

WELWYN HATFIELD BOROUGH COUNCIL
CABINET HOUSING PANEL 18 JULY 2022
REPORT OF THE CHIEF EXECUTIVE

REVIEW OF THE NEW PRIVATE SECTOR HOUSING ASSISTANCE POLICY

1 Executive Summary

- 1.1 The Housing Grants, Construction and Regeneration Act 1996 places a duty on a local housing authority to provide Disabled Facilities Grants (DFG). These grants are means tested and fund certain works to enable a disabled person to remain as independent as possible in their home.
- 1.2 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, (the Order), gives local housing authorities the power to provide assistance to any person to enable that person, amongst other things, to adapt or improve living accommodation.
- 1.3 The current Welwyn Hatfield Borough Council (WHBC) policy was adopted in December 2021 and amended the previous policy to include the following new Grants:
 1. The first £5k of all Disabled Facilities Grants contributions are paid for by the Council.
 2. Funding for warranties on any equipment provided through a DFG.
 3. Top up of funding for major adaptations that exceed the current grant maximum of £30k.
 4. Assistance of up to £10k to facilitate the move to a suitable property.
 5. Grant aid for a wider range of activity to support health and wellbeing such as falls prevention, energy advice and wellbeing actions.
 6. The introduction of a grant to assist with hoarding clearances.
- 1.4 Members of the committee asked for a review of the policy implementation after six months.

2 Recommendation(s)

- 2.1 That members note the update and recommend that Cabinet agree the proposed amendments to the policy, as set out in Paragraphs 3.5 to 3.9 of this report.

3 Explanation

- 3.1 The funding for these grants comes from the Better Care Fund, which provided an increase in funding for home adaptations and related opportunities to improve integration between Health, Social Care and Housing services.
- 3.2 In order to better utilise the funding stream, the policy allowed WHBC to issue new Grants to those considered the most vulnerable within the borough. Offering a wider range of discretionary assistance will enable the Council to assist a greater number of disabled people, their families, and carers and to help people remain as well as possible at home.

- 3.3 Between January 2022 and May 2022 we have approved the following:
- a) 24 Mandatory Disabled Facilities Grants (DFG's);
 - b) 3 Safe as Houses Grants;
 - c) 2 DFG top-up grants;
 - d) 1 abortive fees Grant
 - e) Helped with 4 assessed contributions (where the applicant has a significant amount of outgoings)
- 3.4 The current grant policy is fit for purpose, and residents are benefitting from the additional grants, however there are changes that need to be made for readability purposes and to ensure those that are considered the most vulnerable are appropriately targeted as a result of this policy
- 3.5 The Government indicated that priority for spending this money should be used to address the problem of non-decent homes occupied by vulnerable residents. Accordingly, it is recommended that the policy is amended to reflect this, as certain grants have been outlined in the policy stating that they do not require a means-test.
- 3.6 In order to ensure it is clear that the Safe as Houses Grant, Hospital Discharge Grant, and Crime Prevention Grant will be for WHBC's vulnerable residents, we recommend adding into the policy the following statement at paragraph [3.1.8]; *"available to home-owners and tenants aged 65 and over, or to persons with disabilities or persons on means-tested benefits or low incomes (with savings also taken into consideration)."*
- 3.7 This will, in effect allow some elderly residents who are considered 'asset rich, cash poor' to access grant funding, as although they have considerable value tied up in property, they have little savings and are above the threshold for any means-tested benefits, yet still cannot afford to repair their home to reduce the risk to their wellbeing.
- 3.8 It is also recommended to reiterate in the policy that these grants would be considered for those tenants with repairing obligations, as this is not made clear in the current policy.
- 3.9 Finally, it is recommended to amend the policy so that the Hoarding grant includes tenants of Registered Providers (not just Council tenants). The 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'. The proposed amended wording is at paragraph 3.1.7 of the policy.

Implications

4 Legal Implication(s)

- 4.1 The council has a statutory duty to provide Disabled Facilities Grants (DFGs).
- 4.2 Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 ("the Order") gives a local housing authority power to provide financial assistance for the purpose of improving living conditions in their area.

- 4.3 Article 4 of the Order prohibits the giving of assistance unless the local housing authority has adopted a policy for the provision of such assistance and they have given the public notice of such adoption. Once adopted, the power to provide financial assistance must be exercised in accordance with the policy.
- 4.4 The legislative provisions governing disabled facilities grants (DFGs) are contained in the Housing Grants, Construction and Regeneration Act 1996 (as amended) (HGCRA).
- 4.5 The council must comply with its public sector equality duty imposed by s149 Equality Act 2010; namely to have due regard to the need to: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5 Financial Implication(s)

- 5.1 The amended policy will still give flexibility and ability to spend the Better Care Fund (BCF) allocation. There is currently no direct capital contribution made into the budget by Welwyn Hatfield. There is a risk that the funding from the better care fund will stop, and as providing DFGs is mandatory, WHBC would have to fund it. As the policy will be regularly reviewed any changes in BCF funding will be mitigated.
- 5.2 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.
- 5.3 The overall balance of funding set aside in the council's capital grants and contributions unapplied account at 31 March 2022 was £2.965m, which includes the balance of unutilised 2021/22 funding received from the Better Care Fund of £868k.
- 5.4 The Private Sector Housing Team has launched an awareness Campaign to publicise Disabled Facilities Grants and other discretionary assistance which we hope will lead to increased demand.
- 5.5 Under Financial Regulation 4.3.4, the budget will be adjusted as required based on an expected level of demand.

6 Risk Management Implications

- 6.1 The risks related to this proposal are:
- The risks associated with not delivering these services appropriately would have implications on resident health and safety, reputation, and legal challenge. The risks will be quantified on the council's Risk Register.
- 6.2 There must be sufficient funds to cover the demand for DFGs in the Private Sector. The current budget is 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 we received from Hertfordshire County Council (HCC) 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. There is also the possibility of having to repay HCC monies that have not been spent.

Likelihood Medium; Impact Medium. Risk Score Medium

7 Security and Terrorism Implication(s)

- 7.1 None noted

8 Procurement Implication(s)

- 8.1 None noted

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.

- 9.2 It is expected that certain works will improve Energy Efficiency within the home, but no other climate change implications are expected.

10 Human Resources Implication(s)

- 10.1 None noted

11 Health and Wellbeing Implication(s)

- 11.1 Approval of this policy will improve the health and wellbeing outcomes of the council's most vulnerable residents.

12 Communication and Engagement Implication(s)

- 12.1 A customer focussed summary of the policy was publicised and is available on the Welhat websites

- 12.2 The Private Sector Housing team has regular meetings with the communications team and have a plan of action in place for regular promotion at significant times of the year.

- 12.3 Several articles for WHBC's 'One' Magazine have been or are in the process of being produced, with one being published for the Summer, and another planned for the Winter edition.

- 12.4 The Policy has been promoted at several older -persons groups, most recently OPALS at Hatfield. All partner and third-sector agencies working in the Older persons, Mental Health, and disabilities areas have been informed about the new policy and we have been submitting many social media posts via our comms team.

13 Link to Corporate Priorities

- 13.1 The subject of this report is linked to the Council's Corporate Priority Quality Homes through managed growth and specifically to the commitment 'we will provide high quality housing, thriving neighbourhoods and sustainable communities.

- 13.2 Producing a revised Private Sector Housing Assistance Policy is a target within the Corporate Plan. The report is also linked to a statutory requirement, under

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

14 Equality and Diversity

- 14.1 The Equalities Impact Assessment identified that there is the potential for positive impacts on the protected groups for age, and disability, because people of all ages benefit from improvements to their domestic property.
- 14.2 Some assistance maybe targeted directly or indirectly at certain age groups, for example DFG's are taken up by older persons due to poor mobility in old age. DFG's also allow disabled people to remain safely in their homes, avoiding significant care costs.

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Appendixes

Appendix 1 Current Housing Assistance Policy with Draft amendments