities Grant is dependent firstly on the applicant having been assessed by either a Hampshire County Council OT or the council's in-house Private Sector Housing OT, or private registered OT. Assessments undertaken by the HCC OT will be forwarded to Winchester City Council. Alternatively, people can apply on-line via the council's web site after which they will be assessed to determine their eligibility: <https://www.winchester.gov.uk/housing/private-housing-and-empty-properties/disabled-facilities-gran>

Further information and guidance regarding DFGs can be found in the Disabled Facilities Grant (DFG) delivery Guidance for Local Authorities in England published March 2022:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1065574/DFG_Guidance.pdf

The following is a summary of the main legal provisions that apply to mandatory DFGs:

- An applicant, who defined by the Act as a person with a disability, is eligible for assistance.
- DFGs are mandatory grants which are available to people with disabilities for works which are 'necessary and appropriate' to meet their needs, and when it is considered 'reasonable and practicable' to carry out the works when having regard to the age or condition of the dwelling or building. A financial assessment where appropriate may also be required, to establish the applicant's eligibility for a grant.
- The council reserves the right to refuse grant assistance where the works are not necessary, appropriate, reasonable, practicable, are excessively expensive and/or where the property is not suitable for adaptation. If appropriate the council may offer a discretionary DFG, in the form of a relocation grant to help the applicant move to a more suitable dwelling.
- DFGs are means-tested, except if the application is on behalf of a child or young person aged 18 or below. Therefore, the applicant's income and savings are required to be assessed to determine if the applicant has a contribution to make or even pay the whole cost. Applicants who receive certain specified "passport" benefits are exempt from the means-test, however the means-test is set by law and the council does not have any discretion when applying it. See **Appendix 3** for a list of pass-porting benefits.
- If an applicant is eligible then the council has a maximum of six months to 'determine' the application, which means approve or decline the application. However, the determination should be carried out as soon as is reasonably practicable.
- The maximum mandatory DFG in England is currently £30,000, and this amount would be reduced by any contribution determined as payable under the means-test.
- The duty to provide DFGs is 'tenure blind', and therefore applications from home owners or those renting in the private or social sector are treated equally depending on their needs. Applications received from tenants living in private rented housing must be accompanied by a tenant's certificate signed by the landlord to demonstrate that they will remain living in their home for the

grant condition period (usually 5 years) or for such a shorter period as their health and other relevant circumstances allow.

- An applicant must be 18 years of age or older.
- Parents or guardians are able to apply on behalf of children.
- Landlords are able to apply on behalf of their tenants;
- The property to be adapted must be a legal residence, and this can include dwellings, houseboats, caravans and mobile homes as well as buildings which contain dwellings.
- Both owner occupiers and tenants must have the intention to live in the adapted property for five years. Landlords and/or the property owners must certify they intend to allow the disabled person to remain in the property for not less than five years.
- There is no restriction on an applicant making multiple grant applications for funding.
- Persons from abroad with no recourse to public funds are not eligible to apply for a DFG.

Appendix 4 is a flow chart of the DFG process.

6.0 Discretionary Grants

Discretionary grants have the same application process as mandatory grants and the same criteria. However, the council's DFG policy allows up to £15,000 total costs to be funded before a means test is required. Below is a summary of each Discretionary Grant eligibility criteria:

6.1 Welfare Grant

Primary Aim: To fund small scale works which are critical to a person's welfare which have been identified by a social worker or other professional. The applicant should have a clear medical need/ be eligible for disability registration. The works should be to improve and enhance the applicant's quality of life at home and support the continuation of them staying in their own home by preventing possible admission to care or hospital or enabling discharge home from hospital or care.

Eligible works:

- **Deep Cleans / Declutters of essential parts of the home up to a maximum of £2000.** The grant will contribute towards converting a home that

cannot currently be inhabited by the person applying for the grant into one which can be, (i.e. through cleaning/decluttering of the kitchen/living room/hallway/bathroom/bedroom (and extra bedrooms if carers need to stay overnight) in particular in preparation of the installation of equipment.

Only applicants awaiting a discharge from hospital or care placement are eligible.

- **Minor Essential Repairs and Improvements up to a maximum of £2000.** To address a risk or serious hazard for a person with disabilities that would impact on the extent to which their home can be used. The works must be reasonably material in terms of their nature of the risk or hazard. A broken item must have a substantially deleterious impact on the extent to which a property can be used.

Examples include making good disrepair to flooring to make safe and remove a hazard, or improving the safety and security of a property to a higher standard to enable it to be occupied by a person with a disability.

- **Stair lifts** – Curved and straight stair lifts can be applied for by the referring professional if this would assist discharge / prevents admission to hospital (if not for discharge/admission risk purposes this can be applied for through a standard DFG application). The £2000 cap does not apply to stair lifts.

6.2 Heating Grant

Primary Aim: Replacement of boilers, radiators and other substantial components of heating systems to bring systems and equipment up to a higher standard of reliability, safety or usability as might be required by an owner occupier with disabilities.

The referrals for this grant need to come directly through a professional body such as:

- LEAP (Local Energy Advice Partnership) which can be contacted at <https://applyforleap.org.uk/energy-support/>
- Hitting the Cold Spots, a Hampshire County Council based service which provides advice on heating and energy matters for Hampshire residents and can be contacted at <https://www.hants.gov.uk/socialcareandhealth/adultsocialcare/coldspots>,
- The Environment Centre (tEC), a charity based in Southampton which provides advice on sustainability and other matters including fuel poverty and can be contacted at <https://environmentcentre.com>

Receipt of referrals from the above (or other similar organisations) ensures that appropriate screening has been applied to the applicant's circumstances (applicants must be on pass porting benefits and disabled). Persons in the community who are **not** on any income assessed benefits, who come into contact with our service, and who are in need can be assisted with funding if they can prove they do not have savings in excess of £6,000. In exceptional circumstances a legal land charge will be considered in order to cover the value of the works (if the works exceed £4000).

Eligible Works:

- Replacement of boilers, replacement of faulty radiators or other substantial components of any heating systems to bring systems and equipment up to a higher standard of reliability, safety or usability as might be required by a person with disabilities.

Works can be funded up the value of £4000. If the necessary works exceed this amount the homeowner will be required to contribute the difference. The reasoning for limiting the cost of this grant is to enable the funding to be used as fairly as possible across the whole district and in anticipation of many possible referrals in the winter seasons up to 2024/25.

6.3 Relocation Grant

Primary Aim: To assist disabled persons, who are owner/occupiers to relocate if adaptations to their current home through the DFG are determined not to be reasonable or practicable and they are considering relocation to another property they intend to purchase as their home. Such assistance supports best value by ensuring DFG grant funding is focused on properties where adaptations can be delivered and enabling people to move to suitable property where this is not the case.

Eligibility:

- Applicants must be 18 or over on the date the application is made (in the case of a disabled child, the parent(s) would make the application). Any application must be supported by a recommendation from the Hampshire County Council OT service, WCC in house OT, or a private OT.
- The council and the OT must be satisfied that the proposed property already meets the needs of the disabled person without further adaptation or be satisfied that it can be adapted at a reasonable cost under the mandatory grant limit of £30,000.
- This grant will cover the costs of purchasing a property such as estate agent's fees and conveyancing, but not other relocation costs such as removal expenses.

Relocation costs can be funded up to the value of £8,000.

6.4 Adaptations Costing Under £15,000

Primary Aim: To enable persons with disabilities to remain in their own home for longer and to also enable them to live independently and safely for longer. Disregarding the means test for works under this limit allows more eligible disabled persons across the Winchester District to access adaptations to meet this aim.

Eligible Works:

- Those works identified in The Housing Grants, Construction and Regeneration Act 1996 as recommended by an Occupational Therapist by a formal referral with full recommendations. Typically, this includes level access showers, stair lifts and ramped access.

Policy: Using powers provided by the above mentioned legislation, the council will provide the first £15,000 for works under any Adaptations Grant application regardless of the assessed contribution of the applicant. Any applicant assessed as needing to contribute to the cost of works will only be required to contribute when the cost of works exceeds this £15,000 threshold.

6.5 Top Up Grant - For works that exceed Mandatory Funding Level

Primary Aim: The council recognise that extensive adaptations and rising costs mean works often exceed the current mandatory grant limit of £30,000. This Top Up grant is to fund the cost of adaptations over £30,000 for eligible clients who are Owner Occupiers or Social Housing Tenants (see below) where the works are deemed 'necessary and appropriate' and 'reasonable and practicable'. The applicant is eligible if they are already entitled to a mandatory grant (e.g. children's cases); or if the applicant is not eligible for a mandatory grant (i.e. their assessed contribution outweighs the cost of the works they require) then they must fall into at least one of the following *Better Care Fund Key Criteria*:

1. Where essential adaptations (to enable access to the home and access to key facilities to ensure that living at home is possible), need to be provided "urgently" to facilitate timely discharge from hospital/nursing or residential care, (avoiding delayed transfer of care and maximising opportunity for re-ablement at home).
2. Where applicants have a high and complex level of disability and/or life changing diagnosis; and the risk of sudden deterioration in their condition or reduced independence or increased risk of falls could be minimised by urgent provision of essential adaptations to the home, (to reduce risk of premature admission to hospital or residential care, or increase in care package).

3. Where the care situation in the home is at imminent risk of breakdown if essential adaptations are not provided quickly, (to support the carer and maximise the applicant's independence, health and wellbeing).
4. Where applicants have catastrophic and life changing/limiting diagnosis, and urgent essential adaptations could minimise the risk of breakdown of family life and care, and enable supported living at home, delaying the time scale for the start, or increase in external health or social intervention.
5. Where the timely provision of minor adaptations (in line with health and wellbeing targets and better care priorities), would reduce the risk of falls and promote a safer home environment when applicants have no immediate and safe access to alternative service options.

Depending on the works recommended by the OT, it would be advisable that applicants entitled to a mandatory grant also fall into one of the above key criteria. This ensures correct reasoning has been applied to their case to ensure their needs can only be met by topping up the mandatory funding available. Typically, an example of this in action would be where an extension must be constructed to contain a bedroom and washing facility for someone less than 18 year's old.

To ensure that the offer of Discretionary DFGs is equitable to all residents within the Winchester District every applicant will be assessed by council's in-house OT to establish the need for the additional discretionary funding from the council.

Whatever their tenure the council will then require the applicant to consult with an agent from the council's recommended list to complete a plan for the most cost effective way to meet their need. This will be a required step regardless of whether the applicant already has plans of their own drawn up. Wherever possible all works should aim to be completed within the footprint of the property.

Any Top Up Grant funding will be considered having regard to the amount of financial resources the council has available at the time of the application. If it does not have sufficient resources left to fund other referrals passed to the DFG team by the Occupational Therapy Service or the in-house PSH Occupational Therapist, the council reserves the right not to approve any top up funding.

Funding Limit:

The funding limit for the Top Up Grant is **£100,000** inclusive of all work costs and fees associated with the works including but not limited to a contingency fee, architect and planning fees and the council's service charge etc.

For applicants entitled to up to £30,000 mandatory funding this translates into a £30,000 mandatory grant and discretionary £70,000 Top Up Grant. For applicants not entitled to mandatory funding this translates to a £15,000 discretionary grant and a £85,000 discretionary Top Up Grant.

Local Land Charge

Applicants will not be required to make an immediate contribution towards the works upon completion, however, the cost of the works which exceed the mandatory level will be secured on the property by a legal charge. **The legal charge will have no expiry date and therefore the charge will be paid back to the council upon sale or disposal of the property.** The RRO enables local authorities to offer this financial assistance in the form of a zero interest loan. This loan is registered as a Local Land Charge against the value of the property, on which no interest is levied. When this circumstance arises the council will only consider waiver of the legal charge if it causes financial hardship. An example of hardship is if the property is being sold to fund care and the legal charge prevents the applicant being able to move to a suitable placement. It is for the applicant or interested parties of the applicant to make their case of hardship to the council with supporting evidence and for the council to use its discretion when making a decision.

Summary Table of Funding Levels	
Funding level	Decision
Up to £20,000	Private Sector Housing Team Leader
Up to £50,0000	Service Lead – Strategic Housing
Up to £100,000	Corporate Head of Housing

For cases exceeding **£15,000** the final decision will be determined by a panel of the above officers depending on the level of funding being applied for.

Should there be exceptional circumstances where due to unforeseen works the value of the grant increases to beyond £100k, approval of the additional costs will require authorisation from the Portfolio Holder for Housing via a Decision Notice.

6.6 Applicant Living In Property Rented From Registered Social Landlord:

The Top Up grant can be applied for if eligible applicants live in a property owned by a Registered Social Landlord. The same funding limit of £100,000 applies, in cases where the grant cannot be secured with a legal charge.

Where a legal charge cannot be applied it must first be determined that the applicant cannot move to another property through Hampshire Home Choice which meets their needs or would meet their needs with less cost than the provision of a Top Up grant. This must be clearly evidenced in their application for funding.

6.7 Applicant Living In Property Rented from a Private Landlord:

Top Up Grants over £30,000 are not available to those privately renting as it would be more beneficial to assist them to move to a tenure with more security through the Hampshire Home Choice (HHC) a sub-regional choice based lettings scheme of which the council is a member.

7.0 Dual residency of a disabled child

In cases where families separate and a court order provides that residency of the subject disabled child is split between the mother and father (or other designated guardian) the council may consider the award of discretionary DFG to one property. The proposed adaptations will only be considered for discretionary assistance if they fall within those headings normally applied to mandatory schemes.

A mandatory DFG can only be provided for the 'sole or main residence' of the disabled applicant and in circumstances covered by this section it would be assumed that one party would apply for mandatory grant on the basis that the child occupies the subject property as their sole or main residence. The main residence will be determined by which party receives child benefit. This property may or may not be within the Winchester District. In exceptional circumstances under the RRO a discretionary grant may be awarded in order to adapt the home of the other parent (or guardian) should there be a legitimate and evidenced need.

The council will consider the details of any court order and specifically the allocation of time spent with each parent in determining eligibility for assistance. No specific percentage split is proposed by this policy as each case will be reviewed on its own merits. Factors to be considered include the specific details of any order, likely time to be spent at each property, whether the child will stay overnight at the subject property and for what period etc.

In determining the works that might be considered as eligible for assistance the council will consider the suitability of the subject property for adaptation, the complexity and scope of the adaptations required and any observations or referral made by the Occupational Therapy service. The scope of any works will not necessarily mirror that to be undertaken at the sole or main residence.

Any assistance provided under this heading will be up to a maximum discretionary award of £15,000 but will not be subject to any form of means testing. Any award will be repayable to the council if and when the subject property is sold. The award amount will be recorded as a Land Registry charge in the same manner as a Top Up Grant.

8.0 Approval of Grants

Award of mandatory and discretionary DFGs is dependent on the council holding sufficient funds. Although the council is statutorily obliged to approve valid mandatory DFG applications within six months, where possible, the council aims to approve applications within 30 days of them being determined as complete and valid.

In the case of discretionary DFG's, the council aims for the same timeframe as above but mandatory DFG's may take preference if the council needs to consider how to make best use of its available resources.

The council will not approve a Disabled Facilities Grant application where the relevant work has already begun or been completed.

9.0 Fee Generating Service

The council recognises that applicants who do not qualify for mandatory grant assistance or discretionary grant or loan assistance nonetheless still have an identifiable need for adaptations. In some cases, applicants may decide not to proceed with necessary adaptations for lack of confidence or desire to deal with the process of completing specifications, seeking and appointing suitable contractors and then managing the installation, dealing with contractors and payment demands.

The council wishes to encourage individuals to adapt their homes where necessary and appropriate to enable them to stay in their home in accordance with the wider prevention agenda of housing, social care and health authorities.

The council provides an end-to-end service, acting as agent for the applicant and charges a fee of 12% plus VAT of the grant provided towards the cost of works. This fee forms part of the grant funding allocated. The council will offer the same service at the same fee rate to all applicants, apart from when a grant approaches or exceeds £25k. At this point a service fee of £2,030 plus VAT at 20% will be applied. This equates to a total service fee charge of £2,436.

The provision of fee paying support services can be advantageous to certain applicants who may need further works carried out in future years, as the legislation allows for the contribution made towards one scheme of works to be counted towards the applicant's contribution to a further scheme of works if this is carried out within 5 years in the case of rented property, or 10 years in the case of owner occupied property. This is provided that the earlier scheme has been managed through the DFG process.

10.0 Completing the Works

The process of sourcing and appointing contractors to complete the works will depend on the likely nature and value of the works to be carried out, and the applicant's preferred method of engagement.

The council offers an end to end Home Improvement Agency type service for the majority of straightforward grants and where the value of the works is likely not to exceed £15,000. For this approach, the council maintains a Framework of approved contractors whose service will be offered to the applicant if they wish to make use of the service offering.

Furthermore, the council offers a choice of approved agents for higher value schemes that will typically involve a planning application and Building Control application for extensions or other substantial building works.

Where either of the above options is adopted, the procurement of contractors will be carried out according to the council's procurement rules.

The applicant is under no obligation to use either approved list and is entitled to invite and submit quotes from their own choice of agents and contractors. In these circumstances the submitted quotes will be assessed only to confirm that the quotations are for works reasonably required to meet the identified needs of the applicant and for which the grant is being provided. The council may, however, wish to investigate the contractors proposed by the applicant to ensure that they are of sufficient competence and reliability to safeguard that the public purse is not put at unnecessary risk, and may seek assurance as to insurances and references before approving an award.

There may be occasions when a client would prefer a more extensive adaptation over and above what the authority has assessed as being necessary and appropriate. In these cases the council will support the application by making it clear to clients what level of grant funding will be awarded and what level of expense they would be required to finance themselves.

The council will base the award on the lowest quote that meets the applicant's agreed needs, however the applicant may still use a higher priced contractor provided they pay the difference in price. In exceptional cases the council may agree to base the award on a quote higher than the lowest where circumstances, such as time for completion or known specific expertise, would indicate a better value outcome.

Applicants should be aware that the legal and contractual relationship is between the applicant and contractor and NOT with the council. If there is a dispute between the applicant and the contractor, the council will not be able to get involved unless by some act or default the council has caused the issue which has led to the dispute. The council will generally pay contractors on behalf of the applicant, but in the case of an unresolvable dispute the council will pay the grant direct to the applicant. It is then for the two contracted parties, the applicant and their contractor, to take such action as they deem necessary to resolve their dispute.

11.0 Contract Variations

Grant approvals are made by assessing submitted bids for the specification provided. It is the nature of any building work that variations may be required once work commences, either to the specification to provide a more practicable solution, or for additional works due to unforeseeable circumstances.

Applicants who chose to complete their own design must ensure that it satisfies the needs identified by their Occupational Therapist (OT).

If any applicants' design includes other works not provided for by the grant, the grant will be strictly limited to that part of the cost of works needed to satisfy the minimum necessary and appropriate requirements as identified by the OT and approved by the council.

Where variations will materially affect the design or function of the adaptation, agreement that the applicant's necessary and appropriate needs will continue to be met must be obtained from the originating OT before the variation is approved.

All requests for unforeseen works / variations from contractors that will involve additional costs must be agreed by the council in writing before those works proceed.

Where unforeseen works / variations are reasonably expected to reduce costs, the contractor must be required to identify this reduction before works proceed.

In both circumstances the grant approval documentation must be suitably amended.

No additional cost will be agreed for works that an experienced contractor should have reasonably foreseen as necessary for the completion of the specified works.

12.0 Abortive Works

The term abortive works relates to any situation where a DFG application has been aborted before all works have been completed, this is usually applicable where an applicant has died.

The council will consider the works to still be completed and a grant award may be made with consent of the property owner and residents of property.

13.0 Framework of Approved Contractors

The council will maintain a framework of approved contractors it reasonably considers capable of completing the works typically associated with Disabled Facility Grants, including specialists in the installation of wet-rooms and stair-lifts as well as general building contractors.

This framework will be informed by a 2 yearly invitation to contractors to tender against a given schedule of works, and confirmation of suitable insurances and professional accreditation.

It is expected that the framework will include no more than 12 contractors including a minimum of 3 in any specialism.

This framework will be used for any project with a likely value of up to £15,000 in line with the summary above.

14.0 Contractual Relationships and Responsibilities

In all circumstances, the contract for the completion of works will be between the applicant and the contractor appointed to complete the work.

Full details of the contractual relationships and responsibilities will be provided to

all contractors invited to bid either by the council or by the applicant in the document Preliminary Information to Contractors which may vary from time to time to reflect changes in legislation and industry standards. This information will also be provided to applicants.

15.0 Warranties and Maintenance

Adaptations including installed equipment belong to the owner of the property in which they are installed. This means property owners are responsible for ongoing maintenance and repairs after any initial warranty period expires. The council will consider funding extended warranties for equipment installed using grant funding. This typically includes five year warranties for stair lifts and through floor lifts. The owner will also remain responsible for removing equipment and adaptations once no longer required.

16.0 Framework of approved agents

The council will maintain a framework of approved agents (architectural practices and project management organisations) capable of managing the process of design, statutory applications, sourcing and assessment of quotations from contractors, and project supervision to completion.

Agents will source and assess contractors' quotations in accordance with the council's Procurement Rules and will charge a fee in addition to the service fee applied by the council.

This list will typically be used for projects over £30,000 and where extensions to or substantial internal conversion of a property are required.

17.0 Contract Procedure Rules Summary

The Council Contract Procedure Rules identify five value of contract ranges for which the method of procurement varies as follows:

Under £10,000 (all contracts) - minimum of one quote sought from any contractor considered competent. **The framework of Approved Contractors identified in 13.0 above would all meet this competence condition.**

£10,000 – £250,000 (Works contracts only) – minimum of three written quotes sought and an evaluation model based on price (awarded to the lowest cost) or most economically advantageous criteria used. The use of the framework identified in 13.00 would meet the requirements for this value. Any contractor on the approved list may be used. If not using the approved list, three quotations must be sought.

Note: if purchasing Goods and Services the limit is £100,000.

Over £250,000 but below UK threshold for Works contracts (currently £5,336,937 inc VAT) – a formal competitive tender process by Public Invitation, Restricted Invitation or by invitation to contractors on the select list.

Above UK threshold (currently £5,336,937 inc VAT) and subject to the Public Contract Regulations 2015

NB: the Contract Procedure Rules do not apply where the applicant is not using the council's management service or approved framework of contractors or agents. In these circumstances the quotes will be assessed only to confirm that they are for works reasonably required to meet the identified needs of the applicant and for which the grant is being provided, and to determine the grant award, generally based on the lowest quote that meets the needs.

18.0 Assessment of bids

Where competitive bids are received for higher value works they will be assessed according to any published evaluation criteria set for the particular procurement.

For lower value projects where more than one quote is sought, the cheapest bid will determine the primary choice of contractor, provided that, in the view of the council's officers, the bid is reflective of the works specified and provides good value for money.

The council is under no obligation to accept either or any bid submitted and a further exercise could be progressed if deemed appropriate.

In view of the contractual relationship, the council will recommend the primary choice of contractor to the applicant and the applicant may accept or decline this recommendation. In the circumstance that they decline the primary choice, the council may require that the applicant makes a contribution equivalent to the difference in price between the primary choice and their choice of contractor.

19.0 Supervision of Works and Payment of Award

In all circumstances the council has a duty to inspect the works as they progress and on completion to ensure that monies from the public purse are being spent in accordance with the purpose for which the award was made.

The council may pay:

- The contractor directly (the council's preferred method)
- The applicant directly
- The contractor by providing the applicant with a suitable instrument of payment

Where works are deemed to meet the council's approval, but the grant applicant is not satisfied, the council will not unreasonably withhold payment to the contractor.

20.0 Disputes

If there is a dispute between the applicant and the contractor, the council will not be able to get involved unless by some act or default the council has caused the issue which has led to the dispute. The council will generally pay contractors on behalf of the applicant, but in the case of an unresolvable dispute the council will pay the grant direct to the applicant. It is then for the two contracted parties, the applicant and their contractor, to take such action as they deem necessary to resolve their dispute.

21.0 Complaints Procedure

Where an applicant is dissatisfied with the service they have received, including where a grant has been refused, they can make a complaint through the council's published complaints procedure which can be found at www.winchester.gov.uk/about/contact-us/complaints

In the first instance any issues should be brought to the attention of the council's authorised officer dealing with the application. If an applicant remains dissatisfied, to escalate any matter of concern, a corporate complaint can be raised as explained above.

22.0 Other Circumstances

In all other circumstances not detailed in this policy document reference should be made to the provisions of The Housing Grants, Construction and Regeneration Act 1996. Also reference Disabled facilities grant (DFG) Delivery: Guidance for Local Authorities in England 2022.

23.0 Amendments to Policy

When required minor amendments to DFG policy may be made by the Corporate Head of Housing in consultation with the Deputy Leader and Cabinet Member for Community and Housing.

Appendix 1

Customer Satisfaction Survey

 Winchester City Council					
Disabled Facilities Grant Customer Satisfaction Survey					
<p>The Private Sector Housing Team at Winchester City Council would like to know your feedback on the Disabled Facilities Grant service we provide. This is to monitor and improve our service for our future clients.</p>					
How satisfied or dissatisfied were you with the following:					
	Very Satisfied	Satisfied	Neither	Dissatisfied	Very Dissatisfied
The time it took for your adaptation (s) to be completed					
The way you were kept informed about Progress?					
The quality of the work completed					
The contractor who carried out the work?					
how easy it was to understand the Information you were given?					

how we dealt with any problems Along the way					
The amount of time staff spent with you?					
how easy it was to access the service					
Overall, how satisfied or dissatisfied were you with the service you received?					
How did you hear about the Disabled Facilities Grant service?					
Do you have any comments or suggestions to help us improve the Disabled Facilities Grant service?					
<i>Thank you for taking the time to answer these questions</i>					
<i>Please return this form in the self-addressed envelope provided</i>					

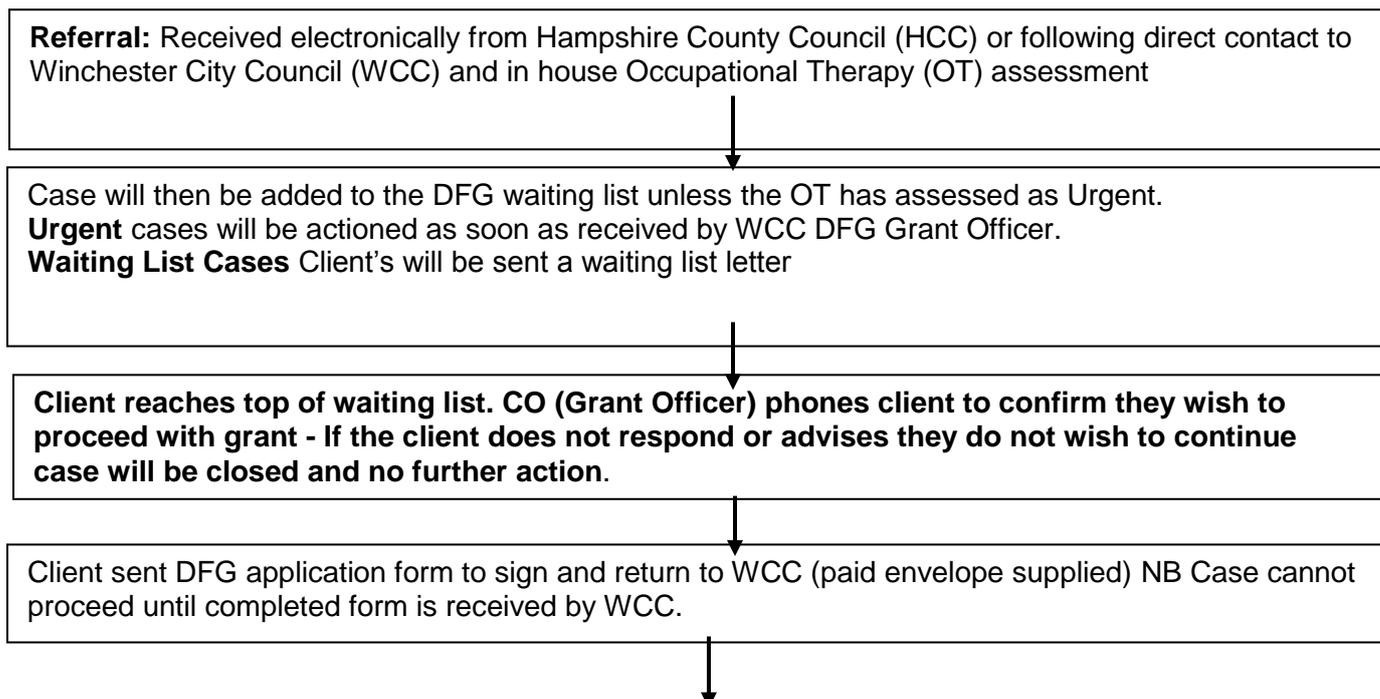
Appendix 2 – Link to Latest Guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1065574/DFG_Guidance.pdf

Appendix 3 – List Of Current Pass-porting Benefits

- Universal Credit
- Income Support
- Income-based Employment and Support Allowance (not contribution-based ESA)
- Income-based Jobseeker's Allowance (not contribution-based JSA)
- Guarantee Pension Credit (not Savings Pension Credit alone)
- Working Tax Credit and/or Child Tax Credit (where your annual income for the purposes of the tax credits assessment was below £15,050)
- Housing Benefit

Appendix 4 Processing Procedure for Disabled Facilities Grant (DFG) referral.



Once the scheme has been agreed

If works are under WCC discretionary policy of £15,000 including stair lifts, ramps and LAS no financial checks will be completed.

If over this threshold financial checks will be completed:

- Clients who are in receipt of pass porting benefits and children under 18 are eligible for the Mandatory £30,000 – See Appendix 3 of WCC DFG Policy for details of benefits.
- Client who do not fall into this category a financial means test will need to be completed – Please see policy Page 5 regarding funding.
- Either WCC or the agent will obtain quotes.

What next

The process will differ slightly depending on the adaptation requested as follows:

- Stair lifts – WCC will have the quote and recommendations. The grant officer will raise the order and the supplier will liaise with the client to arrange install
- Level Access Showers (LAS) & Ramps – The grant officer will visit the client with or without a contractor, in house OT may attend if complex. Agree scheme to meet client's needs.
- Larger more complex adaptations including internal walls being moved and or extensions. In these cases WCC engage an agent to act as project manager. This is to provide technical support and obtain any permissions such as planning and obtain to correct number of tenders in line with WCC DFG policy. A visit with agent, will be arranged with grant officer and in house OT. There will be several visits to agree a scheme. The agent will then project manage and be the client's main contact.

**Grant Offer**

Once all the financial checks and costings are known by WCC grant officer, will send a grant offer letter. Once this has been signed by the client and returned to WCC, works can start at a mutually convenient date.

