

**Tandridge District Council**  
**Private Sector Housing Assistance Policy**  
**September 2022**



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**1.0 Introduction**

- 1.1 The Council is committed to supporting the availability of good quality private sector housing stock in the District so that all residents can have choice and the opportunity to access housing that best meets their needs.
- 1.2 It is well established that poor quality housing negatively influences health, independence and wellbeing outcomes. By supporting the availability of good quality and safe housing, the Council can contribute towards improved outcomes for residents. This is because providing financial support for works that enable people to live independently in their own home for longer and which reduce accidents, also helps alleviate pressure on other acute services and care.
- 1.3 While this Policy promotes the Council's ability to help achieve these important outcomes, primarily it remains the homeowner's responsibility to maintain their property to a reasonable standard. The aim of this Policy, therefore, is to provide financial support in a targeted way to those who are disabled or vulnerable, on a low income but are in the greatest need, who are unable to make their properties safe without assistance. As a result, these most vulnerable residents have some protection from living in the worst maintained and unsafe housing and from achieving the poorest health outcomes.
- 1.4 This Policy sets out the types of financial assistance available from the Council to undertake essential works, which is in the form of grants or loans (or both), along with any conditions attached to receiving this financial help as follows:
- Mandatory Disabled Facility Grants (DFGs), which are provided under the Housing Grants Construction and Regeneration Act 1996 to support the provision of adaptations to promote independent living with the home. Local Authorities have a statutory duty to provide mandatory DFGs to applicants who qualify.
  - Discretionary financial assistance (which may be given either in the form of a grant or a loan or both), given under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) order, may be available to carry out repairs, improvements, and adaptations, along with the conditions attached to any discretionary award made.
- 1.5 This policy also sets out how the Council has exercised discretion to extend or amend eligibility criteria for assistance and will remain in force until a further Private Sector Housing Assistance Policy is published.

## **2.0 Policy Aims and Framework**

- 2.1 This Policy has also been developed with regards to the Housing Grants Construction and Regeneration Act 1996 which sets out the framework for the delivery of disabled facility grants (DFGs) and also the DFG delivery guidance published in March 2022: Disabled Facility Grant (DFG) Delivery: Guidance for Local Authorities in England.
- 2.2 The link between health and housing has also been reinforced through the housing health and safety rating system which came into force in April 2006 and now forms part 1 of the Decent Homes Standard.
- 2.3 This Policy has also been developed to meet local priorities in the District having had regards to local housing conditions and relevant guidance, including Better Care Funding guidance.
- 2.4 This Policy aims to:
- Reduce the number of homes with serious hazards as identified by Health and Housing Safety Ratings System;
  - Ensure the Council complies with statutory duties in relation to the award of mandatory DFGs and where budget allows, to enable effective use of discretionary DFGs to promote the health, wellbeing and independence of people who are disabled or who have a long-term health condition;
  - Achieve safe discharge from hospital to home for residents of the District where the fast installation of adaptations and minor works can ease “bed blocking”;
  - Provide support to help those who are elderly, disabled or who have a long-term health condition to continue to live safely in their home.
  - Maximise the use of any financial assistance given under this Policy and so sets out how the Council will seek repayment of any grants or loans awarded under this Policy. This is to enable the money repaid to the Council to be re-used to assist as many others as possible, who fall within the scope of this Policy.

## **3.0 Mandatory Disabled Facility Grants**

### **3.1 Purpose**

- 3.2 This mandatory grant is available to remove or help overcome any obstacles which prevent a disabled person from moving freely into and around their home and enjoying the facilities and amenities within it.

### **3.3 Eligibility to apply**

- 3.3.1 This grant is available to owners, tenants, licensees and occupiers to help adapt their homes to meet the needs of a disabled occupant. Landlords may also apply for a DFG on behalf of a disabled tenant but must satisfy the requirements of future occupancy. Tenants of housing associations and Registered Providers

of social housing can apply for DFGs and are assessed for needs on the same basis as private owners.

- 3.3.2 While the entitlement to apply for a DFG is open to all tenures, major adaptation works for the Council's tenants are handled via the Council's Aids and Adaptations Policy for Council Homes and are wholly funded using the Council's own Housing Revenue Account (HRA) capital budget. This is because DFG grant funding cannot be used for works in Council homes. The Council's Aids and Adaptations Policy for Council Homes has been developed to mirror the provisions of mandatory DFGs with some additional flexibilities to enable the Council to best manage its housing stock.
- 3.3.3 Where a tenant of this Council has been refused works under the Aids and Adaptation Policy for Council Homes, they are able to access the mandatory DFG application process set out under the Housing Grants Construction and Regeneration Act 1996 and in line with this Policy. If the conditions for a mandatory DFG are met, the "grant" will be awarded but the Council cannot use DFG funding to pay for the works and must still fund all the agreed eligible works from its own HRA capital budgets.
- 3.3.4 Not every applicant will qualify for a DFG. The Council understands that those who are not eligible for DFG assistance still require access to reputable contractors of good quality. If an applicant is not eligible for a DFG and has not been able to take their application forward, they may still use the Council's Home Improvement Agency (HIA) to progress the work to their property privately (subject to the HIA having adequate capacity to take on private works).

### **3.4 Works Eligible to be included in a mandatory DFG**

- 3.4.1 The Council will decide what works are eligible to be included in a DFG application by confirming that the works are necessary and appropriate and reasonable and practicable. This will be confirmed after consulting with Surrey County Council following a referral from an Occupational Therapist (OT) or Trusted Assessor.
- 3.4.2 It is the Policy of this Council to only fund works that are mandatory as prescribed by the Housing Grants, Construction and Regeneration Act 1996.
- 3.4.3 Mandatory DFG funding can be awarded for the following purposes:
- For works to aid entry and exit from a building e.g., installation of ramps;
  - For works to aid access into and around living areas e.g. installation of stair lifts;
  - Provision of accessible kitchen and bathroom facilities;
  - Improvement of access into and around the home;
  - Access to suitable sleeping facilities;

- Facilitating access by the disabled occupant:
    - To and from the dwelling;
    - To a room used or usable as the principal family room;
    - To a room used for or usable for sleeping;
    - To a room where there is a lavatory;
    - To a room in which there is a bath or shower;
    - To a room with a wash hand basin and;
    - To enable the disabled person to give care.
- 3.4.4 The maximum amount of grant allowed will be £30,000, or other such amount determined by the Secretary of State and the grant award will include funding to cover the cost of works, any professional fees and VAT where payable. Where the cost of the agreed eligible works exceeds the £30,000 threshold, top up funding of up to £10,000 can be applied for under this Policy (see 3.20 Discretionary Top Up funding).
- 3.4.5 Applications for grant aided work will not normally be considered where works have started but have not been completed or where work has been completed before applying for a grant.
- 3.4.6 Works outside the curtilage of the property are not eligible for assistance unless they relate to the provision of essential services such as water, gas or electricity or access for a disabled person.
- 3.4.8 Should the applicant wish to slightly enhance the recommended adaptation over and above the referral recommendations then they may do so at their own expense and should discuss this with the contractor directly as a private arrangement.
- 3.4.9 If the applicant's preferred scheme is more extensive than the Council's accepted scheme, the Council may consider providing an offset grant. An offset grant is where the mandatory DFG is provided as a financial contribution towards the applicant's preferred scheme. This must be discussed at the outset of making an application for grant funded works and there will be additional conditions on the grant notice to protect public funds and ensure that what is delivered on site at the property meets the needs of the disabled person.
- 3.4.10 The Council will consider a minimum of two contractors to quote for the recommended adaptation works unless there are exceptional circumstances, such as the works are only delivered by one or very few specialist providers.
- 3.4.11 The Council will always choose the most cost-effective quote, and should the applicant wish to approve a more expensive quotation the additional cost must be met by the applicant directly. Particulars of the work to be carried out may include, where appropriate, plans, specifications and specialist reports.
- 3.4.12 Works funded by DFG monies will be the simplest and most cost-effective adaptations that will meet the clients assessed needs. For example, facilities

will be provided on the ground floor unless the Council judges that to be impractical or more costly. Wherever the Council judges it to be a practicable and realistic option, the re-ordering and/or change of use of existing rooms will be the preferred solution and will take precedence over both the construction of extensions and the installation of equipment.

- 3.4.13 Where adaptations are deemed not reasonable and practical by the Council a Disabled Relocation Grant as set out under this Policy at para 3.11 may be offered to help the applicant obtain a more suitable property that can be adapted.

### **3.5 Means Testing**

- 3.5.1 A mandatory DFG is subject to a means-test set out in regulations (unless the application is for a child and then no means test is applied).
- 3.5.2 The amount of grant awarded is reduced by any client contribution calculated under the means test. This means that in some cases, an applicant will have to pay the cost of some or of all of the works, depending on their level of assessed contribution.
- 3.5.3 The Council offers a discretionary grant of £1,000 to cover an applicant's contribution towards the cost of adaptations, which can in exceptional circumstances at the discretion of the Resident Support Specialist responsible for this Policy, be increased to a maximum of £2,000.
- 3.5.4 If an applicant is found to have a contribution that exceeds the cost of the adaptation works, the Council will be unable to offer any grant funding.
- 3.5.6 In these circumstances, the applicant will be advised they may proceed with a NIL grant.

This means that the applicant may make a DFG application if they wish and if eligible, a NIL grant will be awarded, with the applicant having to cover the cost of the work themselves. The benefits of proceeding with a NIL grant are that if an applicant's health or mobility deteriorates (within five years for tenants or 10 years for owners) from the date of the NIL grant award, any further mandatory DFG application would not be subject to any means test and could be awarded in full.

- 3.5.7 To ease hardship further on low-income households, the Council will exercise discretion and also include Council Tax Relief as a passported benefit under this Policy. This will enable any household in receipt of Council Tax Relief to receive a non-means tested mandatory grant.

### **3.6 Housing Association Contribution**

- 3.6.1 Due to the increasing use of DFG funding for Housing Association properties, the Council seeks to work collaboratively with Housing Associations operating in the District to provide major adaptations quickly. Housing Associations have equality duties towards their tenants and can access funding from their own internal adaptation budgets to meet the needs of disabled people living in their homes. To make the best use of the public funds available so that as many people as possible can be assisted with grant funded major adaptations.

Housing providers with a total of less than 50 units nationwide will be awarded “de minimis” status under this policy as they tend to be charities, alms houses and trusts and so are not for profit organisations, relying on donations and legacies to deliver small housing schemes for local people.

3.6.2 Housing Associations will be asked to contribute funding towards the cost of major adaptation work in their homes as follows:

- Cost up to £1,000 – housing associations to fund 100%;
- Cost between £1,000 and £10,000 –housing associations to fund 40% and The Council to fund 60% via DFG (where mandatory DFG eligible);
- Cost over £10,000 up to £30,000 – the Council to fund 100% via DFG (where DFG eligible).

3.6.3 Where the cost of works exceeds £30,000, the balance of costs will be handled as set out at paragraph 3.20 Discretionary top up funding.

### **3.7 Supervision and payment of Works**

3.7.1 Applicants are advised to use a suitably qualified person or Agent not just to make the application for a grant but to supervise and arrange the works also. All Agents charge a fee for this service. This role can be undertaken by the Council’s Home Improvement Agency, Millbrook Healthcare Ltd., or another approved surveyor of the applicant’s choice. Should the applicant choose to employ an Agent, the Agent will obtain all necessary Planning and Building Control approvals or arrange specialist reports (such as structural engineer reports) on their behalf, as well as supervising the works on site.

3.7.2 Relevant fees can be paid to the Council’s Home Improvement Agency, Millbrook Healthcare Ltd., or to any other approved managing agent appointed and included as part of the eligible works up to a maximum of 15% of the eligible costs. Building Regulations or Planning approval, or any other agreed professional fees, can also be paid out of the DFG award.

3.7.3 The Council will specify the maximum amount for assistance. These maximum amounts are inclusive of all costs including Value Added Tax and fees. If the final cost of the works is less than the maximum amount specified in the grant notice, the applicant is not due the balance of costs. The remaining funding that has been committed in the grant notice will be returned to budget to be reallocated.

3.7.4 The building works contract will be between the applicant and their chosen contractor. The Council facilitates the grant process only and is not party to any contract for works.

3.7.5 The Council (or the Council’s Home Improvement Agency) will check the quality of all works installed to ensure they are carried out according to the specification of works and in accordance with good building practice. The Council and its Officers are not liable for any poor workmanship and do not provide any guarantee of work. Any faults with the work will be a matter between the

applicant and their contractor and must be discussed directly between these two parties.

- 3.7.6 Where eligible works are not of an acceptable standard, the Council may withhold grant monies and will require the applicant to discuss with their Agent or contractor directly the correction of any issues at their own cost. There can be no additional grant money to rectify problems and to ensure that the standard of works installed are to the satisfaction of the Council.
- 3.7.8 If the Council is satisfied that owing to circumstances beyond the control of the applicant, the work has increased in cost due to unforeseen works, it may increase the assistance subject to the maximum limits allowed. The Council must give its approval of any increase in assistance before the additional cost is incurred.
- 3.7.9 Interim payments can be made if necessary, at the discretion of the Council.
- 3.7.10 The applicant's contribution (if any) will be taken into account in any payment of grant. Any assessed contribution must be paid to the contractor first before any grant monies can be released and evidence of payment provided to the Council.
- 3.7.11 Payments can only be paid for work completed and not for materials not yet used or installed.
- 3.7.12 Eligible works must be carried out to the satisfaction of the Council and an acceptable invoice supplied.
- 3.7.13 Normally all payments for works are paid direct to the builder and fees are paid directly to the Agent or surveyor supervising the works but in appropriate situations (such as for fees), payment may be made to the applicant or another third party directly where the applicant has already paid such costs.
- 3.7.14 Where an escrow agreement exists, payment may be made to such a scheme at the agreement of both parties.
- 3.7.15 Payment of a mandatory DFG may be delayed at the discretion of the Council by up to six months where existing budgets have already been committed.

### **3.8 Timescales**

- 3.8.1 The Council will notify applicants in writing when a decision is reached on their grant application as soon as reasonably practicable and within six months of the date of the complete application is submitted to the Council, with all required supporting documentation.
- 3.8.2 Cases marked as needing the adaptations urgently by an OT can be prioritised. This is aimed to assist those with rapidly deteriorating conditions that are serious, such as for example, motor neurone disease. How much priority can be awarded to such cases is subject to the funding available.



### **3.9 Repeat mandatory DFG applications**

3.9.1 Should an applicant have previously received a DFG, in consultation with the OT, their eligibility for a further grant will initially take into account any decline in their physical or mental health or change in need followed by the application of the eligibility criteria described in this section.

### **3.10 Discretionary Financial Assistance (Grants and Loans)**

3.10.1 The Council's discretionary financial assistance provides targeted support for works that do not fall within the provisions of a mandatory DFG and which promote the health, wellbeing and independence of residents, prevents admissions to hospital and supports successful and safe hospital discharge.

3.10.2 Cases requesting discretionary assistance will be considered on a case by case basis and help is only available subject to budget. Therefore, the discretionary assistance set out in this Policy can be withdrawn temporarily and without notice at any time. Once the budget has been committed, it is not possible to consider any further discretionary awards under this Policy.

3.10.3 Registered Social Landlords (RSLs) have a prescriptive duty of care towards their tenants and can access other sources of funding due to their RSL status to ensure their homes meet certain standards and targets relating to the condition of their properties. This being the case, RSL tenants are only able to access mandatory DFG funding under this Policy and cannot be considered for any type of discretionary funding, except for the discretionary contribution grant to support a mandatory DFG.

3.10.4 Adaptations and minor works for Council tenants are handled via the Council's Aids and Adaptations Policy for Council Homes and this being the case, tenants of this Council are unable to be considered for any type of discretionary funding under this Policy. However, where a Council tenant has been refused assistance under the Aids and Adaptations Policy for Council Homes, they may apply for a mandatory DFG only.

3.10.6 The Council seeks to encourage private landlords who are willing to make their properties available to rent privately for at least five years, thereby increasing the supply of affordable housing in the District. This being the case, discretionary funding, which is means tested, will only be available to tenants in the private rented sector, where the landlord is willing to let to the tenant for at least the next five years and where the tenant intends to remain living in that property for the next five years.

3.10.7 Any request for discretionary grant or loan assistance must be supported by a recommendation from an OT, either working for Surrey County Council, funded by NHS Continuing Healthcare, working independently in the private sector or where applicable and acceptable under this policy, by a member of the Council's Private Sector Housing Team. The Council will consult with the Occupational Therapy Service at Surrey County Council before processing any application.

3.10.8 Not all properties can qualify for discretionary assistance under this Policy. Houseboats and caravans are excluded from the discretionary support available but can apply for a mandatory grant as set out in the Housing Grants Construction Regeneration Act 1996. Sheds, outhouses and extensions such as conservatories cannot be considered, and neither can non-residential buildings.

3.10.9 Discretionary funding can be made available in the form of a grant or a loan, or a combination of both if appropriate.

3.10.10 A land charge is registered on the property to the value of the discretionary grant at the point the date the works are agreed as being completed (the certified date).

3.10.11 A land charge is always placed on an owner's property where a discretionary grant is awarded, and it is expected that the land charge will be repaid if the property is sold or otherwise disposed of, or if the applicant dies or no longer occupies the property (or where it is a joint application, on the death of both applicants). Disposal includes the whole or part of the property and is a conveyance of the freehold or assignment of the lease or the grant of a lease for more than 21 years.

3.10.12 Excluded from this repayment requirement is:

- The discretionary financial contribution grant, which will be recovered, if appropriate, in line with the General Consent Order 2008;
- Discretionary top up funding, may, in exceptional circumstances not be required to be repaid. For example, in the case where top up funding is being given to support a disabled child in a foster placement or severe hardship would result. Otherwise, it is routinely expected to be repaid.

3.10.13 The types of discretionary assistance available under this Policy are below:

### **3.11 Discretionary DFG Relocation grant**

3.11.1 This grant is only available to those who are eligible for a mandatory DFG and who own their home.

3.11.2 It is not always possible to adapt every property to meet the needs of the disabled occupant. The Council will consult with Social Services regarding the needs of the disabled person and will reach a decision whether adaptation works are reasonable or practicable or are not possible on grounds of expense in each case. Where works are not reasonable and practicable, the Council may offer a DFG relocation grant to homeowners to enable the disabled person to move to another property that would be more suitable to adapt.

3.11.3 The maximum DFG Relocation Grant offered is a maximum of £5,000 if the disabled person is moving to a new property outside the District and a maximum of £10,000 if moving within the Tandridge District.

3.11.4 Eligible moving costs include:

- Legal fees;

- Estate Agent's fees;
- Stamp duty;
- Removal costs;
- Survey and valuation costs;
- Reconnection of services, for example, electricity, gas and telephone;

3.11.5 The grant is to assist with moving costs and not the cost of additional capital needed to purchase a property. The disabled person (in case of a child, the parent) must provide agreement in writing that they agree to move.

3.11.6 Financial eligibility for a relocation grant is determined on the same basis as eligibility for a Disabled Facility Grant. A cost benefit analysis will also be undertaken by the Council to justify the award which will consider information provided by the referring OT and the Council's Home Improvement Agency. The Council and OT must also agree the suitability of the new property the disabled person is moving to.

3.11.7 A further DFG could potentially be awarded at the new property (providing all the usual qualifying conditions for a DFG are met) but if the disabled person moves to an alternative home out of District, the application would need to be made to the appropriate Council for the area in which the new property is located and be considered under their Policy. Other Local Authorities may have more demand than they can fulfil and so may hold a waiting list.

### **3.18 DFG Home Repair Assistance Grant**

3.18.1 In some circumstances, a disabled persons home may need additional repairs undertaken to make any adaptations identified as being eligible for funding via a mandatory DFG viable.

3.18.2 This grant is only available to applicants who are eligible for a mandatory DFG and the application must be made by the homeowner (or for a private tenant's application, the landlord). Private Landlords may be required to contribute towards the cost.

3.18.3 This grant can be used to fund repairs to enable the adaptation to function properly, such as repairs to walls or ceilings, small upgrades to electrical wiring or small drainage works.

3.18.4 The maximum grant that can be awarded is £7,000 and the Resident Support Specialist responsible for this Policy has the discretion to increase this amount in exceptional circumstances.

### **3.19 DFG Contribution Grant**

3.19.1 Mandatory DFGs for adults are subject to a means test to determine whether the applicant is required to contribute financially towards the cost of the works. The means test is set out in regulations and the Council has no discretion in applying it<sup>1</sup>.

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<sup>1</sup> A further means test is not applied to a second DFG application made within five years of the first for a tenant's application or within ten years for an owner's application.

- 3.19.2 However, the Council recognises that there are cases where an applicant may have a contribution to make towards the cost of works when their income and savings are just over the benefit threshold and that in these circumstances paying a financial contribution towards the cost of the works can cause hardship.
- 3.19.3 Where an applicant qualifies for a DFG and has a financial contribution, the Council will consider awarding a discretionary grant of £1,000 to cover the first £1,000 of any financially assessed contribution towards a DFG.
- 3.19.4 The Council also recognises that there may be exceptional circumstances where an applicant will have an assessed contribution of over £1,000 but funding their contribution will cause financial hardship: perhaps for example, due to having to pay for private care. In such cases, this may prevent much needed adaptations being installed and all the preventative benefits of a DFG lost. Where paying the assessed contribution would cause hardship, at the discretion of the Resident Support Specialist responsible for this Policy, a discretionary contribution grant up to a maximum of £2,000 can be awarded to cover all or some of the costs of an applicant's assessed contribution.
- 3.19.5 If an applicant is found to have a contribution that exceeds the cost of the adaptation works, the Council will be unable to offer any discretionary grant funding under this Policy.
- 3.19.6 This grant will not be expressly recovered but the mandatory DFG awarded that this discretionary grant contributes towards will be recovered under the requirements of the General Consent Order 2008 as set out at para 3.27.1. This means that The Council will only recover a portion of the total cost of the works (that between £5,000 and £15,000) by land charge, if it is appropriate and reasonable to do so.

### **3.20 DFG Discretionary Top-Up Grant**

- 3.20.1 The maximum amount of mandatory DFG that can be awarded is set out in legislation as being £30,000.
- 3.20.2 In some instances, the mandatory ceiling of £30,000 has proved insufficient to meet the needs of the disabled person; this is found to be the case particularly in relation to applications for major adaptations for children.
- 3.20.3 The Council will consult with Surrey County Council on developing schemes that meet the needs of the disabled person and every effort will be made to design a scheme of works that falls below the mandatory threshold.
- 3.20.4 Where it is not possible to contain costs below the £30,000 threshold, the Council will consult with Surrey County Council to ensure that the total cost of works is both necessary and appropriate and reasonable and practicable. Where this is agreed, the Council will consider whether it is possible to exercise discretion and award top up funding as a contribution towards the total balance of the cost of works.
- 3.20.5 The maximum top up funding that can be awarded under this policy is £10,000.

3.20.6 Factors the Council will consider before awarding top up funding are as follows:

- The applicant must meet the criteria for a mandatory DFG;
- Does any other agency have a statutory duty to provide funding to meet the eligible needs of the disabled person<sup>2</sup>;
- Is the applicant able to raise their own finance to pay the top up;
- Is there any charitable funding that can be accessed to cover the costs;
- Is the landlord a registered social landlord and can contribute towards the cost;
- The budget available to the Council at the time of the request;

3.20.7 The financial means test set out in regulations will be applied to top up funding requests as follows:

#### **DFGs for Adults**

The means tests for adult mandatory DFGs will be applied once at the point of the initial DFG application.

If the disabled person has an assessed financial contribution to make towards a mandatory DFG of £30,000, the means test will not be reapplied for a second time to the request for top up funding. This is to avoid two amounts of financial contribution being paid. If someone has a contribution greater than the value of the grant work, they will not be entitled to top up funding;

#### **DFGs for Children**

Children's mandatory DFG applications are not subject to any means test.

Therefore, the standard DFG means test set out in regulations, will be applied to any top up amount identified as being needed to support a child's DFG. Where the assessed contribution is larger than the maximum top up funding award, no discretionary funding will be awarded. Any calculated contribution towards the top up grant, will need to be paid directly to the contractor first before any grant funding can be paid.

3.20.8 Where a discretionary disabled facilities top-up grant has already been awarded to a disabled person, a future application will only be considered for the same person in very exceptional circumstances at the discretion of the Resident Support Specialist responsible for this policy.

### **3.21 Stairlift/Ramp Discretionary Grant**

3.21.1 Where an OT has identified a need for a stairlift and/or a modular ramp in a disabled persons home, a discretionary grant up to £10,000 can be provided to install either a stairlift or a ramp (one option only).

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<sup>2</sup> *Surrey County Council have duties to meet the needs of disabled children under the Chronically Sick and Disabled Persons Act 1970, Childrens Act 1989 and Care Act 2014. The Health Authority has duties to meet the needs of an identified health need for those in receipt of Continuing Health Care funding.*

3.21.2 This grant has no means test applied to enable these works to be provided as quickly as possible, as a quick and simple way to promote independence and safety.

3.21.3 The responsibility for the maintenance and servicing of any stairlift lies with the grant recipient, including the purchase of any extended warranty. The Council will identify the preferred contractor to supply and fit the stairlift.

3.21.4 Works costing more than £10,000 will need to be addressed via a mandatory DFG.

### **3.22 Discretionary Winter Warmth Loan.**

3.22.1 This loan enables older and vulnerable residents, who are living with long term health conditions and who own their home, to ensure their home is safe and warm (landlords cannot apply). It also enables the Council to make a positive contribution towards reducing the winter death rate amongst older people associated with excessive cold.

3.22.2 The loan is available to households on a means tested benefit (including Council Tax Relief) and can pay for heating (normally replacement gas boilers, controlled by a room-stat, programmer and thermostatic radiator valves) or other insulation measures, such as replacement windows and doors, for which there is no other grant funding or loan available.

3.22.3 Works can be considered for funding in the following circumstances:

- Where ECO funding is not available or is not viable (confirmation required from Action Surrey);
- The applicant is over 60 and has a long-term illness which is at risk of developing complications as a result of living in a cold home for an extended period;
- Confirmation of the long-term illness has been confirmed by a health professional. The cost of obtaining any medical report is the responsibility of the applicant but the cost can be added to the grant and reimbursed.

3.22.4 A list of eligible health conditions is set out below for illustration purposes (this is not an exhaustive list):

- Atrial fibrillation or heart flutter
- Angina or coronary heart disease
- PAD or peripheral arterial disease
- hypertension or high blood pressure
- Osteoporosis or brittle bones
- TIA or mini stroke
- Asthma
- COPD
- Rheumatoid arthritis
- Diabetes
- Cancer
- Alzheimer's/Dementia.

In the case of Alzheimer's/Dementia, funding can be provided to install a safety solution (that must be fixed to the property) to enable working heating to be

provided where there is evidence of cognitive decline. Funding cannot be used to pay the subscription costs of any smart technology enabled care solution.

3.22.5 The maximum loan allowed is £7,000.

3.22.6 The loan is only available to homeowners and is registered as a land charge. There is no interest charged on this loan and the charge is repayable if the property is sold or otherwise disposed of, or if the applicant dies or no longer occupies the property (or where it is a joint application, on the death of both applicants). Disposal includes the whole or part of the property and is a conveyance of the freehold or assignment of the lease or the grant of a lease for more than 21 years.

### **3.23 Homeowner Repair Loan**

3.23.1 Where an owner-occupied property contains a category 1 Hazard which has been identified and confirmed by the Council's Private Sector Housing Team under the Health and Housing Safety Rating System (HHSRS), the Council can make available a Homeowner Repair Loan of up to £7,000 to remedy the hazard. Landlords and private tenants are ineligible for this assistance.

3.23.2 This loan is only available to owner occupiers who are in receipt of a means tested benefit (extended to include Council Tax Relief) or who have a financial contribution of less than £7,000 under the statutory DFG means test.

3.23.3 This loan is available to remedy serious hazards in the home rather than minor works and repairs such as repairs to heating systems. Works costing less than a £1,000 will not qualify for assistance.

3.23.4 Annual compound interest will be charged on the loan at base rate, plus 1.5% at the point the loan is due to be repaid.

3.23.5 The loan (plus interest) must be repaid to the Council when:

- The property is sold or otherwise disposed of (disposal includes the whole or part of the property and is a conveyance of the freehold or assignment of the lease or the grant of a lease for more than 21 years);
- On the death of the applicant or on the death of both applicants if a joint application;
- Or if the applicant(s) no longer live in the property as their principle home. Loans will become repayable where the applicant(s) has not lived in the property for six months.
- If it appears to the Council that the applicant was not entitled to the loan at the time of the loan application being approved, no payment shall be made, and the loan cancelled. If any interim payments have been made, no further payments will be made, and the Council may recover any previous payments.

3.23.6 When deciding to award a loan the Council will take into account:

- The value of any mortgage or other loans secured on the property;
- Any large unsecured debts;
- No loans can be offered if the applicant has outstanding Council Tax arrears or other debt owing to the Council.

3.23.7 The loan will be registered preferably as a legal charge and the cost for registering the charge will be added to the cost of the loan. If it is not possible to register a further legal charge, a local land charge will be registered instead.

3.23.8 When the loan is due to be repaid, the Council will write to the applicant, advising of the date the loan is to be repaid, setting out clearly the interest payable. If the loan is not paid by the due date, interest at base rate, plus 1.5% will be charged **daily** until the loan is paid. Where there is a breach in loan conditions, the loan will be immediately repayable, and interest will be charged at base rate, plus 1.5% daily until it is repaid. If the loan remains unpaid, recovery (or write off) may be considered under the Council's debt recovery policies.

### **3.24 Supporting Discharge from hospital and preventing admission to hospital**

#### **3.24.1 Community Equipment Service**

3.24.1.1 The Council provides an amount of funding, which is agreed each year, under its discretionary powers to support Surrey County Council's Community Equipment Service (CES). This is to enable the CES to provide key safes, ramps and grab rails to residents living in Tandridge.

3.24.1.2 This funding supports residents by preventing accidents and avoidable hospital admissions and also enables them to return home safely after a hospital stay.

3.24.1.3 The Council also provides the CES with funding to facilitate the speedy installation of ceiling track hoists, which are a major adaptation that can be funded via a mandatory DFG. This arrangement has been implemented to ensure the fastest access to this specialist equipment.

3.24.1.4 The Council provides funding to the CES to install hoists which cost up to £15,000, to avoid the disabled person having to undertake the DFG application process. Hoists which cost over this amount must be considered via the mandatory DFG process.

#### **3.24.2 Handyperson Service**

3.24.2.1 The Council operates a Handyperson Service, which provides a trusted contractor to undertake small jobs in resident's homes, for which it is difficult to engage a contractor.

3.24.2.2 The work undertaken by the Handyperson is small scale and must be able to be completed within two hours and covers a wide range of works including putting up shelving, small amounts of tiling and building flat pack furniture. The service user pays for materials themselves, with labour being charged at a reduced rate.



3.24.2.3 As the Council's Handyman Service has been in operation for more than 20 years, the service has a high profile and excellent reach across the rural District, making the service an excellent way to engage with vulnerable and disabled residents.

3.24.2.4 Using the Council's discretionary powers, funding is provided to the Handyman service under this Policy to pay for the installation of grab rails, ramps and key safes, free of charge in residents homes to supplement the work of Surrey County Council's Community Equipment Service. These free works extend the accessibility of these items to older and vulnerable residents and are offered on a preventative basis.

### **3.25 Repeat requests for discretionary grants or loans**

3.25.1 Further grants or loans will not be awarded for works previously funded under this Policy, except for where an item has reached its normal life expectancy.

3.25.2 A further loan may be awarded when the original loan has been repaid or when the grant conditions expire but another discretionary financial award may be given in exceptional circumstances at the discretion of the Resident Support Specialist responsible for this Policy.

### **3.26 Maintenance of equipment provided via grant funding**

3.26.1 The Council will only fund a standard one-year manufacturer warranty to ensure that the item provided is safe and free from manufacturing defects. Therefore, ongoing suitable arrangements will need to be made to service and maintain the grant funded item as follows:

- Homeowners will be responsible for the ongoing servicing and maintenance of any equipment installed as part of a grant;
- Housing Association tenants may find their landlords will take on the servicing and maintenance provision but as a result they may increase the tenants rent to cover the additional cost. Other Housing Associations may decide that it is the applicant's responsibility to service and maintain the equipment that has been specifically installed. Before the applicant agrees to go ahead with the DFG they need to discuss, and agree, the future servicing and maintenance requirements of any grant funded equipment that is to be installed with their landlord. A discussion also needs to take place regarding the removal of any equipment should the tenant no longer reside in the property.
- Applicants who are private tenants will also need to discuss, and agree, the future servicing and maintenance requirements of any specifically installed equipment with their landlord, and the impact, if any there is on their rent before agreeing to commence with the DFG. A discussion also needs to take place with the landlord regarding the removal of any equipment should the tenant no longer reside in the property.

3.26.2 Where the applicant/disabled person is to fund their own servicing package and warranty, they will need to explore purchasing this directly; it is usually cheaper to purchase this at the time of installation. If the cost of an extended warranty/service package cannot be met by the applicant, an approach can be made to various organisations and/or charities to try to identify funding to cover some or all the cost. The Council's Home Improvement Agency can advise on this.

### **3.27 Grant Conditions and repayment of grants**

3.27.1 To maximise the availability of funding for adaptation works for as many people as possible, the Council will ensure that wherever it is possible and reasonable to do so, funding awarded to owner occupiers in the form of a mandatory grant is repaid to the Council as set out in s.3 Housing Grants Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008.

3.27.2 Unless stated otherwise, a mandatory grant will normally have conditions lasting 10 years requiring repayment of the grant if the property is sold or the applicants have died or vacated the property but in exceptional circumstances, at the discretion of the Resident Support Officer responsible for this policy, this may be varied. Such condition will be recorded as a local land charge. Where the application is a joint application, the grant is not repayable until the death of both applicants.

3.27.3 If there is evidence that repayment of a mandatory grant will cause extreme hardship, then the grant repayment amount can be reduced or waived. The grant may also be waived if the disabled person needs to move to give or receive care, to take up employment or to promote their physical or mental wellbeing. Any request must be put in writing to the Resident Support Specialist for consideration. Appeals will be considered by the Head of Housing.

3.27.4 Applicants must provide the relevant certificate with their application (owners, tenants or occupiers certificate) to confirm that they have at least 10 years interest left at the property and that they intend to live there, as their main residence, for at least the next five years from the date the works are complete.

3.27.5 Where a discretionary grant or loan is provided the land or legal charge will last indefinitely until the property is sold or otherwise disposed of. Disposal includes the whole or part of the property and is a conveyance of the freehold or assignment of the lease or the grant of a lease for more than 21 years). The grant or loan will also need to be repaid on the death of the applicant or on the death of both applicants if a joint application or if the applicant(s) no longer live in the property as their principle home. Grants and loans will become repayable where the applicant(s) has not lived in the property for six months.

3.27.6 If it appears to the Council that the applicant was not entitled to the loan at the time of the loan application being approved, no payment shall be made, and the loan cancelled. If any interim payments have been made, no further payments will be made, and the Council may recover any previous payments.

3.27.7 It is routinely expected that any land or legal charge will be repaid but the Resident Support Specialist responsible for this policy is able to agree to waive repayment of charges in exceptional circumstances if repayment was to cause extreme financial hardship.

### **3.28 Application Process for Grants and Loans**

3.28.1 Initial enquiries about assistance can be made to Millbrook Healthcare Ltd., the Council's contracted out Home Improvement Agency by telephoning 03301 243 758 or emailing [surreyHIAcontactus@millbrookhealthcare.co.uk](mailto:surreyHIAcontactus@millbrookhealthcare.co.uk).

3.28.2 Enquiries can also be made by writing to: Millbrook Healthcare Ltd., The Old Crummet Factory, 16 Brockham Lane, Brockham, Surrey, RH7 3EL.

3.28.3 Applications for assistance must be on the forms prescribed by the Council, which Millbrook Healthcare Ltd. provide to applicants. Millbrook can also provide support to applicants to complete the application process.

3.28.4 The application process is complicated, and many applicants struggle to provide the necessary paperwork. Applicants are therefore advised of the option to use an agent to assist them in making the application and with any other services they may need to install adaptations or repairs. This role can be undertaken by the Council's outsourced Home Improvement Agency, Millbrook Healthcare Ltd., or any other approved agent. A fee is charged for this service which can be added to the grant or loan.

3.28.5 Applications for adaptations must be supported by an assessment of need from the relevant Surrey County Council Occupational Therapy Team, a private OT or other Trusted Assessor approved the Council. This assessment is obtained by contacting Surrey County Council directly or by sourcing an OT from the private sector.

### **3.29 Where Assistance will be restricted**

3.29.1 The following will not be eligible for assistance:

- Where ownership of the property is disputed;
- Where the owner(s) has a statutory duty to carry out the necessary works and it is reasonable in the circumstances for them to do so;
- Applications lacking the required information or documentation;
- Where an applicant deviates from the scheme of work(s) submitted and subsequently approved by the Council without prior consultation with, or agreement of the Council Officer, the Council may rescind the approval or refuse to make any further payment of assistance. The Council may also seek to recover any interim assistance payments previously made against the approved scheme;
- Funding may not be agreed where works have started on site without the grant or loan application being approved without strong justification;
- Where works have been completed prior to an application being made.

### **3.30 Waiting List**

3.30.1 The Council reserves the right to introduce a prioritised waiting list for mandatory grants should their demand exceed the available budget. Any waiting list will be developed in partnership with Surrey County Council OT services to ensure that adaptations are provided to those most in need.

### **3.31 Fraud Prevention**

3.31.1 All information provided by the applicant will be checked thoroughly and could be shared with other organisations handling public funds to prevent and detect fraud. Knowingly providing false information or withholding information could lead to prosecution.

### **3.32 Complaints**

3.32.1 If an applicant is dissatisfied with any decision made under this Policy, they should raise the matter informally in the first instance and every effort will be made to address the concern raised.

3.32.2 If it is not possible to resolve the matter informally the Council's formal complaint process may be accessed. The Council offers a two stage complaints process, after which the complainant may complain to the Local Government Ombudsman.

3.32.3 Details of the Council's complaint process and policy are available on the Council's website.

3.32.4 Where the complaint is in respect of the works, the complaint should be made to the contractor or agent acting on the applicant's behalf. If the problem remains unresolved, the Council can be contacted for advice.