

WELWYN HATFIELD BOROUGH COUNCIL
CABINET HOUSING PANEL 2ND MARCH 2021
REPORT OF THE CORPORATE DIRECTOR (HOUSING AND COMMUNITIES)

DISABLED FACILITIES GRANT FUNDING AND USE OF BETTER CARE FUND

1 Executive Summary

- 1.1 From 1 April 2015 there was a significant change in the way that national government funding for provision of home adaptations grants for disabled people (Disabled Facilities Grants) was paid to the Council. Instead of national government making a direct payment to each local housing authority to help them to meet the cost of providing Disabled Facilities Grants (DFG), this allocation was paid through Better Care Funds (BCF).
- 1.2 The Better Care Fund (originally called the Integration Transformation Fund), was announced in 2013 with the stated intention of bringing about integration of health and social care. It was described as a 'single pooled budget for health & social care services to work more closely together in local areas based on a plan agreed between the NHS & local authorities'.
- 1.3 The Council Disabled Facilities Grant (DFG) funding has been included in the Better Care Fund (BCF) and is received from Hertfordshire County Council (HCC). This means that the provision of adaptations in the Private Sector are facilitated and managed by us.
- 1.4 DFGs are demand led and it can be difficult to predict the demand for this fund, however because the demand has been lower than the monies received, there will be a predicted sum of at least £1.37m which has accumulated since the introduction of the BCF, due to our underspend locally.
- 1.5 The money is ring fenced for the purpose of providing adaptations or other enablement which improves independence in the home. It is legitimate to use the fund to be directed to appropriate capital or revenue projects, where the object is to improve health outcomes and maintain independence, as long as the provision of mandatory DFGs is not compromised. However, this can only be utilised in the Private Sector, including Housing Associations, and therefore use in Council owned property is specifically excluded. The government encourages innovative use of the fund, subject to agreement by the County Council Social Care lead to any proposal(s).
- 1.6 This report seeks the committee's views to recommend approval by Cabinet to use some of the available budget to support a specific project, a pilot joint initiative with Adult Social Care, to employ a 'Housing Options Navigator' for a period of two years, who will be employed to provide bespoke advice and support to older and vulnerable residents who are considering their future housing options, which will enable them to live independently and well for longer.
- 1.7 We have been in discussion with the HCC via the Strategic Supported Accommodation Board about this proposal and other possible initiatives that could be progressed through use of this fund. Ideas that we are considering at this stage is funding for an internal Occupational Health resource to expedite

DFG cases and other projects that support the improvement of care and wellbeing within the home and tackling isolation. There is also the opportunity to open discussions with Housing Associations in order to consider whether there are any suitable capital projects that would be an appropriate use of this funding.

- 1.8 The government regulations, Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, allows the Council to develop its own policy on how it administers the mandatory DFG and to widen the scope of assistance in the form of discretionary funding for items that fall outside mandatory DFG. Our existing Housing Assistance Policy was written in 2008 and there is now an opportunity to update and consider additional items that fall within the Better Care Fund objectives. A draft report outlining the proposed new policy will be brought to members for consideration before going out to Public consultation
- 1.9 The use of BCF funding of the specific project proposed in this report will leave ample funds to meet the demand for the mandatory DFG's and other discretionary funding of aids and adaptations.

2 Recommendation(s)

- 2.1 Members recommend that Cabinet agrees to this council entering into a pilot joint initiative with Hertfordshire County Council for the provision of a dedicated specialist support to advise and support older and disabled people about their housing options.
- 2.2 Members note the contents of this report and that other suitable uses of the fund are also being investigated.

3 Explanation

- 3.1 The Better Care Fund (BCF) is a programme spanning both the NHS and local government which seeks to join-up health and care services, so that people can manage their own health and wellbeing, and live independently in their communities for as long as possible
- 3.2 Disabled Facilities Grant (DFG) is for the provision of adaptations to disabled people's homes to help them to live independently in their own homes for longer. It is a statutory function of district/borough councils. DFG has been included in the Better Care Fund so that the provision of adaptations can be incorporated into the strategic consideration and planning of investment to improve outcomes for service users
- 3.3 DFG is paid to upper tier authorities (in our case Hertfordshire County Council – HCC), as part of the BCF fund. However, the statutory duty remains on local housing authorities to provide adaptations to those disabled people who qualify for it. Therefore, HCC allocate this funding to the ten district housing authorities from the pooled budget to enable district councils to continue to meet their statutory duties. Local authorities are encouraged to invest some of this funding in broader strategic capital projects – although this is a decision to be reached locally
- 3.4 The council funds DFGs in the private sector from this budget, however any adaptations to the council's own housing stock, is currently paid for via the Housing Revenue Account (HRA).
- 3.5 The total grant paid via the Better Care Fund is set out in the Financial Implications section of this report, alongside the amount that the council has paid toward facilitating DFGs, they are demand led and it can be difficult to predict the

demand for this fund. The Grants are also means tested and therefore not all people who require adaptations in the Private Sector qualify for financial assistance.

- 3.6 Each year the amount received from government has been in excess of the expenditure required to meet the statutory duties to provide DFGs and there will be a predicted sum of £1.37 m underspend in the Council allocated budget at the end of this financial year which has accumulated since the introduction of the BCF, due to our underspend locally.
- 3.7 The pilot joint initiative with HCC Adult Social Care will be to employ a ‘Housing Options Navigator’ to specialise in providing advice and support to older and disabled people about their housing options. This project will be across all tenures, including owner occupiers and private renters. The postholder would build knowledge and partnerships with relevant agencies to maximise the use of local housing options, as well as developing an understanding and delivering the support required to help people move to more suitable housing. A job description and person specification will need to be drawn up and evaluated.
- 3.8 The specific projects and other considerations set out in this report are in line with the vision, aims and objectives of the council’s Older Person’s Housing Strategy (2017 – 2022). Our vision is that ‘Older people in Welwyn Hatfield have a range of affordable, good quality housing options, advice and support services to choose from, that will promote independence, health and well-being and contributes to improving the overall quality of life’.
- 3.9 A further aim is to improve the information and advice available to help older people make informed choices about their housing options, when to move and how to facilitate a move.
- 3.10 On that basis, it is recommended that the council proceed with this specific project using Better Care Fund grant surplus balances. The employment of a ‘Housing Options Navigator’ to specialise in providing advice and support to older and disabled people about their housing options, including owner occupiers will build knowledge and partnerships with relevant agencies to maximise the use of local housing options.
- 3.11 Any other use of the fund will be used to improve the housing stock, in terms of improving accessibility and modernisation, which will then be suitable for residents with disabilities now and in the longer term and meet the wider aims of the Better Care Fund.

Implications

4 Legal Implication(s)

- 4.1 Under the Housing Grants, Construction and Regeneration Act 1996, subject to certain eligibility criteria being met, the council has a statutory duty to provide Disabled Facilities Grants.
- 4.2 Since 18 July 2002 local authorities also have a general power to give discretionary assistance under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (“the Order”). The Order gives local housing authorities in England and Wales more flexibility to improve living conditions in their area and address housing issues; paragraph 3 states that the new power enables an authority to provide assistance to any person for—

- a) The acquisition of living accommodation, where the authority wishes to purchase a person's home or as an alternative to adapting, improving or repairing it.
- b) The adaptation or improvement of living accommodation (including by alteration, conversion, or enlargement, and by the installation of things or injection of substances).
- c) The repair of living accommodation.
- d) The demolition of buildings comprising or including living accommodation.
- e) The construction of replacement living accommodation to replace living accommodation that has been demolished

In addition to the above, assistance may be provided in any form (paragraph 3 (3) of the Order).

4.3 The Integration and Better Care Fund planning requirements for 2017-2019 and the DFG determination letter from the DCLG 2017/18 DFG can be used for wider social care capital projects on the basis that the statutory requirement to provide DFG's can be met.

4.4 Section 1 of the Localism Act 2011 confers a general power of competence on local authorities to do anything that individuals may do.

5 Financial Implication(s)

5.1 The amount of money received from the fund has been higher than the capital funding previously provided by central government to support DFGs and this coupled with a reduction in demand has meant that a surplus of this fund has built up.

5.2 In 2019/20 we received a DFG grant allocation of £765,094 and spent a total of £171,000, in year. As at March 2020 we had £1,691,993 of unspent DFG grant.

5.3 For 20/21 we received our DFG determination grant of £765,094 plus an additional determination of £103,023 making a total of £868,117 and our total DFG grant £2,560,110 of which £188,980 has been spent so far in 2020/21.

5.4 The budgeted spend for 2020/21 was £1,188,000. Therefore even if the 20/21 budget is fully spent we would be left with a balance of DFG grant of £1,372,110 as at March 2021.

5.5 DFG/Better care funds received:

	B/fwd £	Received £	Spent £	C/fwd £
2018/19	597,742	796,157	296,000	1,097,899
2019/20	1,097,899	765,094	171,000	1,691,993
2020/21	1,691,993	868,117	188,980	2,371,130

5.6 DFG Budgeted spend:

	Budget B/fwd £	Budget £	Spent £	Budget C/fwd £
2018/19	0	471,000	296,000	175,000
2019/20	175,000	592,000	171,000	596,000
2020/21	596,000	592,000	188,980	999,020

5.7 The projected sum of £1.37m will be set aside to be made available to support DFGs or other projects that meet the aims of the Better Care Fund.

- 5.8 The DFG determination letter from the DCLG 2017/18 confirms that DFG can be used for wider social care capital projects on the basis that the statutory requirement to provide DFG's can be met. It is recommended that written confirmation is obtained from Herts County Council on their satisfaction on the proposed use of the grant they are providing to the council.
- 5.9 The total amount to meet all the Housing Navigator cost will be in the region of £70k which leaves around £1.3m plus any underspend from this year's budget, which will be held to ensure that there are sufficient funds available to meet the anticipated DFG demand and to be used for future identified projects. The Private Sector Housing Team will be launching an awareness Campaign to publicise Disabled Facilities Grants and other discretionary assistance which may lead to increased demand.

6 Risk Management Implications

- 6.1 The risks related to this proposal are:
- 6.2 There must be sufficient funds to cover the demand for DFGs in the Private Sector. This report recommends that we use some of the underspent budget that has been accrued over the last three years. The residue and the current budget (19/20) is considered to be more than sufficient to meet the demand for DFGs even if there is an increase in demand. This is based on the trend in demand over the last three years with a tolerance for increased demand. Likelihood Very Low; Impact High. Risk Score Low
- 6.3 If we do not utilise the money this could lead to reputational risk that the council is perceived to not making best use of its resources; approval of the recommendations in this report will help mitigate this risk. Likelihood Low; Impact Medium. Risk Score Low

7 Security and Terrorism Implication(s)

- 7.1 There are no security and terrorism implications arising from this report

8 Procurement Implication(s)

- 8.1 Any procurement relating from these recommendations will be undertaken in accordance with the councils Contract Procedure Rules

9 Climate Change Implication(s)

- 9.1 Any projects or changes to policy will refer to, and be in accordance with the corporate climate change and Fuel Poverty Strategies

10 Human Resources Implication(s)

- 10.1 There is a Human Resources implication. There will need to be the formulation of a Job Role and Role Profile. The post will be employed by Welwyn Hatfield Council, but Hertfordshire County Council will be involved in the development of the role profile and be part of the recruitment process

11 Health and Wellbeing Implication(s)

- 11.1 The recommendations in this report will have a significant impact on the health and wellbeing of both council tenants and residents of the borough who are considered vulnerable.

12 Communication and Engagement Implication(s)

12.1 It is important to communicate and engage in a sensitive way with residents who will be affected by construction works. There will be a communication plan linked to the modernisation programme in the block. We will also communicate proactively about the completed projects and the positive impact that this work will have on to residents' lives.

13 Link to Corporate Priorities

13.1 The subject of this report is linked to the Council's Corporate Priorities Our Housing, and specifically to the Improving housing quality in the borough and is linked to a statutory requirement under Housing Grants, Construction and Regeneration Act 1996.

14 Equality and Diversity

14.1 The Equality Impact Assessment has identified that there is the potential for positive impacts on older people and people with disabilities. This is because the proposed projects will lead to improving the accessibility and standard of properties and the housing options of vulnerable residents.

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Background papers to be listed (if applicable)

Welwyn Hatfield Council Older Person's Housing Strategy