

**CABINET
10 JANUARY 2023**

**DISABLED FACILITIES GRANT POLICY
& REGULATORY REFORM ORDER POLICY**

**Responsible Cabinet Member - Councillor Lorraine Tostevin,
Adult Social Care Portfolio**

Responsible Director - James Stroyan, Group Director of People

SUMMARY REPORT

Purpose of the Report

1. The purpose of this report is to request that Cabinet approve the updated Disabled Facilities Grant Policy and Regulatory Reform Order Policy 2022-2025.

Summary

2. The Disabled Facilities Grant (DFG) is a means tested statutory grant provided by the Government to undertake adaptations to homes such as walk in showers, stair lifts, ramps, or building extensions for disabled adults or children to enable them to live independently in their own homes.
3. Disabled Facilities Grants are governed by housing legislation and therefore have set guidance and eligibility criteria which govern how funding can be allocated. Historically these conditions have restricted the way in which funding could be released which resulted in year-on-year underspends on the budget.
4. The Government has also increased the DFG grant paid to local authorities nationally, this increase in allocated Government funding together with carry forward amounts has resulted in a DFG budget for 2022-2023 of approximately £2.6M.
5. A Regulatory Reform (Housing Assistance) Order gives local authorities permission to broaden the scope of how DFGs are used to support housing renewal and assist with the improving housing conditions.
6. The proposed updated Darlington DFG policy has therefore been developed in a way which will enable the Council to make use of the powers provided under the Regulatory Reform (Housing Assistance) Order and use the funding in an appropriate way, to the benefit of residents.
7. A summary of initiatives of new areas of expenditure facilitated by a revised DFG Policy including RRO Housing Assistance (2002) are given in paragraph 17 of the main report and full details are outlined in **Appendix 2**.

Recommendation

8. It is recommended that Members approve the Disabled Facilities Grant policy (2022-2025) and the associated Housing Assistance Policy under the Regulatory Reform Order (2022).

Reasons

9. The recommendation is supported by the following reasons:
 - (a) To enable the adaptations for those individuals who are eligible to receive a Disabled Facilities Grant for 2022- 2023 to proceed.
 - (b) The updated Disabled Facilities Grant Policy and Regulatory Reform Order Policy will allow the Council to create an environment of greater innovation and flexibility to maximise the benefit of DFG funding.

**James Stroyan,
Group Director of People**

Background Papers

- (i) Darlington Borough Council Disabled Facilities Grant Policy and Regulatory Reform Order Policy 2020-2023
- (ii) Foundations <https://booklets-foundations.uk.com/adaptationsforbehavioursthatchallenge>
- (iii) Department for Levelling Up, Housing & Communities and Department of Health & Social Care [Disabled Facilities Grant \(DFG\) delivery: Guidance for Local Authorities in England \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/92123/DFG_delivery_guidance_for_local_authorities_in_england.pdf)

S17 Crime and Disorder	This report has no implications for Crime and disorder.
Health and Well Being	Adaptations funded by Disabled Facilities Grants will improve the health and well-being of residents of Darlington.
Carbon Impact and Climate Change	Some of the adaptations funded by Disabled Facilities Grants will reduce energy usage and provide higher levels of thermal comfort for dwellings benefitting from these measures thus reducing carbon emissions.
Diversity	The adaptations provided via Disabled Facilities Grants will improve the accessibility of owner occupied, privately rented and social housing.
Wards Affected	All wards within the Borough of Darlington are affected.
Groups Affected	Disabled Facilities Grants are available to disabled applicants living in owner occupied, privately rented and social housing.
Budget and Policy Framework	This decision does not represent a change to the budget and policy framework
Key Decision	This is a key decision.
Urgent Decision	For the purpose of the 'call-in' procedure this is not an urgent matter
Council Plan	<p>Positive impact across Adults and Children and Young people, contributing towards the following key actions Adults - Maximising Independence and reducing the demand on services.</p> <p>Children and Young People - Provide excellent services for children and young people with special educational needs and disability.</p>
Efficiency	Adaptations enable people to remain independent in their homes for longer and therefore reduce the need for larger packages of support or admission to residential care. They also can be effective in preventing hospital admissions.
Impact on Looked After Children and Care Leavers	Some of the adaptations funded by Disabled Facilities Grants will have a positive impact on some looked after children

MAIN REPORT

Information and Analysis

10. The purpose of Disabled Facilities Grants (DFGs) is to fund adaptations to owner-occupiers, tenants of private rented properties and Housing Association tenants to enable people with a disability to remain in their own home and live independently across the Borough.
11. DFGs are national mandatory grants, and the grants are available to adults and children with a disability, when works to their home are judged “necessary and appropriate” to meet their assessed needs, and when it is “reasonable and practicable” to carry them out having regard to the age and condition of the dwelling.
12. Works that are eligible for a DFG include:
 - (a) Facilitating access to and from and around the dwelling
 - (b) Access to a family room
 - (c) Access to a room for sleeping
 - (d) Access to a lavatory
 - (e) Access to a bath or shower
 - (f) Facilities for the preparation of food
 - (g) Improvements to heating systems.
13. The current DFG Policy has been in operation since November 2020 and closely follows the legislation and policy guidance that was current at the time of its implementation.
14. Durham County Council Home Improvement Agency provides support to individuals applying for a DFG under a contract. This service includes:
 - (a) The completion of the grant application
 - (b) The seeking of quotes for the necessary works
 - (c) Selection of a suitable contractor
 - (d) Oversight of the works up to completion
 - (e) Payment of the grant.
15. A revised DFG policy including a RRO (Housing Assistance) Order (2002) policy is attached at **Appendix 1**. In summary the RRO (2002) policy provides the Council with a power to broaden the scope of how DFGs are used; however, there is a legal requirement to publish this policy in order for the Council to exercise this power. A range of programmes and initiatives have been included in the revisions which have been based on best practice nationally and a review of local needs.
16. Adaptations to a person’s home can also reduce and/or delay the need for care and support and also prevent/delay the admission to residential care. In addition, a DFG can support a preventative approach by reducing risks within the home and assisting individuals to live and manage independently in a safe and accessible home environment.

17. Summary of initiatives of new areas of expenditure facilitated by a revised DFG Policy and RRO Housing Assistance (2002) Policy (2022-2025). A full list of the details and rationale can be found in Appendix 2:

- (a) Waive the means test for certain items and raise the recovery threshold
- (b) Additional costs to be charged to the DFG fund
- (c) Amendments to the Kinship Care contribution
- (d) Expand policy to widen the support that can be provided for Children and adults with autism/behaviours that challenge, including the provision of safe spaces
- (e) Dementia Grants & Smart Home kits
- (f) Home accident prevention or health and safety initiatives
- (g) Future items for use of DFG funding

Financial Implications

18. Historically there has been a growing cumulative underspend in the DFG budget. Whilst the expenditure has increased in 2021/22 by 76% to £1,298,519, the budget including carry forward amounts and Government top ups is approximately £2.6M on 1 April 2022. The average carry forward amount over the 4 years (2018/19 to 2021/22) is £1,631,811.

Table 1: DFG Capital Resources

<i>Year</i>	<i>Brought Forward £</i>	<i>In-year allocation £</i>	<i>Additional Allocation£</i>	<i>Total Available £</i>	<i>Expenditure £</i>	<i>Carry Forward £</i>
2017/2018	686,867	804,133	77,409	1,568,409	472,272	1,096,137
2018/2019	1,096,137	868,491	95,666	2,060,294	633,506	1,426,788
2019/2020	1,426,788	937,154		2,363,942	682,545	1,681,397
2020/2021	1,681,397	937,154	126,191	2,744,742	735,626	1,827,116
2021/2022	1,827,116	1,063,345	0	2,890,461	1,298,519	1,591,942
2022/2023	1,591,942	1,063,345	0	2,655,287	*541,959	2,113,329

*Confirmed actual spend as at 13/9/22

19. The fund is currently managed within the Children & Adults Commissioning team and is operated in conjunction with the Occupational Therapy team who undertake the needs assessments for all cases. Close budgetary oversight is already provided by the fund manager with finance oversight to ensure the fund is being spent in line with the guidance and spend remains in line with our allocation of funding going forward, focussing on presenting need and core purpose of the DFG.

Outcome of Consultation

20. The Council undertook a consultation exercise from 25 October until 28 November 2022.
21. The policy and summary of changes were published on the Council website, direct contact was made with the organisations listed below and consultation discussion took place with DAD, Age UK and Alzheimer's Society:
 - (a) DAD
 - (b) Age UK North Yorkshire and Darlington
 - (c) Alzheimer's Society
 - (d) Healthwatch
 - (e) Darlington Carers Support Service
 - (f) MIND
 - (g) Parent Carer Forum
22. The outcome of the consultation has been incorporated into the policy revisions.

Equalities Considerations

23. A group of officers carried out an initial Equalities Impact Assessment Screening (**Appendix 3**), and from this no negative impacts were identified. This is not surprising as the intention of the policy is to offer additional assistance and support to older and disabled people through a more flexible approach to funding adaptations. As a result of the consultation, the EIA and the policy have been amended to further clarify how any future pressure on funding will be managed.
24. While there is no negative impact identified, there are previous applicants who have had to contribute to their DFG. A number of these people could feel disadvantaged, they could argue that they would have been better off if we had made this change earlier, however we would not ordinarily look to make any change retrospective or backdating a policy.