



Housing Assistance Policy for the Better Care Fund

2023-2026

Issue Number:	1	Date:	30 October 2023
Approved:	Approved for introduction on 01 December 2023 by Torrige District Council Full Council meeting on 30 October 2023.	Next Review Date:	As required by best practice guidance, regulatory or financial changes, but no later than November 2026

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1. Background

1.1 Introduction

- 1.1.1.0 This policy sets out how Torridge District Council (the Council) will offer the provision of mandatory grant, discretionary grant and loan assistance to eligible disabled adults, children, older and vulnerable residents for help adapting and improving the safety and conditions of their homes.
- 1.1.1.1 The assistance delivered through this policy will be undertaken in line with relevant legislation, good practice guidance, the Better Care Fund plan, and through offering excellent value for money. It will also support the Council to deliver the aims and objectives as set out in several of its strategies and plans, providing quality housing that is safe, meets the needs of the community and promotes health and wellbeing.
- 1.1.1.2 A part of this will be the loan assistance provided in partnership with Lendology, a third party Community Interest Company (CIC) and Social Enterprise lender. Loans will help make the best use of the existing housing stock and improve property conditions in the private sector, which is a valuable way of meeting housing need and reducing the pressure on social housing stock.
- 1.1.1.3 Ensuring that homes are decent, accessible, safe, and secure is not only important for the health and wellbeing of the occupants, but is also vital for the sustainability of communities. Many residents have the necessary resources to maintain and repair their own homes. However, some may need some assistance, especially those who are elderly, on a low income, or have disabilities.
- 1.1.1.4 This policy has been developed in a period of increasing pressures on resources to deliver mandatory grants and use discretionary assistance to target assistance to meet the needs of the most vulnerable and eligible residents living in Torridge.
- 1.1.1.5 The amount of assistance to be given each year will be dependent upon the level of resources available for this purpose.

1.2 Legislative context

- 1.2.1.0 Housing Assistance is offered in accordance with the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, along with the underlying legislation governing the provision of mandatory Disabled Facilities Grants (DFG), namely the Housing Grants, Construction and Regeneration Act 1996. The regulatory framework enables the Council to use its discretionary powers to make better use of limited resources.
- 1.2.1.1 The Housing Grants, Construction and Regeneration Act 1996: Part 1 as amended by the Disabled Facilities Grant Order 2008 states that the local authority has a statutory duty to provide adaptations to homes for disabled adults, children and older people. Funding for these adaptations is provided through Disabled Facilities Grants. Mandatory Disabled Facilities Grants have a limit of £30,000, which is set by government.
- 1.2.1.2 The Housing Act 2004 introduced the Housing Health and Safety Rating System (HHSRS) as a way of assessing housing conditions. There is a duty imposed upon the Council to act where Category 1 hazards are identified in a dwelling. Following this in 2006 the Department for Local Government and Communities

published the standard for Decent Homes (DHS). To meet the DHS, a property must meet the current statutory minimum standard for housing (be free from category 1 hazards), it must be in a reasonable state of repair, it must have reasonably modern facilities and it must provide a reasonable degree of thermal comfort.

- 1.2.1.3 The quality and standard of accommodation is an important factor in addressing health and wellbeing inequalities. At the time of writing, the Decent Homes Standard is not enforceable in the private sector, although there are plans to introduce this as an enforcement standard. Nevertheless, it is a useful standard to use as best practice.
- 1.2.1.4 Houses in multiple occupation (HMO) licenses were also a part of The Housing Act 2004. HMO licensing was introduced to keep residents safe by making sure landlords follow the necessary requirements when renting out a property to multiple people. HMO's often house the most vulnerable households and using landlord incentives to improve the standards in this much needed housing supply is an important element of meeting housing need.
- 1.2.1.5 The Care Act 2014 states that local authorities must provide or arrange services, resources or facilities that maximise independence and the core purpose of adult care and support is to help people to achieve the outcomes that matter to them in their life. Local authorities must promote wellbeing when carrying out any of their care and support functions in respect of a person. This may sometimes be referred to as 'the wellbeing principle' because it is a guiding principle that puts wellbeing at the heart of care and support. The wellbeing principle is intended to cover the key components of independent living.
- 1.2.1.6 The Chronically Sick and Disabled Act 1970 is relevant in relation to addressing the needs of children and Chapter 44 states where a local authority has functions under Part 3 of the Children Act 1989 in relation to a disabled child and the child is ordinarily resident in their area, they must, in the exercise of those functions, make any arrangements within subsection (6) that they are satisfied it is necessary for them to make in order to meet the needs of the child. Section 6(e) of the act requires the provision of assistance for the child in arranging for the carrying out of any works of adaptation in the child's home or the provision of any additional facilities designed to secure greater safety, comfort, or convenience for the child.
- 1.2.1.7 Disabled Facilities Grant Guidance 2022 states that where the social care authority determines that a need has been established it is their duty to assist, even where the housing authority is unable to approve or to fully fund an application.
- 1.2.1.8 In Devon there is a two-tier council structure, with Devon County Council providing social care and Torridge District Council providing technical and financial services. The roles and responsibilities for adaptations are split as described in s24 of the Housing Grants, Construction and Regeneration Act 1996. i.e. the OT ('social care authority') decides what is necessary and appropriate to meet the needs of the disabled occupant (with reference to the purposes for which a grant can be given, outlined in s23 of the act). The housing authority then decides if and how those identified needs can be met in a reasonable and practicable way.
- 1.2.1.9 'Reasonable and practicable' in this context is assessed with reference, among other things, to the age and condition of the property, the architectural characteristics which may render certain types of adaptation inappropriate and

the impact on other occupants of proposed works which will reduce or limit the existing facilities or amenities in a dwelling.

1.2.1.10 Further information about partnership working is contained in the Devon wide Council Housing Strategy.

1.2.1.11 Under section 343 of the Armed Forces Act 2006 (inserted by section 8 of the Armed Forces Act 2021), Torridge District Council is required to have due regard to the Armed Forces Covenant when allocating Disabled Facilities Grants and allowing special consideration for veterans in some circumstances.

2. Strategic alignment with aims, objectives and priorities

2.1 Devon Better Care Fund Priorities

2.1.1.0 In Devon, the Better Care Fund priorities aim to achieve the following outcomes:

- Reduced admissions to residential and nursing care homes
- Reduce delayed transfers of care
- Reduce avoidable emergency admissions
- Increase dementia diagnosis rates

2.2 Health and Wellbeing Board Priorities

2.2.1.0 In addition to the above, the 'Healthy and Happy Communities' Devon Joint Health and Wellbeing Strategy 2020–25 also contains a series of priorities that this policy can contribute to highlighted in bold text.

- Create opportunities for all-inclusive economic growth, education and social mobility
- Healthy, safe, strong and sustainable communities creating conditions for good health, and wellbeing where we live, work and learn
- **Improve housing conditions, reduce homelessness, and increase supply of appropriate, high-quality housing**
- Focus on mental health building good emotional health and wellbeing, happiness and resilience
- **Reduce loneliness in all age groups**
- Maintain good health for all, supporting people to stay as healthy as possible for as long as possible
- **Prevent ill health by enabling people to live healthier lives**
- **Support those with long-term conditions to maintain a good quality of life**
- **Support carers to improve and maintain their own health & wellbeing**

2.3 Devon wide Council Housing Strategy 2022-30

2.3.1.0 The approach of Devon's key public sector partners (Health, Social Care, and Housing) is set out within the Devon-wide Housing Strategy.

2.3.1.1 The strategy sets out how agencies will work in partnership to drive the delivery of care, health, and well-being in communities across Devon so that people feel safe, healthy, connected, and able to help themselves and each other. The strategy is based on the understanding that people's care and support needs change over time and so might the housing and accommodation that helps to support them to live as independently as possible.

2.4 Strategic Approach to Supporting People to Live Independently in Devon 2020-25

- 2.4.1.0 This strategy sets out how the Council will work in partnership to increase the range of housing and accommodation for all adults, including older people and young people approaching adulthood who receive, or may receive, health and care support during their lives to sustain and/or maximise their capacity for independent living.
- 2.4.1.1 Priority 2 of the strategy is to increase the supply of accessible homes through new developments or adaptations to existing homes.

2.5 Torridge District Council Strategic Plan

- 2.5.1.0 The Strategic Plan sets out the vision and ambitions that Torridge District Council aspires to achieve over the coming years. This plan aims to set Torridge on the path to deliver a long term vision. It is centred around four themes, namely:
- The local economy
 - Communities, health, and housing
 - The environment and future, and
 - The Council
- 2.5.1.1 This policy aligns with aspects of the plan regarding communities, health, housing, environment and future and the local economy.

2.6 Countywide Strategic Alignment

- 2.6.1.0 Common across all the Council and partner plans are the following goals all of which the Housing Assistance Policy will support delivery of:
- Providing quality housing
 - Housing that is safe and meets the needs of the community
 - Promoting health and wellbeing

2.7 Evidence of need

- 2.7.1.0 There is a clear need in Torridge to assist our community. The following information provides a summary of key determinates that have influenced this policy.
- 2.7.1.1 Torridge District Council is located within the northwest of Devon. The district is divided into 16 Wards, comprising 64 parishes, and is predominantly rural with at least 80% of the population living in rural settlements and 20% in larger market towns. The district is officially classified as 'Rural 80'.
- 2.7.1.2 Torridge district has just under 4,500 dwellings (15% of the total stock) in fuel poverty according to national data. This is higher but comparable to Devon and nationally at 10.6%.
- 2.7.1.3 There is a clear link between warm homes, adequate property standards and good health. The policy includes a Healthy Homes Grant to address these issues for vulnerable, older and disabled adults and children.

- 2.7.1.4 Torridge is ranked 67 out of 326 authorities in England for deprivation and it is the most deprived area in Devon. It is in the most deprived quarter for education, skills and training, barriers to housing services, and living environment. The assistance provided in the policy will help mitigate this by providing a greater level of financial assistance. This will help address the higher cost of materials and work for Disabled Facilities Grants. It will also help fund contributions for households with a low income.
- 2.7.1.5 The Office of National Statistics publishes annual earnings figures in relation to weekly and annual pay. Torridge has one of the lowest average weekly workplace earnings of any district in the UK. The policy includes assistance to support applicants on low incomes with an Adaptive Home Top-up Grant, Adaptive Home Contribution Grant and an Adaptive Home Advance Feasibility Grant. There are also a range of affordable loan options through the Council's partnership with Lendology CIC.
- 2.7.1.6 The topography of Torridge creates a range of accessibility issues for older and disabled adults and children. Despite the high proportion of bungalows in the area it does not always provide a suitably accessible home. An Adaptive Home - Help to Move Grant is included in the policy to assist with these issues (subject to eligibility).
- 2.7.1.7 Torridge has one of the highest populations 27% of over 65's in the country and this number has increased since the last census. The over 85 population is 3.3% compared with nationally. It is also expected that Torridge will see more people become frail and require support from health and social care services as they age. A key theme for health and social care is to enable and sustain independence in the home and prevent, reduce, and delay the need for higher cost social care and health interventions. Assistance outlined in the policy will support this agenda and help to address the variations in health and well-being that is found across Torridge.

2.8 Policy priorities

- 2.8.1.0 This policy is designed to contribute towards the Council's and partners strategic aims and objectives (the list below does not imply a priority order):

2.8.2 Objective 1

- 2.8.2.1 Assist disabled residents to remain in their own homes by supporting the provision of adaptations (so far as this is necessary, appropriate, and, reasonably practicable). To prevent admissions to care, to assist with delayed transfers where possible, and to ensure a safe home that supports health and wellbeing.

2.8.3 Objective 2

- 2.8.3.1 Safeguard the health and well-being of vulnerable residents by removing unnecessary hazards to health and safety in the home to reduce avoidable emergency admissions.

2.8.4 Objective 3

- 2.8.4.1 Provide adaptations that are suitable for the future by ensuring the scheme of works is dementia aware where applicable.

2.8.5 Objective 4

2.8.5.1 Assist vulnerable people to afford to heat their homes through appropriate energy efficiency and heating measures.

2.8.6 Objective 5

2.8.6.1 Assist vulnerable people impacted by hoarding and the cleanliness of their home environment.

2.8.7 Objective 6

2.8.7.1 Assist people to move to more appropriate accommodation that meets their needs.

2.9 Policy capital resources

2.9.1.0 The main sources of funding that are available to support the delivery of this policy:

- Annual capital grant from central government distributed through the Better Care Fund (BCF).
- Additional capital grant from central government distributed through the BCF.
- Where capital monies are provided through the BCF they will be allocated for spending in line with decisions regarding capital expenditure agreed with the Better Care Fund spending plan as agreed through the appropriate governance structure.
- Money provided from partners or other public sector organisations to address specified problems.
- Money obtained from charitable or other sources on behalf of customers.

2.9.1.1 Local Housing Authorities are obliged first and foremost to deliver mandatory Disabled Facilities Grants either via the 1996 Act route or an equally effective parallel pathway. Alternative discretionary and flexible assistance should not normally be promoted at the expense of delays to the statutory grant.

2.9.1.2 In addition to mandatory Disabled Facilities Grants, Torridge District Council will offer a range of flexible grants to help vulnerable, older and disabled residents to live as independently and safely as possible in their homes. Full details of the current available flexible assistance can be found in Appendix B and C of this policy.

2.9.1.3 There are also other types of private housing renewal loan assistance which can be found in Appendix D. The Council works in partnership with Lendology CIC to administer a fund for housing improvement loans on behalf of the Council. Availability and accessibility of the loans is strictly administered by the loan provider.

2.9.1.4 It may be necessary to make changes to the range and financial level of each type of grant assistance and/or develop new types of assistance. These will be approved through the appropriate governance structures and published on the Council's website as policy amendments, available in the appendix.

2.10 Equality and diversity

- 2.10.1.0 The Council recognises the importance of fair treatment and the positive promotion of equality and to prevent discrimination on any grounds.
- 2.10.1.1 This policy will be applied fairly and consistently to all our residents and will act sensitively towards the diverse needs of individuals and communities. It will not directly or indirectly discriminate against any person or group of people, and we will take positive action to reduce discrimination and harassment.
- 2.10.1.2 The Housing Assistance Policy has been written in accordance with legislation and covers the protected characteristics as detailed in the Equalities Act 2010.

3. Summary of assistance

3.1.1.0 The following tables provide a summary of the assistance provided through each of the schemes available under this policy. Full details of each scheme and how to apply for it, and conditions attached can be found in Appendix A, B, C and D.

3.1.1.1 All assistance provided through this policy directly supports delivery of the mandatory DFG and the Better Care Fund metrics. To achieve this, the Council uses the powers within the Regulatory Reform Order, except for the Mandatory Disabled Facilities Grant, which is prescribed in the Housing, Grants and Construction Act 1996. Therefore, all flexible types of assistance are subject to the Council having sufficient resources from funding outlined in the previous section.

3.2 Mandatory Disabled Facilities Grant (DFG)

3.2.1.0 This grant is set out within legislation and is included for completeness and to outline the local variations that the Council have adopted regarding the inclusion of local council tax reduction as a passporting benefit.

3.2.1 DFG overview	
<i>(detail can be found in Appendix A)</i>	
Eligible Applicants	Anyone with a permanent disability aged 19 or over or anyone applying on behalf of someone under 19 with a permanent disability. A referral or statement of need must be received from a social services or NHS Occupational Therapist. Any private Occupational Therapy referral must be undertaken in consultation with a social services or NHS Occupational Therapist.
Tenure	All tenures
Land Charge	All DFG funding over the value of £5,000 will be subject to the Statutory Land Charge for a period of 10 years from the date of completion – see further information in Appendix A. Any land charges for discretionary assistance, as outlined in this policy, will be made in addition to the charge for mandatory DFG (as applicable).
Maximum Value	£30,000 or as per the current statutory limit if this changes. This amount includes any assessed contribution, including any funding from the Contribution Support Grant.
Means Test	Applicants are subject to the statutory means test, except for applications on behalf of someone under 19 as described in the guidance/legislation, or those on certain means tested ('passporting') benefits. Local Amendment to the means test: To include Local Council Tax Reduction (not the single person reduction) as a passporting benefit.

	The maximum DFG award that the Council can make is £30,000. Any means tested contribution is deducted from that amount. This includes any use of the Contribution Support Grant.
Eligible works	Works assessed by the Council as 'reasonable and practicable' to meet needs identified as 'necessary and appropriate' by an Occupational Therapist, as described in the Housing Grants, Construction and Regeneration Act 1996.
Application Form	Standard DFG Application form and accompanying paperwork.

3.3 Flexible Assistance linked to a Mandatory DFG Application

3.3.1.0 Any applications and award of the following forms of assistance would be linked to an on-going Mandatory DFG application and based on resources being available. No stand-alone applications for these forms of assistance will be considered. It is the Council's right to withdraw any discretionary assistance if necessary.

3.3.1 Adaptive Home: Top-Up Grant (TUG)	
<i>(detail can be found in Appendix B)</i>	
Eligible Applicants	Those eligible for Mandatory DFG. An OT must have assessed and confirmed the works are necessary and appropriate and will reduce the impact on alternative health and care provision.
Tenure	All tenures as per Mandatory DFG eligibility.
Land Charge	The full value of any grant awarded would be placed as a lifetime land charge from the date of completion of works. This land charge is in addition to any Mandatory Disabled Facilities Grant Land Charge, or charge incurred as a result of other forms of discretionary assistance.
Maximum Value	Up to an additional £30,000 (£60,000 in total) can be approved by the relevant Operational or Strategic Manager. No further Adaptive Home TUG grant will be available in any two-year period (from the date of certification of completed works). For adaptations above £60,000 (or the maximum available grant funding amount), applicants are able to apply for a Disabled Facilities Loan through Lendology, or other suitable loan product, as determined between Lendology and the applicant.
Limitations	Only one TUG application will be considered in any two-year period for the same person. Two years is calculated from the date of certification of completed works funded by a previous TUG grant.

Means Test	TUG is a discretionary top-up to DFG funding. As such, no further means test will be applied.
Eligible works	As DFG. Not available for equipment or works that are not identified as a need under the mandatory DFG.
Application Form	The DFG application form with a supplementary TUG section.

3.3.2 Adaptive Home: Contribution Support (CSG)

(detail can be found in Appendix B)

Eligible Applicants	Those eligible for Mandatory DFG.	
Tenure	All tenures as per Mandatory DFG eligibility.	
Land Charge	The full value of any grant awarded will be placed as a land charge for a period of 10 years from the date of completion. This is in addition to any other land charges applied to mandatory or discretionary assistance under this policy.	
Maximum Value	£10,000	
Means Test	The first £10,000 of any assessed mandatory DFG means test contribution can be funded by this grant (subject to available funds). No further means test is required.	
Eligible works	As DFG.	
Limitations	<p>No further grant funding above the defined limits will be available to pay towards a means tested contribution. Further funding may be available via a Disabled Facilities Loan from Lendolgy CIC, or other suitable loan product, as determined between Lendology and the applicant.</p> <p>The maximum amount that the Council can award for a DFG is £30,000. Any means tested contribution is deducted from that amount. This includes any use of the Contribution Support Grant.</p>	
Assessed Contribution	<i>Up to £10,000</i>	<i>Over £10,000</i>
	<i>Contributions will be reduced in full and funded by this grant, subject to agreement by the DFG applicant.</i>	<i>Grant funding for contributions above this level is not available. However, a low cost or DFL loan from Lendology may be available, subject to assessment by Lendology.</i>

Application	The DFG application form with a supplementary CSG section. Evidence gathered through the DFG application process will be used to support an application for this grant, with agreement of the DFG applicant.
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3.3.3 Adaptive Home: Advance Feasibility Grant (AFG)

(detail can be found in Appendix B)

Eligible Applicants	Those determined as eligible for Mandatory DFG, but not able to proceed to application stage due to a feasibility assessment, or other essential preparatory assessment.
Tenure	All tenures as per Mandatory DFG eligibility.
Land Charge	No
Maximum Value	£2,000
Means Test	DFG means test will apply in all cases, except where the applicant is on a passporting benefit. The means test will apply to cases involving a child or young person (where the applicant will be the parent or other appropriate adult).
Eligible works	Feasibility assessments, for example, structural surveys. Preparatory assessments or works to determine feasibility of a proposed adaptation.
Limitations	Fees will only be eligible for payment under AFG where the feasibility of an application cannot be established by the Housing Renewal team, or other person employed by the Council. Once a DFG is approved, no further AFG will be paid and any relevant costs will be added to the DFG.
Application Route	The DFG application form with a supplementary AFG section.

3.3.4 Adaptive Home: Help to Move Grant (HTMG)

(detail can be found in Appendix B)

Eligible Applicants	Those eligible for Mandatory DFG where adaptation of the existing home is not reasonably possible, or where alternative accommodation is required to ensure appropriate care, or access to essential facilities can continue for the disabled occupant during an adaptation.
Tenure	All tenures as per Mandatory DFG eligibility.

Land Charge	None
Maximum Value	£5,000 private and social rented £10,000 owner occupiers £2,000 alternative accommodation (all tenures)
Means Test	No additional means test to the Mandatory DFG
Eligible works	The specific eligible relocation expenses are: <ul style="list-style-type: none"> • Estate agent fees • Solicitor costs • Survey costs • Stamp duty • Removal expenses • Disconnection/reconnection of appliances • Alternative accommodation (see below)
Limitations	<p>Applicants must be moving from a property which is their main residence and is within the Council area, to a property that will be their main residence.</p> <p>Assistance will not be given towards the purchase price of a property.</p> <p>Applications must be supported by a Social Care or NHS Occupational Therapist and the Housing Renewal team who must confirm that the new property will meet the needs of the disabled person or be suitable for adaptation at a reasonable cost.</p> <p>Assistance will not be given in cases where the new property has not been inspected by the Council and assessed as 'reasonably and practicably' adaptable to meet the needs identified by the Occupational Therapist. Assistance will not be given unless and until the results of this assessment, and any input from the Occupational Therapist, have been received by the applicant in writing.</p> <p>If the move is not completed at the fault or choice of the applicant, costs will not be paid.</p> <p>Alternative accommodation is available where an assessment of the Council and the OT concludes that it will not be possible to provide appropriate care during an adaptation, or the disabled occupant will not be able to access essential facilities for a significant period of time.</p>
Application Route	The DFG application form with a supplementary HTMG section.

3.4 Additional Flexible Assistance to support delivery of the Better Care Fund Outcomes

3.4.1.0 Any applications and award of the following forms of assistance do not need to be linked to an on-going Mandatory DFG application. The assistance will be based on resources being available. It is the Councils right to withdraw any types of the flexible funding assistance if necessary.

3.4.1 Healthy Homes Grant (HHG)

(detail can be found in Appendix C)

Eligible Applicants	Must be an owner occupier with a repairing obligation. Available to owner-occupiers and their families in receipt of a means-tested passporting benefit. If not on a means tested benefit, grant funding will only be available where a Lendology loan has been assessed as unaffordable by Lendology CIC. If a loan is available that does not cover the full cost of works, the grant can be used as top up within the grant limits.
Tenure	Owner Occupiers
Land Charge	The full value of any grant awarded would be placed as a lifetime land charge from the date of completion of works.
Maximum Value	£15,000 (Funding over and above the £15,000 limit may be obtained via an application for a low cost loan via Lendology CIC. No further HHG funding above the £15,000 limit is available)
Means Test	Applicants must be in receipt of a 'Passporting' Benefit or over 55 and on low income as outlined in Appendix C. If not on a means tested benefit or low income, applicants will only be eligible if they have been refused a loan by Lendology CIC. This grant can be used to part-fund works if a loan is available, but the amount of loan does not meet the full cost of works.
Eligible works	Works to remove category one or a consecutive number of significant category two hazards as assessed by the Council under the Housing Health and Safety Rating System ¹ .
Limitations	Only one grant award in any two-year period.
Application Route	A short application form via the Housing Renewal team.

3.4.2 Care Transfer and Support Grant (CTSG)

(detail can be found in Appendix C)

Eligible Applicants	Available to all owner occupiers and tenants following referral from a hospital care team, Occupational Therapist, other health or social care professional, or eligible under a published Statement of Intent for ECO Flex or other similar scheme.
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¹ <https://www.gov.uk/government/collections/housing-health-and-safety-rating-system-hhsrs-guidance>

Tenure	All tenures as per Mandatory DFG eligibility.
Land Charge	No land charge
Maximum Value	£5,000 (Funding over and above the £5,000 limit may be obtained via an application for a low cost loan via Lendology CIC. No further CTSG funding above the £5,000 limit will be available)
Means Test	Applicants must be in receipt of a 'Passporting' Benefit, or over 55 and on a low income as outlined in Appendix C. In all other circumstances, applicants will only be eligible if they have been refused a loan by Lendology CIC. This grant can be used to part-fund works if a loan is available, but the amount of loan does not meet the full cost of works.
Eligible works	Cleaning and clearing of properties where this will prevent a delayed transfer of care, prevent a hospital or care admission, or is essential to allow other adaptation works to be undertaken. Repairs to equipment installed under DFG if not under warranty (if equipment is beyond economical repair, a new OT referral will be required) Works to top-up other LA-determined thermal comfort assistance if available.
Limitations	Only one grant award in any 2-year period, unless for DFG repairs, in which case one grant award every 12 months.
Application Route	A short application form via the Housing Renewal team.

3.4.3 Adaptive Home: Stairlift Grant (SLG)

(detail can be found in Appendix C)

Eligible Applicants	A referral or statement of need must be received from a social services or NHS Occupational Therapist. Any private Occupational Therapy referral must be undertaken in consultation with a social services or NHS Occupational Therapist.
Tenure	All Tenures
Land Charge	All SLG funding over the value of £10,000, up to a maximum of £10,000 will be subject to a Land Charge for a period of 10 years from the date of completion. This will be in addition to any land charges applied for other assistance, as outlined in this policy.
Maximum Value	Up to £30,000 to cover the cost of the stairlift or lift and installation.

Means Test	No means test
Eligible works	<p>To cover the cost of internal and external straight and curved track stairlifts, through floor lifts, platform and step lifts.</p> <p>Where additional works are required to install the equipment these will be covered as part of the SLG.</p> <p>For applicants with life limiting conditions a rental stairlift may be installed.</p> <p>Where an applicant requires multiple adaptations in addition to the stairlift, or other eligible equipment, the other adaptations will be provided through the mandatory DFG where the applicant is eligible.</p>
Limitations	The person must remain in the property for a period of 5 years, or such shorter period as their health or other relevant circumstances permit.
Application Route	An SLG application form.

4. Loan Assistance Through A Third Sector Provider

4.1 Overview

- 4.1.1.0 Torridge District Council work in partnership with Lendology CIC, a Social Enterprise lender, to provide loans to a broad range of homeowners and Landlords. This includes loans to bring empty properties back into use. The purpose of these loans is to make the best use of and improve the private sector housing stock across the district.
- 4.1.1.1 See Appendix D for details of the low cost loans available. This section introduced the Disabled Facilities Loan only.

4.2 Disabled Facilities Loans (DFL)

- 4.2.1.0 Loans include the Disabled Facilities Loan (DFL) to top-up mandatory Disabled Facilities Grants. DFLs are available at 0%, subject to an assessment by Lendology.
- 4.2.1.1 DFLs are available on a capital repayment basis only. Other loan products offered by Lendology may be more suitable to individual circumstances.
- 4.2.1.2 The detail of all loan types can be found at Appendix D.

5. How assistance will be delivered

5.1 Discretionary assistance

5.1.1.0 All types of discretionary assistance offered through this policy will be managed by the Council's Housing Renewal team and are subject to available funds.

5.2 The application process

5.2.1.0 It is the responsibility of the applicant to complete a valid application, including obtaining all supporting documentation, such as evidence of finances (where applicable), benefits, relevant permissions and competitive quotes for works, etc.

5.2.1.1 The Council's Housing Renewal team can assist with this in the following ways:

- Where applicable, assess the applicant's financial circumstances by a statutory means test which will identify any contribution to be paid towards the cost of the works.
- Arrange for a technical officer to visit to discuss how the adaptations can be provided in the home and what building works or alterations are required to provide them.
- Help to obtain competitive quotes on behalf of the applicant, which will be done via an adopted procurement system or process, if one has been adopted.
- Assist in the completion of the formal Disabled Facilities Grant application forms, including collating paperwork and gaining competitive quotes for the eligible works.
- Visit site to ensure works are progressing adequately.
- Deal with any unforeseen works and interim payments.
- Arrange final payment to the contractor and collect any certificates and guarantees from them and pass them on the applicant.

5.2.1.2 It is important to note that the Council will not manage the process on behalf of the applicant, but will endeavour to reduce the administrative burden on the applicant by helping with certain aspects. For more complex cases, the technical officer may advise the applicant to consider employing an agent (see below). In any case, applicants can opt to employ an agent to work on their behalf.

5.2.1.3 Unless using an agent, the contract between the applicant and any professionals or contractors will be between the applicant and the contractor in question. The Council may obtain quotes on behalf of the applicant, but it is ultimately the decision of the applicant as to which contractor they would like to use. In the event that an applicant-selected contractor is more expensive than the most reasonable like-for-like quote, the Council will approve the lesser amount. In such cases, the applicant would need to make up the difference.

5.3 Use of an agent

5.3.1.0 An agent is a surveyor, architect, Home Improvement Agency agent or other suitably qualified professional who is employed to manage the adaptation process on behalf of the applicant. All applicants have the option to employ an agent, which can be funded by the DFG. For larger schemes of work, such as

extensions, or extensive remodelling, the technical officer from the Council may recommend employing an agent, as project management of an extensive scheme can be technical, time consuming and stressful.

5.3.1.1 In most cases, where the eligible works are not extensive, these can be managed by the applicant with some help from the Council, as outlined above.

5.4 Fees and ancillary charges

5.4.1.0 The Council will consider reasonable fees for support in undertaking the application and/or subsequent approved works. The following fees will be eligible for financial assistance if they have been properly incurred in making an application or seeking approval for the proposed works, or to ensure the satisfactory completion of works assisted under this policy when funded through Mandatory Disabled Facilities Grant funding or any associated grants:

- Confirmation, if sought by the Council, that the applicant has a relevant owner interest
- Technical and structural surveys
- Design and preparation of plans and drawings
- Preparation of schedules of relevant works
- Assistance in completing forms
- Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area consent (and similar)
- Obtaining of estimates
- Consideration of tenders
- Supervision of the relevant works
- Disconnection and reconnection of utilities where necessitated by relevant works

5.4.1.1 Unless a grant does not go ahead, any fees or ancillary charges authorised in writing by the Housing Renewal team will form a part of the mandatory DFG and will therefore be funded from the £30,000 maximum grant.

5.4.1.2 Written approval must be obtained **in advance of any expenditure** in order for fees or charges to be grant funded.

5.5 Service standards and key targets

5.5.1.0 There is no national standard for the services provided through this policy excepting a statutory requirement for Councils to determine valid and fully made applications for mandatory Disabled Facilities Grant within six months. This does not account for pre-application activities such as the screening process and the 'application support' and administration including occupational therapy assessment, means testing, producing specifications, finding contractors etc.

5.5.1.1 In practice, when an application is prepared with the assistance of the Housing Renewal team and is submitted for funding approval it will be at a point where, subject to funds being available, a grant approval determination should be available within 20 working days (for the majority of cases), and not the six months stated within the legislation. The service records all key activities and

dates and can report on a variety of measures, including date enquiry received, date application submitted, date of grant determination, date works started, type and value of works, value of contributions, date works finished, and date works practically complete.

- 5.5.1.2 Legislation also requires that works be completed within 12 months of any Disabled Facilities Grant approval being issued, but this can be extended by negotiation if there are valid reasons to do so, such as the customer receiving care, occasional changes in contractor or specification, complex snagging etc.
- 5.5.1.3 Locally, the service aims to apply the funding it receives fully each year with minimal waiting lists and with maximum benefit to customers. It will also work in partnership with the Devon Health and Well-Being Board to support delivery of the Better Care Fund Plan metrics and the six objectives of this policy as described in Section 2.
- 5.5.1.4 The Council is committed to ensuring good quality customer service and the performance measures used are based around measuring and improving the quality of service and customer outcomes as well as ensuring improvements in the speed of service delivery.

5.6 How the assistance will be paid

- 5.6.1.0 The Assistance will only be paid if:
 - a. The assisted works are completed within 12 months from the date of the approval unless the delay was caused by the Council, or an appropriate approval time-extension has been agreed due to exceptional circumstances. Applications for extensions will be considered on a case-by-case basis.
 - b. The assisted works are carried out in accordance with the specifications set out in the formal approval or as varied with the prior written agreement of the Council.
 - c. The works are carried out to the satisfaction of the Council and the Occupational Therapist, in consultation with the applicant.
 - d. The Council is provided with an invoice, demand, or receipt for payment in an acceptable format.
- 5.6.1.1 Invoices must be addressed to the applicant at their address and copied to the Council. Invoices must contain sufficient detail for the Council to identify, in full, the works carried out, the prices charged and any variations previously agreed with the Council. Any invoice must not be provided by the applicant or a family member.
- 5.6.1.2 In all but the most exceptional cases, the Council will seek to pay any approved grant funds directly to contractors on satisfactory completion of works. The Assistance may be paid in one lump-sum on satisfactory completion of the works or in staged payments as the work proceeds. Stage payments (interim payments) will only be made where the Council is satisfied that the value of work completed exceeds the value claimed. The maximum grant value that can be released through interim payments is 90% as stated in the legislation .
- 5.6.1.3 The Council will not enter into any form of contract with a builder or contractor, and, in the absence of any Agency agreement with the applicant, it is a matter for the applicant to agree any contract with the builder or contractor. Whilst the Council's Standing Orders on procurement do not directly apply as no contract exists with the Council, the principles of the Standing Orders will be referred to

for determining the administration of procedures regarding the obtaining of quotes, etc. The proper administration of public funds requires the Council to ensure value for money.

- 5.6.1.4 The provision of assistance other than mandatory Disabled Facilities Grants is subject to the availability of funding. All applications will be considered based on the identified needs and circumstances of the applicant or household.
- 5.6.1.5 Assistance may be offered in a variety of forms including, but not restricted to, financial assistance, advice, provision of materials and carrying out of works. Advice offered may include Housing Options advice to ensure the most appropriate option for the applicant or household is considered and may include advice on housing rights, benefits entitlement, repairs or improvements, energy efficiency, re-housing or signposting to other agencies or services.
- 5.6.1.6 Torridge District Council work in partnership with Lendology CIC, a Social Enterprise lender, to provide loans to a broad range of homeowners to improve the private sector housing stock across the district. In the future, the Council may enter into further partnership or contractual arrangements with other organisations or agencies in order to deliver assistance in an effective and timely manner, such as an Energy Advice Service. Currently the Council's Disabled Facilities Grant service provides support to applicants throughout the process of seeking assistance and this may include identification of options, specifications, documentation, engagement of contractors, works supervision and monitoring through to completion.
- 5.6.1.7 The provision of mandatory grants and flexible DFG financial assistance will be subject to internal and external auditing to ensure adequate procedures are in place and followed and that there is appropriate use of public funds.

6. Where assistance will be restricted

- 6.1.1.0 The following will not be eligible for assistance:
- a. Where ownership of the property is disputed.
 - b. Where the owner(s) have a statutory duty to carry out the necessary works and it is reasonable in the circumstances for them to do so.
 - c. The Council will not consider an application for assistance in respect of premises built or converted less than 10 years prior to the date of the application, except where the application is for a mandatory Disabled Facilities Grant or other associated flexible uses of DFG funding as defined by tenure type within the grant detail contained in this policy.
 - d. No assistance will be given in respect of properties owned by Statutory Authorities or trusts. This includes properties owned by Registered Social Landlord, NHS Trusts and Police Authorities, except in the case of a Disabled Facilities Grant or other associated flexible uses of DFG funding as defined in the tenure type within the grant detail contained in this policy.
 - e. Where the residence is not regarded as permanent.
 - f. No assistance will be given for work started before formal approval of an application, except where:
 - There are exceptional circumstances involving a defect presenting an imminent risk to health and safety.
 - Fees or charges have been incurred in the preparation of an application, as authorised in writing by the Housing Renewal Team Leader or Public Health and Community Safety Manager. In such cases, no funds will be authorised unless 'in principle' eligibility for a grant has been established and confirmation has been received that an application is in progress.
 - NOTE: If a DFG application is unable to go ahead for reasons beyond the control of the applicant, but there was eligibility for DFG funding, the Advance Feasibility Grant may be available where the costs incurred fit the eligibility criteria.
 - g. Grant assistance will not normally be provided for works covered by insurance. Where, before a grant for assistance is approved, it is found that an applicant can make an insurance claim, the insurance company will be requested to confirm in writing the level of their liability, if any. The level of assistance will be reduced by an amount equivalent to the insurance company's liability. Where assistance is approved, a condition may be imposed requiring the applicant to pursue any relevant claim against an insurance company or third party for:
 - Claims for personal injuries where the works are required under a Mandatory Disabled Facilities Grant.
 - Claims on the applicant's property insurance or on a third party where the application is in respect of works for which financial assistance has been given and to repay the financial assistance provided out of the proceeds of such a claim.
 - h. The Council will assess whether the scope of the works is reasonable and practicable, having regard to the age, condition, and structural layout of the property.

- i. The Council will determine whether prices provided by contractors meet value for money. In determining this, the Officer will consider similar jobs priced within the last year. The Officer may liaise with the relevant body or contractor to check the specification and any estimates as part of the procurement procedure. If the Council has adopted a procurement process for adaptation, or other grant funded works, this may be used to determine value for money.
- j. If the Officer believes the price for contracts are too high and identifies an appropriate price for this work (which is lower) they will advise the client that the total eligible assistance will be the lower amount. The client is under no obligation to use the lower priced contractor but must be aware the Council will only make a grant or assistance payment up to the value of the lower price.
- k. In the case of an application for Disabled Facilities Grant where the client chooses to pursue a different scheme of work's or an enhanced scheme of works, the Council will only provide assistance to the value of the scheme of works the Officer has determined would otherwise satisfy the basic primary requirement(s) identified by the report of the Occupational Therapist, subject to the Officer being satisfied the clients preferred scheme will also satisfy the primary requirements.
- l. The Council may refuse any application for assistance lacking the required information or documentation.
- m. Where the client deviates from the scheme of work(s) submitted and subsequently approved by the Council without prior consultation with, or agreement of, the Council, 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.
- n. If the applicant is an owner of the dwelling in respect of which Assistance has been approved and ceases to be the owner before the works are completed the applicant must repay to the Council on demand the total amount of assistance that has been paid.
- o. Where a grant condition imposes a liability to repay the assistance, or a part thereof, the condition will be registered by the Council as a Local Land Charge.
- p. Where assistance has been approved the works must be completed within 12 months of the approval date, except where an extension of time has been agreed in writing by the Council. Where no extension is agreed, 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.
- q. In the case of common parts of a dwelling, the Council will only consider assistance for the reasonable sum or proportion of the applicant's liability. The applicant must prove a repairing liability for the common parts.
- r. The Council may, where financial or operational demands dictate, defer payment of a Disabled Facilities Grant for a period not exceeding 12 months. Any deferment will be detailed in the approval notice.
- s. The provision of Assistance is allowed for caravans and houseboats used as a main residence, subject to meeting other eligibility requirements. Holiday residencies, caravans on holiday sites or sites with restricted occupancy, second homes (as defined by council Revenue's criteria) and sheds, outbuildings or appurtenances will not qualify for Assistance.

- t. The Council recognises that this policy cannot cover every likely situation and there may be persons who genuinely need some form of urgent support that are precluded from accessing Assistance (as outlined in the policy) due to a specific aspect. In these situations, the Council may consider offering assistance in such circumstances, in particular where support would help the Council meet its strategic objectives, as determined by the relevant Operational Manager and approved by the appropriate member of the Strategic Management Team.
- u. Any variation to eligibility for a specific assistance type will be decided on a case by case basis and will need to be justified in terms of the priorities set out in the introduction and background to this policy, or any amending documents. This paragraph is not referring to increased financial limits, which are covered elsewhere (see 'Exceptional circumstances').

7. Deferred payment

7.1.1.0 Subject to financial or operational demands, the Council may issue an approval for DFG whereby payment of the grant, or part of it, will not be made before a date specified in the notification of approval.

7.1.1.1 In such cases:

- the payment date specified will not be more than twelve months after the date of the valid application.
- The works must be carried out within 12 months of the deferred date.

8. Additional conditions

8.1.1.0 The Council reserves the right to impose additional conditions when making a grant/assistance approval. These may include but are not restricted to:

- a. A contribution to the cost of the assisted works by the applicant.
- b. The right to nominate tenants to housing accommodation available for rent.
- c. Housing accommodation being maintained in a good state of repair after completion of the assisted works.
- d. The right of the Council or its appointed agent to recover specialised equipment when no longer needed, including modular units.

9. Decisions, notifications & redeterminations

- 9.1.1.0 The Council will notify the applicant in writing when their application has been approved or refused. The decision will be notified as soon as reasonably practicable and, in any event, no later than six months after receipt of a full and valid application.
- 9.1.1.1 If the application is approved, the notification will specify the eligible works, the value of the assistance and the builder/contractor who will execute the works. In the case of a Disabled Facilities Grant the Council may, where financial or operational demands dictate, defer payment of the assistance for a period not exceeding 12 months. Any deferment will be detailed within the grant approval notice.
- 9.1.1.2 If the application for Assistance is refused, the Council will give the reasons for the refusal and confirm the procedure for appealing the decision.
- 9.1.1.3 Where Assistance has been approved and the Council is satisfied that through circumstances beyond the control of the applicant which could not have reasonably been foreseen, the cost of the assisted works has either increased or decreased, the Council may, at their discretion re-determine the assistance given and notify the applicant accordingly by issue of a re-approval notice. Total assistance approved will not exceed the maximum amounts specified in this policy.
- 9.1.1.4 Additional works or deviations from the approved works carried out without prior approval of the Council will not be considered for any increased financial assistance and would remain the responsibility of the applicant to fund.

10. **Exceptional circumstances**

- 10.1.1.0 This policy recognises the need to go above and beyond the statutory minimum DFG funding and, for this reason includes a number of defined discretionary funding routes to support a wider range and scale of adaptations.
- 10.1.1.1 Any departure from defined financial limits within this policy will only be considered where the applicant can demonstrate both wholly exceptional circumstances to justify such a departure and that the applicant does not have the means by which they could reasonably be expected to otherwise fund and undertake the necessary work.
- 10.1.1.2 'Wholly exceptional' refers to situations that may not have been foreseen when drafting this policy, or situations that are more uncommon, for example, more than one disabled occupant living in a dwelling, each with differing needs. The need for additional funds for an extension, for example, does not by itself constitute 'wholly exceptional' circumstances.
- 10.1.1.3 In assessing the means of an applicant, the Council will use the DFG means test in ALL cases, including cases for those under 18 and those on 'passporting' benefits.
- 10.1.1.4 No exceptional funding will be considered until all defined funding options have been fully explored and ruled out on grounds of health, wellbeing or reasonableness, as assessed by the Council and the Occupational Therapist. This includes the option of a supported move to a more suitable dwelling (as laid out in this policy).
- 10.1.1.5 No exceptional grant funding will be considered unless and until the applicant has been declined for a loan via Lendology CIC.
- 10.1.1.6 Exceptional funding will only be considered following a report from a multi-agency meeting involving relevant professionals, including representatives from Devon County Council and Torridge District Council. It is expected that this report will provide, among other things:
- a. sustainability of the proposals (if any), including a forecast lifetime of the proposed adaptation.
 - b. suitability of the dwelling for adaptation.
 - c. information on other potential sources of funding.
 - d. information about the implication for care packages (financial implications).
- 10.1.1.7 Discretion around the level of funding is subject to an initial decision by the relevant Strategic Manager following a report from the Operational Manager. No funding will be approved until this decision is agreed by elected members of the council via the relevant Council Committee and/or Full Council meeting.
- 10.1.1.8 Any discretionary funding is subject to available funds.
- 10.1.1.9 Applications and approvals for specific assistance outlined in the policy will be given priority over any additional discretionary funding.
- 10.1.1.10 The full value of any exceptional funding awarded will be placed as a lifetime land charge on the property from the date of completion of works.

11. Review of the council's decision

- 11.1.1.0 Any person having made a valid application for Mandatory Disabled Facilities Grant or Flexible use of DFG Assistance may request a review of the decision not to consider or to refuse an application.
- 11.1.1.1 A request for review of a decision must be submitted to the Council within 21 days of the date of the decision letter. The request must be in writing. A review of the decision will be undertaken, and the decision will be notified to the applicant in writing. If the person remains dissatisfied with the review decision, they have the right to follow the Council's Corporate Complaints procedure.
- 11.1.1.2 Complaints about service delivery rather than Policy must be made to the Council who will investigate the complaint in accordance with their Complaints Procedure which is available on request. To make a complaint, you should use the online complaint form, available at:
[https://torridgedc-self.achieveservice.com/service/Complaints form](https://torridgedc-self.achieveservice.com/service/Complaints_form)
Alternatively, you can write to: The Monitoring Officer, Torridge District Council, Riverbank House, Bideford, Devon. EX39 2QG.

12. Policy monitoring and review

- 12.1.1.0 The formal mechanism for endorsement will be at the Torridge District Council Full Council meeting. The policy will commence on the date specified on the title page and will apply to all full applications received after this date. Applications for flexible DFG assistance outlined in this policy cannot be made retrospectively.
- 12.1.1.1 The policy performance will be monitored as described in Section 5.
- 12.1.1.2 This policy will be reviewed as required, based on the availability of finance to provide the necessary assistance, any changes in legislation, or changes to identified good practice.
- 12.1.1.3 In any case, the policy will be reviewed no later than three years after initial formal adoption by the Council.

13. Glossary & explanation of terms

Abbreviation / Name	Definition
AFG	Adaptive Home – Advance Feasibility Grant a flexible use of DFG funding assistance provided under this policy directly linked and used to support delivery of the mandatory DFG requirement.
BCF	The Better Care Fund is a budget for social care and community services administered in partnership between NHS England, the Ministry of Housing, Communities and Local Government, and the Department of Health and Social Care. The pooled budget includes Disabled Facilities Grants funding for local authorities.
CSG	Adaptive Home Contribution Support Grant – a flexible use of DFG funding assistance provided under this policy directly linked and used to support delivery of the mandatory DFG requirement.
CTSG	Care Transfer and Support Grant – a flexible use of BCF funding assistance provided under this policy used to prevent delayed transfers of care and enable people to stay in their homes.
DFL	Disabled Facilities Loan. A loan offered by Lendology CIC at 0% on a capital repayment only basis to support mandatory DFG outcomes.
DHSC	Department of Health and Social Care
DFG	Disabled Facilities Grant (Mandatory Grant, as outlined in the 1996 Housing Grants, Construction and Regeneration Act)
HGCRA	Housing Grants Construction & Regeneration Act 1996 <i>(The legislation which defines the Disabled Facilities Grant)</i>
HHG	Healthy Home Grant - a flexible use of DFG funding assistance provided under this policy directly linked and used to support delivery of the mandatory DFG requirement.
HA	These are providers (see also: registered providers) of social housing (excluding the Council stock) registered with the regulator of social housing. They are considered private organisations.
HHSRS	The Housing Health and Safety Rating System is a statutory risk assessment method introduced by the Housing Act 2004 as a way of identifying and prioritising risks to health, safety and wellbeing of occupiers and visitors to dwellings.
Land charge	Owner-occupiers who are in receipt of a Disabled Facilities Grant or discretionary assistance will be required to repay a proportion of the grant in certain circumstances e.g. if the property is sold within a certain number of years of the grant being completed. In these cases, the Council will register a Local Land Charge against the property for the repayment.
LCTR	Local Council Tax Reduction – a benefit available to residents to support with Council Tax Payments

Means Test (MT) or Test of Financial Resources (ToR)	A Disabled Facilities Grant is means-tested and the amount of grant awarded is dependent on the applicant's household income and savings. There is no means test if the works are for the benefit of a disabled child or young adult (aged 19 years or younger)
MHCLG	Ministry of Housing Communities and Local Government
OT / OTA	Occupational Therapist / Occupational Therapy Assistant
PRS	Private Rented Sector
RP	Registered Providers include local authority landlords and private registered providers (such as not-for-profit housing associations and for-profit organisations).
Relevant Operational Manager	The Public Health and Community Safety Manager, or other officer of the Council, as appointed by the relevant Strategic Manager.
Relevant Strategic Manager	The Head of Legal and Governance & Monitoring Officer.
RRO	Regulatory Reform Order 2002
SLG	Adaptive Home – Stairlift Grant a flexible use of DFG funding assistance provided under this policy directly linked and used to support delivery of the mandatory DFG requirement.
TUG	Adaptive Home Top-Up Grant – a flexible use of DFG funding assistance provided under this policy directly linked and used to support delivery of the mandatory DFG requirement.
Wash/Dry style toilet	A toilet intended for people with disabilities who are unable to use the toilet independently and require a built in wash and dry facility to maintain good hygiene.
Welfare or Care Authority	The local authority that provides social services to safeguard and promote the welfare and wellbeing of children and vulnerable adults (Devon County Council).

A. APPENDIX A - Mandatory Disabled Facilities Grants & amendments

A.1 Background

A.1.1.1 This is included for context and information purposes and includes a means test amendment within Torridge.

A.1.1.2 The Council will award mandatory Disabled Facilities Grant (DFG) according to governing legislation - principally the 1996 Act, subordinate Regulations and Orders (as amended) - and guidance issued by central Government, which details amongst other matters the types of work that are to be funded, the maximum grant payable (currently £30,000), and the test of financial resources, where applicable.

A.2 Qualifying Criteria

A.2.1.1 Any person who makes an application for Mandatory Disabled Facilities Grant must:

- a. Be over 18 years of age at the date of the application.
- b. Live in the dwelling as his/her only main residence and
- c. Have an owner's interest in the dwelling (other than by virtue of being a Registered Social Landlord under Part 1 of the Housing Act 1996 or being eligible for such registration) or be a tenant or licensee of the dwelling, alone or jointly with others but not being a member of the landlord's family, with a tenancy or licence permitting occupation of the dwelling for a minimum period of 12 months after approval of the Assistance, and
- d. Have the power or duty to carry out the works and where appropriate have the owner's consent in writing to carrying out the works, and
- e. Satisfy such test(s) of resources as the Council, or statute, may from time to time have in place
- f. Not be ineligible, by virtue of the Housing Grants, Construction and Regeneration Act 1996, regulations made under the Act or any other enactment
- g. Homeowners have the primary responsibility for ensuring their homes are properly maintained and in the first instance should pursue private finance. We may assist eligible, vulnerable homeowners to make sure they have the opportunity for achieving the correct property standards.

A.2.1.2 Where an owner occupier has given a signed undertaking to occupy a property as his/her principal residence after completion of the assisted works for a period of time, and if they cease to do so during that time, they will repay on demand to the Council the total amount of Assistance paid.

A.2.1.3 Where a landlord (or owner) has given a signed undertaking that the property will be available for letting for a period specified after completion of the assisted works, and if the landlord ceases to make the relevant property available for letting during the specified period, then the landlord will repay on demand to the Council the total amount of assistance paid.

- A.2.1.4 Where the Council has the right to demand repayment, but extenuating circumstances exist, the Council may determine to waive the right to repayment or to demand a sum less than the full amount of assistance paid.
- A.2.1.5 As a part of the application process, the Council will require certificates relating to property ownership and future occupation and will request permission from the owner. The Council will reasonably want to ensure the tenant has the right to carry out the works and that the landlord would not object or attempt to reinstate the property and evict the client.

A.3 Qualifying Works

- A.3.1.1 Those works eligible for mandatory Disabled Facilities Grant are set out in section 23(1) of the 1996 Act, as amended. These are:
- a. facilitating access by the disabled occupant to and from the dwelling, qualifying houseboat, or qualifying park home, (now including the garden) or
 - b. making the dwelling, qualifying houseboat or qualifying park home safe for the disabled occupant and other persons residing with them;
 - c. facilitating access by the disabled occupant to a room used or usable as the principal family room;
 - d. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
 - e. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
 - f. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
 - g. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a wash hand basin, or facilitating the use by the disabled occupant of such a facility;
 - h. facilitating the preparation and cooking of food by the disabled occupant;
 - i. improving any heating system in the dwelling, qualifying houseboat or qualifying park home to meet the needs of the disabled occupant or, if there is no existing heating system or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet their needs;
 - j. facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
 - k. facilitating access and movement by the disabled occupant around the dwelling, qualifying houseboat or qualifying park home in order to enable them to care for a person who is normally resident and is in need of such care;
 - l. facilitating access to and from a garden by a disabled occupant; or making access to a garden safe for a disabled occupant.

A.4 Local enhancement to Disabled Facilities Grant in Torridge

- A.4.1.1 Torridge District Council has re-introduced Local Council Tax Reduction as a 'passporting' benefit for applicants for Mandatory Disabled Facilities Grant. Prior to the Government's revision of the list of passported benefits in 1996, applicants in receipt of Council Tax Benefit were exempt from the Test of Resources. Council Tax Benefit was the predecessor national benefit to Local Council Tax Reduction is a similar benefit to LCTR.
- A.4.1.2 Inclusion of entitlement to LCTR as a passported benefit restores the pre-1996 position and consequently will enable a number of residents receiving LCTR to apply for a mandatory Disabled Facilities Grant without undergoing the Test of Resources.

A.5 Local Council Tax Reduction (LCTR) Amendment to the means test

- A.5.1.1 Applicants in receipt of LCTR will be exempted from the requirement of the Test of Resources. (Means Test)
- A.5.1.2 The passporting benefit for the purposes of a Disabled Facilities Grant is 'Local Council Tax Reduction' not a single person discount or any other discount scheme which may be available.

A.6 Necessary, Appropriate, Reasonable & Practicable

- A.6.1.1 A mandatory Disabled Facilities Grant application will only be made if the works are both 'necessary and appropriate' and 'reasonable and practicable' and will be considered in the following order necessary, practicable, appropriate and reasonable. Where an applicant prefers a different scheme of works to that approved by the Council, the Council may offer to 'offset' the value of the original scheme towards those alternative works with appropriate safeguards. This is at the discretion of the Council. Any alternative scheme will need to meet the identified needs of the approved scheme if it is to attract DFG funding.
- A.6.1.2 Works which have been started prior to the approval of an application will not be eligible for financial assistance. No grant payment will be made for retrospective works, except where explicitly agreed in writing by the Council for essential preparatory assessments. It is expected that costs for eligible preparatory works will be funded by the Advance Feasibility Grant (up to relevant grant limits) until a DFG is approved, at which point, such works will be funded by the DFG.
- A.6.1.3 Unexpected works which arise during the carrying out of eligible works will be considered for assistance if the works could not have been reasonably foreseen and if they are vital to the completion of a safe and effective adaptation.
- A.6.1.4 Unforeseen works carried out without prior approval of the Council will not be eligible for assistance. Where unforeseen works are necessary these will be added to the grant up to the specified maximum for mandatory Disabled Facilities Grant. Costs above the mandatory grant maximum may be supported as flexible assistance in accordance with this policy.
- A.6.1.5 Care must be taken when agreeing to schemes of works on third-party property such as tenanted accommodation, that the property owner is fully engaged with the decision process. This is also particularly important where an architect or similar is acting on behalf of the applicant, and where issues such as planning permission, building control and other regulation are involved.

A.7 Existing footprint principle

- A.7.1.1 In deciding which works are reasonable and practicable to meet the assessed needs of the applicant, or their family member, the Council will always seek to use the existing footprint of the dwelling. This may mean using existing rooms for alternative purposes, having regard to the size and makeup of the household.
- A.7.1.2 The Council will only consider the provision of additional floor-area, or other significant building project to meet the assessed needs, where an adaptation within the existing footprint is not possible.
- A.7.1.3 The Council cannot dictate what works are undertaken in a person's home. However, we are required to assess the most reasonable way to spend public funds. Applicants are able to pursue their own schemes with financial input from the Disabled Facilities Grant, subject to them meeting the assessed needs. See 'Customer Own Schemes' below for further information.

A.8 Modular units

- A.8.1.1 Where there is no alternative but to provide additional floor-area to meet the identified needs, a modular unit will be considered in the first instance.
- A.8.1.2 Where a modular unit is grant funded, it will be installed with conditions allowing the Council to remove and re-use if and when the unit is no longer needed. As a modular unit is removed, it is stored and remains available to the Council for installation where it is required.

A.9 Contractors

- A.9.1.1 The Council's Disabled Facilities Grant award is for a sum of funding only and is not inclusive or exclusive of using any specific contractors or products. Customers may specify and choose their own contractors, agent, products, and design – but take responsibility for those choices. The responsibility for supervision of the works rests with the applicant or with any suitably qualified and indemnified building professional or agent acting on the applicant's behalf and not with the Council.
- A.9.1.2 All work must be undertaken:
- a. In accordance with manufacturers recommendations and best practice.
 - b. In accordance with and to the satisfaction of the Council and Occupational Therapist/Trusted Assessor or other appropriate person's requirements.
 - c. In accordance with building, planning and installation regulations where applicable and Health and Safety regulations.
- A.9.1.3 Payment of grant/assistance will be made, in whole or by part payments, on receipt of contractor's invoice following satisfactory completion of the eligible work as determined by the Council's Officer.

A.10 Financial Assistance Award

- A.10.1.1 Mandatory Disabled Facilities Grant will be subject to a means test in accordance with the regulations made under the 1996 Act, including any local amendments within this policy. **The maximum mandatory Disabled Facilities Grant award at the time of policy publication is £30,000 minus any**

contribution calculated by a test of financial resources. If the maximum grant limit is changed by statute, then the maximum available Disabled Facilities Grant award by The Council will reflect this.

A.10.2 Nil approval

A.10.2.1 Where successive applications are awarded over time, the applicants' assessed contribution to previous grant awards will be taken into account if within the period of the contribution originally calculated (10 years for owners, 5 years for tenants).

A.10.2.2 For this reason, it can be beneficial for applicants to apply for grant knowing that they will receive little or no award of funds, as any contribution paid can be subtracted from a future award (within stated timescales). This is known as a 'nil approval'.

A.10.3 Passporting, children and young persons

A.10.3.1 Where an applicant is in receipt of a recognised, qualifying, means tested benefit they will not be further means tested and they will have no calculated contribution to make.

A.10.3.2 Where works are for the benefit of a child or young person of 19 years of age or younger at the date of application – they too will be exempt from a means test.

A.11 Order of processing applications

A.11.1.1 Disabled Facilities Grant applications or recommendations will usually be processed in chronological order, in line with any priority system in place. Cases may be given priority where the need for expediting the application can be demonstrated. This decision will rely on input from the Occupational Therapist and is at the discretion of the Council.

A.12 Conditions relating to Contractors, Standard of Works and Invoices

A.12.1.1 In approving an application for financial assistance, the Council will require as a condition that the eligible works are carried out in accordance with any specification it has decided to impose.

A.12.1.2 The eligible works must be carried out by the contractor(s) upon whose estimate the financial assistance is based, or if two estimates were submitted, by one of those contractors. The Council's consent must be obtained prior to the works if a contractor who did not submit an estimate is to carry out the works, and if an agreement is given, an estimate from the new contractor must be submitted to the Council (this does not automatically convey a difference in revised grant award – any additional costs must be separately financed by the applicant).

A.12.1.3 An invoice, demand or receipt will not be acceptable if it is given by the applicant or a member of the applicant's family. Where works are carried out by the applicant or a member of their family, only the cost of materials used will be eligible for financial assistance.

A.12.1.4 It is a condition of the financial assistance that the eligible works are carried out within 12 months of the date of approval of the application. This period may be extended by the Council if it thinks fit, particularly where it is satisfied that the

eligible works cannot be completed for good cause – requests for additional time must be made in writing before the 12-month period ends and approved extra time will be confirmed in writing by the Council.

- A.12.1.5 The payment of the financial assistance to the applicant will be dependent upon the works being carried out to a standard that is satisfactory to the Council and upon receipt of a satisfactory invoice, demand, or receipt for the works and any preliminary or ancillary services or changes.
- A.12.1.6 The Council will usually make payments direct to the contractor on behalf of the client, and not usually to the applicant. Where the applicant disagrees with a payment made direct to a contractor, no payment shall be made until any dispute is resolved. Legislation permits the Council to make payment by delivering to the applicant an instrument of payment in a form made payable to the contractor, or by making payment direct to the applicant in accordance with information provided prior to grant approval.
- A.12.1.7 **NOTE:** Contractors receiving direct payment may be required to provide sufficient information to be set up on the Council's financial systems – this process is essential to process payments and is not there to and should not frustrate the client's choice. The mandatory Disabled Facilities Grant is an award of funds and not an award tied to a specific contractor.

A.13 Future occupation of the dwelling

- A.13.1.1 It is a condition of the grant that throughout the grant condition period (that is 5 years from the date of certification) the dwelling is occupied in accordance with the intention indicated in the statements agreed to in the application.

A.14 Death of an applicant

- A.14.1.1 Where the applicant or disabled person for whom the adaptation is required dies prior to grant application then no funding will be available via the Mandatory Disabled Facilities Grant for any costs incurred.
- A.14.1.2 Where the applicant or disabled person dies after the grant has been awarded, then reasonable fees will be paid from the grant where those have been incurred and can be evidenced.
- A.14.1.3 If works have been started, they will be completed to a reasonable point, excluding the provision of any specialist equipment. Each case would be decided individually based on circumstances and the stage of works completed, but it would be expected that all electrical and plumbing installation works would be completed, able to be used and decorations/finishes will be completed to a basic standard.

A.15 Customer Own Schemes (COS)

- A.15.1.1 Customers who meet the Disabled Facilities Grant (DFG) eligibility and are therefore entitled to a grant allocation may wish to 'top-up' the DFG funding. The 'reasonable and practicable' scheme developed by the Council will be based on the Disabled Facilities Grant recommendation by the Occupational Therapist. This scheme will be for the most cost-effective solution which meets all identified needs within the existing footprint (where possible) of an existing property. Where a customer wishes to pursue a different scheme, they will be responsible

for the difference in costs between the Disabled Facilities Grant 'Mandatory Scheme' and the final cost of the works, including unforeseen costs.

- A.15.1.2 The Housing Renewal team and Occupational Therapist will work with the customer, their architect, and builders as applicable, to ensure that the final scheme meets the disabled person's needs and where applicable, planning and building control regulations have been adhered to.

A.16 Recovery/ Repayment of assistance awarded

- A.16.1.1 Some mandatory Disabled Facilities Grant funding may be recoverable in accordance with permitted values as outlined in the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008. All land charges placed by the Council with regard to mandatory Disabled Facilities Grants will be placed in accordance with this Order.
- A.16.1.2 Where the customer is an owner-occupier and not a tenant, a sum of up to £10,000 may be recovered for DFG grant value of more than £5,000. This sum would only be recovered if the property were sold or title otherwise transferred within 10 years of the certified (completion) date of works, subject to the Council's discretion to reduce or waive in the case of financial hardship. All recoverable costs would be registered as a land charge against the property.
- A.16.1.3 **NOTE:** this is separate and different to the potential repayment of grant in the event of a breach of occupancy conditions or detected fraud. Also, Councils are entitled to recalculate grant awards in limited circumstances, for example if any relevant insurance claims are pending, and to cease making payments and to seek repayment in some cases as detailed in sections 40-42 of the 1996 Act.
- A.16.1.4 Where a charge (repayable grant) is due for recovery, on receipt of a written request from the responsible person the Housing Renewal Team Leader will consider the options to reduce or waive repayment in particular circumstances to be determined in accordance with the following criteria:
- the extent to which the recipient of the grant would suffer financial hardship were they to be required to repay all or any of the grant;
 - whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of their employment;
 - whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or of a disabled occupant of the premises;
 - whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.
- A.16.1.5 If that initial decision is not accepted and further appealed, details of that appeal will be determined by the Public Health and Community Safety Manager in consultation with the appropriate Strategic Manager.
- A.16.1.6 All recoverable charges will be recorded as local land charges. The charge will not be placed on the first £5,000 of any award of mandatory DFG funding.
- A.16.1.7 Any DFG sum awarded above £5,000 will be subject to a land charge, up to a maximum land charge value of £10,000.

A.16.1.8 All land charges for DFG funding are placed for a 10-year period from the date of completion and the value of the charge will not change throughout that period.

A.17 Worked example of charges

A.17.1 Background

A.17.1.1 Worked examples based on some scenarios are given below. The table includes the optional Contribution Support Grant (CSG) assistance in some cases. The inclusion of CSG here enables applicants to see how this might impact on the charge placed on the property. It is important to note that the CSG charge matches the length of the DFG charge (10 years), as opposed to other discretionary support, where the charge is in perpetuity.

A.17.2 Works and funding awarded below £5,000

A.17.2.1 No land charge placed for mandatory DFG.

A.17.2.2 A land charge will be placed for the full amount of any Contribution Support Grant awarded.

A.17.3 Funding awarded between £5,001 and £15,000

A.17.3.1 Land charge value would be the value of DFG funding above £5,000.

A.17.3.2 The table below gives some examples of funding and the associated land charge, including some examples where Contribution Support Grant has been awarded. If in doubt, and for information specific to your circumstances, please ask a member of the Housing Renewal team:

Cost of works	Additional CSG awarded	DFG funding	Land charge (& components)
£7,000	£3,000	£4,000	£3,000 (100% CSG)
£7,000	NIL	£7,000	£2,000 (100% DFG)
£7,000	£4,000	£3,000	£4,000 (100% CSG)
£14,000	£5,000	£9,000	£9,000 (£5k CSG & £4k DFG)
£14,000	NIL	£14,000	£9,000 (100% DFG)
£20,000	£5,000	£15,000	£15,000 (£5k CSG & £10k DFG)
£20,000	£1,000	£19,000	£11,000 (£1k CSG & £10K DFG)

A.17.4 Works and funding awarded in excess of £15,000

A.17.4.1 The land charge placed for DFG funding would be £10,000 for all cases where the amount of DFG grant awarded was £15,000 or more as this is the maximum land charge that can be placed for a mandatory Disabled Facilities Grant.

A.17.4.2 If Contribution Support Grant is used, this will be placed as a charge in addition to the mandatory DFG charge.

B. APPENDIX B – Flexible Assistance linked to a Mandatory DFG Application

B.1 Background

B.1.1.1 All assistance under this section of the policy will be delivered under the same principles and guidelines as the Mandatory Disabled Facilities Grant.

B.1.1.2 Adaptive Home assistance consists of the following grants:

- Adaptive Home: Top-UP Grant
- Adaptive Home: Contribution Support Grant
- Adaptive Home: Advance Feasibility Grant
- Adaptive Home: Help to Move Grant

B.1.2 Available funding: Adaptive Home assistance

B.1.2.1 All Adaptive Homes funding outlined in Appendix B will be funded from a dedicated part of the Disabled Facilities Grant budget held solely for flexible purposes. The value of this budget will be set by the Housing Renewal Team leader and the Public Health and Community Safety Manager.

B.1.2.2 If usual financial monitoring processes identify there is only enough budget available to meet the mandatory Disabled Facilities Grant assistance requirements, then the discretionary flexibility will not be utilised for any full or part year where that situation is applicable.

B.1.3 How will it be funded: Adaptive Home assistance

B.1.3.1 These discretionary grants will be funded from the Disabled Facilities Grant budget. The spend under this part of the budget will be monitored by the Housing Renewal Team leader and the Public Health and Community Safety Manager to ensure it does not impact on mandatory funding.

B.1.3.2 If usual financial monitoring processes identify there is only enough budget available to meet the mandatory Disabled Facilities Grant assistance requirements, then the discretionary flexibility will not be utilised for any full or part year where that situation is applicable.

B.1.4 Registered land charge: Adaptive Home assistance

B.1.4.1 Land charges placed for discretionary (Adaptive Homes) funding, as specified in this section, are separate to the £10,000 recoverable Disabled Facilities Grant charge, which expires at 10 years from certification of works completion.

B.1.5 Adaptive Homes assistance: Applications

B.1.5.1 Application for Adaptive Homes assistance, as outlined in this section, is through the Housing Renewal team.

B.1.5.2 Funding for all Adaptive Homes assistance will be awarded on a case-by-case basis at the discretion of the Housing Renewal Team Leader.

B.2 Adaptive Home: Top-Up Grant (TUG)

B.2.1 Aims

- B.2.1.1 The aim of the TUG is to help vulnerable residents in all tenures where the mandatory Disabled Facilities Grant is insufficient to cover the full cost of the works.
- B.2.1.2 TUG is only available for works eligible under the mandatory DFG.
- B.2.1.3 In exceptional circumstances, TUG may be available (subject to grant limits and available funds) where the works are out of scope of the legislation, but by completing them there would be demonstrable savings to the wider public purse and clear benefits to the applicant and/or their family/carers. Any decision to fund such works will be made by the relevant Operational or Strategic Manager, following a report from the Housing Renewal Team Leader.

B.2.2 Who will it help?

- B.2.2.1 Those who have been assessed as eligible to apply for mandatory Disabled Facilities Grant assistance and towards the mandatory designed scheme to meet identified needs.

B.2.3 Means testing

- B.2.3.1 This grant is available as a top-up to the mandatory DFG. As such, the DFG means test will determine the eligibility of the applicant for this funding.

B.2.4 Available funding

- B.2.4.1 The maximum amount of TUG available is £30,000 and is subject to available funding.
- B.2.4.2 Where the TUG required is up to £30,000 (i.e. up to £60,000 in total), the approval decision will be based upon evidence provided with the DFG application, including the DFG means test.
- B.2.4.3 The value of any assessed financial contribution for DFG will be deducted from the DFG and TUG eligibility.
- B.2.4.4 In cases where the cost of works exceeds the available grant funding, applicants can apply for a Disabled Facilities Loan (DFL) via Lendology CIC, or other suitable loan product, as determined between Lendology and the applicant.
- B.2.4.5 No further TUG funding will be available above the £30,000 grant limit.

B.2.5 Registered land charge

- B.2.5.1 For owner-occupiers TUG will be registered, in full and in perpetuity, as a local land charge against the property and will be recovered on the sale or transfer of the property, subject to rules regarding exempt sales.

B.2.6 TUG grant conditions

- B.2.6.1 The person must be a permanent resident of Torridge and the property must be their permanent address.
- B.2.6.2 The following additional conditions will apply where the Council has made an award of TUG:

- a. The owner will notify the Council in writing if a relevant disposal of the property is proposed.
 - b. The owner of the property will provide, within 21 days of a written notice from the Council, a statement confirming the ownership and occupancy of the dwelling. If the property has been sold or transferred the statement will include the date of transfer of ownership.
 - c. TUG will be registered as a charge against the property and will be repayable on sale or transfer of the property, subject to exempt sales. The charge will be binding on successors in title.
 - d. It is a condition of TUG that where an owner makes a relevant disposal of the dwelling, other than an exempt disposal, the TUG shall be repayable in line with this policy.
 - e. The land charge will be placed in perpetuity and will be repayable upon sale of the property. No account will be taken by the Council of charges subsequent to the charges registered by the Council.
 - f. If the property is transferred, or the sale price does not reflect the market price, the Council will have the right to seek an independent valuation of the market value, which will be binding on both parties, in order to recover the grant repayable.
- B.2.6.3 If the applicant for TUG is a tenant, the Council will liaise with the appropriate landlord to explore whether alternative funding options, such as funding from the landlord and/or moving to alternative suitable accommodation is an option, before approving TUG.
- B.2.6.4 Applications for TUG can be considered once works have already been started and unforeseen costs arise, if the scheme is a Mandatory Scheme.
- B.2.6.5 Where an applicant is pursuing a 'preferred' scheme, grant funding will only fund the 'approved' scheme. TUG funding will not be allocated for any additional costs of a 'preferred' scheme.
- B.2.6.6 A maximum of one application for TUG will be considered in any two-year period.

B.3 Adaptive Home: Contribution Support (CSG)

B.3.1 Aims

- B.3.1.1 The means test, as set out in the Housing Grants Construction and Regeneration Act 1996 has remained unchanged since the introduction of Disabled Facilities Grants in their current form in 1996.
- B.3.1.2 The DFG means test is widely accepted as being out of date and does not consider the outgoings of a household when assessing a contribution towards Disabled Facilities Grant. The result is that, on occasion, anomalous results can occur which mean that vulnerable people are unable to proceed with the adaptations they need to help them live at home, due to an unaffordable contribution level.
- B.3.1.3 The 2018 Disabled Facilities Grant Review recommended that the means test be overhauled, and this is currently proposed in the Social Care White Paper 2021, but until changes are made it is proposed that contribution support is provided.
- B.3.1.4 The aim of the CSG is to help vulnerable residents, where the applicant is unable to proceed with adaptations because of a means tested contribution, which

means that they are at significant risk in their home and/or the failure to complete adaptations will result in increased costs to wider Social Care budgets.

B.3.1.5 CSG gives the Council the ability to pay contributions to a certain level using DFG funding in a flexible way. This will enable works to go ahead and the applicant to remain living in their home.

B.3.1.6 The grant will be available to occupiers of all tenure types based on defined conditions being met.

B.3.2 Who will it help?

B.3.2.1 Those who have been assessed as being eligible to apply for mandatory Disabled Facilities Grant assistance, but have a financial contribution following a test of resources.

B.3.3 Means testing

B.3.3.1 There will be no additional formal means test.

B.3.4 Available funding

B.3.4.1 CSG can be used to discount all assessed contributions by up to £10,000 to bring the means test more in line with the current cost of living.

B.3.4.2 Due to the financial implications of the land charge, there is a requirement to opt into this grant, i.e. it is not applied automatically.

B.3.5 Registered land charge

B.3.5.1 For owner occupiers, the full value of any CSG funding awarded will be registered, in full, as a local land charge against the property and will be recoverable for a period of 10 years from certification of works completion on the sale or transfer of the property, subject to rules regarding exempt sales.

B.3.6 CSG grant conditions

B.3.6.1 The person must be a permanent resident of Torridge and the property must be their permanent address.

B.3.6.2 Conditions restricting future use and ownership of the property – the following additional conditions will apply where the Council has made an award of CSG:

- a. The owner will notify the Council in writing if a relevant disposal of the property is proposed.
- b. The owner of the property will provide, within 21 days of a written notice from the Council, a statement confirming the ownership and occupancy of the dwelling. If the property has been sold or transferred the statement will include the date of transfer of ownership.
- c. Adaptive Home Contribution Support will be registered as a charge against the property and will be repayable on sale or transfer of the property, subject to exempt sales. The charge will be binding on successors in title.
- d. It is a condition of Contribution Support grant that where an owner makes a relevant disposal of the dwelling, other than an exempt disposal, the CSG shall be repayable subject to above.

- e. The land charge will be placed for a period of 10 years and will be repayable upon sale of the property. No account will be taken by the Council of charges subsequent to the charges registered by the Council.
- f. If the property is transferred, or the sale price does not reflect the market price, the Council will have the right to seek an independent valuation of the market value, which will be binding on both parties, to recover the grant repayable.

B.3.7 How to apply

- B.3.7.1 Applicants will be required to opt in to this funding as part of the DFG application process. Part of the opt in will be an acknowledgement of the land charge that will be placed on the property and that evidence gained through the DFG application process will be used as evidence to support this grant, as necessary.

B.4 Adaptive Home: Advance Feasibility Grant (AFG)

B.4.1 Aims

- B.4.1.1 The preparation of a mandatory Disabled Facilities Grant application sometimes necessitates preparatory/exploratory works to check feasibility of a proposed scheme. However, funding under a mandatory Disabled Facilities Grant can only be paid once a grant has been approved. This can result in an applicant being liable for costs if the application cannot proceed due to unforeseen circumstances, or the Council is left with costs it cannot pay.
- B.4.1.2 The purpose of this grant is to enable the Council to pay, on behalf of an applicant, any appropriate approved fees incurred where an application for Disabled Facilities Grant cannot proceed due to unforeseen circumstances, or fees that are required to be paid before a DFG can be approved.
- B.4.1.3 Where an applicant changes their mind regarding an adaptation once a DFG application is at an advanced stage and fees have been incurred, this grant would not be available, and the outstanding costs would remain the liability of the applicant.

B.4.2 Who will it help?

- B.4.2.1 Those who have been assessed as being eligible to apply for mandatory Disabled Facilities Grant assistance, but, in the opinion of the Council, require a feasibility assessment to ensure works can go ahead.

B.4.3 Means testing

- B.4.3.1 The DFG means test will apply in all cases except where the applicant is on a passporting benefit. The means test will apply to cases involving a child or young person (where the applicant will be the parent or other appropriate adult).

B.4.4 Available funding

- B.4.4.1 AFG support will be available up to a maximum of £2,000.
- B.4.4.2 Funding will be awarded on a case-by-case basis at the discretion of the relevant Operational Manager or other such person, authorised in writing to do so by the relevant Operational Manager.

B.4.5 Registered land charge

B.4.5.1 There will be no land charge placed against the property for Advance Feasibility grant awards.

B.4.6 AFG grant Conditions

B.4.6.1 The person must be a permanent resident of Torridge and the property must be their permanent address.

B.5 Adaptive Home: Help to Move Grant (HTMG)

B.5.1 Aims

B.5.1.1 The aim of the scheme is to help vulnerable members of the community where it is not possible to adapt their current home, but by supporting them to move to more suitable accommodation there would be demonstrable savings to the wider public purse and clear benefits to the applicant and/or their family/carers.

B.5.1.2 The alternative accommodation element aims to provide respite accommodation where appropriate care for a disabled individual will not be possible during an adaptation. This test will be decided by the Occupational Therapist and the Council.

B.5.2 Who will it help?

B.5.2.1 Those eligible for mandatory Disabled Facilities Grant.

B.5.3 Means testing

B.5.3.1 There will be no formal means test in addition to the mandatory DFG test of resources.

B.5.4 HTMG Costs

B.5.4.1 Funding may be available to cover some of the costs to assist the disabled person to move to a more suitable property where it is impracticable to adapt, or more cost effective than adapting the current home of a disabled person to make it suitable for their present or future needs. It is recognised that in many cases, the new property may need some adaptation.

B.5.4.2 Criteria for consideration in HTMG cases (this is not an exclusive or exhaustive list):

- a. The disabled person may need to move to give or receive care, or to receive medical treatment.
- b. The disabled person may need to move to maintain or gain employment.
- c. The cost of works to the current property may exceed the benefit to the applicant.
- d. The cost of works may exceed the available grant and loan maximum and any available applicant or third-party contribution.
- e. The applicant's calculated contribution may be unaffordable and moving/buying is a better financial solution.
- f. The applicant may need to move to reduce rent and/or release spare bedrooms which they can no longer afford (e.g., benefits cap and/or the spare room subsidy).

- g. The current property may not be adaptable and another property may be more suitable for adaptation.
 - h. The current property may contain hazards or defects which would not be sufficiently addressed by the works or otherwise by the applicant or owner.
 - i. The property owner (landlord) refuses to permit the adaptation.
 - j. The property is for sale, or pending foreclosure, bankruptcy (as security against debt) or repossession.
 - k. The tenancy is due to end and not be renewed, or is otherwise unstable.
 - l. Relationship breakdown.
- B.5.4.3 The Disabled Facilities Grant team is required to consult the OT service to consider what assistance would be necessary and appropriate for the applicant, and then apply a test of what is reasonable and practicable with reference to the required adaptations in the new property. The service must consider viable alternative solutions which appear more cost effective.
- B.5.4.4 Such solutions may include contributions towards costs incurred as part of an alternative house-purchase and/or moving to an already adapted or more economically adaptable and suitable property. Funding will not be given towards the purchase price of an alternative property but may be provided towards legal and moving costs (as specified in this policy).
- B.5.4.5 Moving finance will be determined on a case-by-case basis determined by:
- a. the tenure and location of the original and new properties,
 - b. the residual equity and any increased mortgage debt,
 - c. whether moving within the Council's jurisdiction, or beyond,
 - d. whether the original property is unadaptable, unaffordable, or poor value to adapt,
 - e. whether moving is purely an occupier choice, or
 - f. a landlord's refusal to permit adaptation.
- B.5.4.6 Mandatory Disabled Facilities Grant of up to £30,000 is available for adaptations in properties residents have moved to, but will require an updated assessment by an Occupational Therapist and a new DFG application.
- B.5.4.7 If the new property is not in Torridge District Council area, the new DFG application and OT referral will need to be made to the relevant local authority.
- B.5.4.8 The available grant may be reduced by any assessed contributions.
- B.5.4.9 Help to move assistance is available to owner-occupiers and to tenants subject to individual determination.

B.5.5 Alternative accommodation costs

- B.5.5.1 Subject to an assessment by the Council and the Occupational Therapist, funding may be available to help with alternative accommodation in cases where the adaptation works impact on the ability of the disabled person to receive appropriate care or access essential facilities.
- B.5.5.2 Alternative accommodation help is available to owner-occupiers and tenants.

B.5.5.3 Alternative accommodation will only be funded where the Council and Occupational Therapist agree that there is a need in terms of accessing essential facilities, or care.

B.5.5.4 Alternative accommodation will be funded for the shortest reasonable period of time, only while the adaptation works are preventing access to care or essential facilities, as assessed by the Occupational Therapist and the Council.

B.5.6 Available funding

B.5.6.1 Help to Move funding may be awarded and will be subject to the availability of resources.

B.5.6.2 A maximum of £5,000 may be available to support costs solely associated with moving home for applicants living in rental accommodation.

B.5.6.3 A maximum of £10,000 may be available to support costs solely associated with moving home for applicants living in owner occupied accommodation.

B.5.6.4 Alternative accommodation funding is subject to available resources.

B.5.6.5 A maximum of £2,000 is available to owner-occupiers or tenants to fund alternative accommodation.

B.5.7 Registered land charge

B.5.7.1 There will be no land charge registered against the property.

B.5.8 Grant conditions

B.5.8.1 The person must be a permanent resident of Torridge and the existing and new properties must be their permanent address.

B.5.8.2 Applications must be supported by an NHS or Social Care Service OT who can confirm that the new property will meet the needs of the disabled person or be suitable for adaptation as a reasonable cost in conjunction with the Housing Renewal team.

B.5.8.3 Applicants must be moving within or outside the Council area to a property that will be their main residence.

B.5.8.4 Only a single award of this grant will be available in any five-year period.

C. APPENDIX C – Flexible Assistance supporting the delivery of BCF Outcomes

C.1 Available funding

- C.1.1.1 The discretionary grants outlined in Appendix C will be funded from the Disabled Facilities Grant budget. The spend under this part of the budget will be monitored by the Housing Renewal Team leader and the Public Health and Community Safety Manager to ensure it does not impact on mandatory funding.
- C.1.1.2 If usual financial monitoring processes identify there is only enough budget available to meet the mandatory Disabled Facilities Grant assistance requirements, then the discretionary flexibility will not be utilised for any full or part year where that situation is applicable.

C.2 Adaptive Home: Stairlift Grant (SLG)

C.2.1 Aims

- C.2.1.1 Stairlifts will be installed by the Council. They will be installed into a person's home in a timely way to aid timely discharge from hospital and help avoid re-admission. The process is subject to alteration if considered necessary on a discretionary basis only and subject to ensuring the timeliness of the intervention required.
- C.2.1.2 The lift is installed and is removed and re-used once it is no longer required. As a stairlift is removed, it is stored and remains available to the local authority for installation where it is required.

C.2.2 Who will it help?

- C.2.2.1 To be eligible for this assistance a referral or statement of need must have been provided by a Social Service or NHS Service occupational therapist.
- C.2.2.2 Where additional works are required to install the stair lift these will be covered as part of this grant.
- C.2.2.3 Where a client requires multiple adaptations in addition to the stair lift, the other adaptations will be provided through the mandatory DFG where the client is eligible.

C.2.3 Means testing

- C.2.3.1 There will be no means test.

C.2.4 Available funding

- C.2.4.1 The maximum grant value will be £30,000 and will cover the cost to purchase (or rental for a set period of time for life-limiting conditions) internal and external straight and curved track stairlifts, through floor lifts, platform lifts and step-lifts.
- C.2.4.2 SLG funding will include installation and any reasonable and practicable associated or preparatory works.

C.2.5 Registered land charge

- C.2.5.1 For owner occupiers, all SLG funding over the value of £10,000, up to a maximum of £10,000 will be subject to a Land Charge for a period of 10 years from the date of completion of works.
- C.2.5.2 This will be in addition to any land charges applied for other assistance, as outlined in this policy.

C.2.6 Conditions attached to the grant

- C.2.6.1 The person must be a permanent resident of Torridge and the property must be their permanent address
- C.2.6.2 All works must relate to the applicant's needs.
- C.2.6.3 Must be referred by a relevant OT/suitable appropriate assessor or discharge practitioner

C.2.7 How to apply

- C.2.7.1 Through the Disabled Facilities Grant team.
- C.2.7.2 Funding will be awarded on a case-by-case basis as outlined above and subject to the availability of funding.

C.3 Healthy Home Grant

C.3.1 Aims

- C.3.1.1 The purpose of this grant is to assist owner-occupies in Torridge who are in receipt of a means tested benefit, or on a low income, to make homes safer, healthier, and warmer and to complete urgent repairs.
- C.3.1.2 The completion of the works would make demonstrable savings to the wider public purse and clear benefits to the applicant and/or their family/carers.

C.3.2 Who will it help?

- C.3.2.1 Available to owner-occupiers and the applicant must meet the financial criteria set out below.
- C.3.2.2 The applicant must be in receipt of:
 - a. Income Support
 - b. Income-based Job Seekers Allowance
 - c. Income-related Employment and Support Allowance
 - d. Support under Part IV of the Immigration and Asylum Act 1999
 - e. The guaranteed element of State Pension Credit
 - f. Child Tax Credit (as long as there is no entitlement to Working Tax Credit and the household income does not exceed £16,190 as assessed by HM Revenue and Customs)
 - g. Universal Credit
 - h. Council Tax Support (not single person reduction), or

- i. The applicant is aged 55 or over and their income level is below the standard income tax Personal Allowance, as stated on gov.uk (at the time of writing, this is £12,570.00).
- C.3.2.3 Works required must not be eligible for funding from any other sources, such as insurance policies or owner resources.
- C.3.2.4 A grant can be awarded in addition to a loan from Lendology CIC if the amount of loan available is not enough to cover the cost of addressing the eligible works.
- C.3.2.5 The works the grant would cover need to have been identified as necessary remove serious Category 1 and/or 2 hazards identified through a HHSRS assessment, improve thermal insulation/heating, or to complement already existing funding and not be seen as a way for others to save money – the gaps in provision usually cover areas such as funding clearing and cleaning properties to enable discharge rather than facilitating minor adaptations which are often funded by Health and/or Social Care.

C.3.3 The eligible works:

- a. Works to remove category one or a consecutive number of significant category two hazards as assessed by the Council under the Housing Health and Safety Rating System .

C.3.4 Will it be means-tested?

- C.3.4.1 No further means test, except via Lendology if a loan application is required for financial eligibility.

C.3.5 How much funding might be available?

- C.3.5.1 The maximum grant awarded is £15,000 and will be subject to the availability of resources.

C.3.6 Will there be a charge against the property?

- C.3.6.1 All funding will be registered, in full, as a local land charge against the property and will be recovered on the sale or transfer of the property, subject to rules regarding exempt sales.
- C.3.6.2 Note – this is separate to any £10,000 recoverable Disabled Facilities Grant charge, which expires at 10 years from certification of works completion.

C.3.7 Conditions attached to the grant

- C.3.7.1 The person must be a permanent resident of Torridge and the property must be their permanent address.
- C.3.7.2 Conditions restricting future use and ownership of the property – the following additional conditions will apply where the Council has made an award of this grant:
 - a. The owner will notify the Council in writing if a relevant disposal of the property is proposed.
 - b. The owner of the property will provide, within 21 days of a written notice from the Council, a statement confirming the ownership and occupancy of the dwelling. If the property has been sold or transferred the statement will include the date of transfer of ownership.

- c. The Healthy Homes Grant (HHG) will be registered as a charge against the property and will be repayable on sale or transfer of the property, subject to exempt sales. The charge will be binding on successors in title.
- d. It is a condition of SWSGA that where an owner makes a relevant disposal of the dwelling, other than an exempt disposal, the SWSGA shall be repayable subject to above.
- e. The land charge will be placed in perpetuity and will be repayable upon sale of the property. No account will be taken by the Council of charges subsequent to the charges registered by the Council.
- f. If the property is transferred, or the sale price does not reflect the market price, the Council will have the right to seek an independent valuation of the market value, which will be binding on both parties, to recover the grant repayable.
- g. Applications for HH will be considered once works have already been started and unforeseen costs arise, if the scheme is a Mandatory Scheme.
- h. Where an applicant is pursuing a 'preferred' scheme and has received the maximum eligible grant funding then applications for HH will not be considered.

C.3.7.3 Only a single award of this grant will be available in any two-year period.

C.3.8 How to apply

C.3.8.1 Through the Disabled Facilities Grant team.

C.3.8.2 Funding will be awarded on a case-by-case basis as outlined above and subject to the availability of funding.

C.4 Care Transfer and Support Grant (CTSG)

C.4.1 Aims

C.4.1.1 The purpose of this grant is to assist residents in Torridge who require cleaning or clearing works to their properties in order to prevent delayed discharges, require repair to equipment installed under a DFG, or require top-up funding to other LA-determined thermal comfort assistance and are eligible under a Statement of Intent published by the Council.

C.4.1.2 This includes assisting an occupier with infestations and accumulations (hoarding) where the condition of the dwelling will lead to a delayed transfer of care (hospital discharge) or potential avoidable hospital admission.

C.4.1.3 The completion of the works will make demonstrable savings to the wider public purse and clear benefits to the applicant and/or their family/carers.

C.4.2 Who will it help?

C.4.2.1 Available to occupiers of all tenures, the applicant must meet the financial criteria as set out below.

C.4.2.2 The applicant must be in receipt of:

- a. Income Support
- b. Income-based Job Seekers Allowance
- c. Income-related Employment and Support Allowance
- d. Support under Part IV of the Immigration and Asylum Act 1999

- e. The guaranteed element of State Pension Credit
 - f. Child Tax Credit (as long as there is no entitlement to Working Tax Credit and the household income does not exceed £16,190 as assessed by HM Revenue and Customs)
 - g. Universal Credit
 - h. Council Tax Support (not single person reduction), or
 - i. The applicant is aged 55 or over and their income level is below the standard income tax Personal Allowance, as stated on gov.uk (at the time of writing, this is £12,570.00).
- C.4.2.3 Works required must not be eligible for funding from any other sources, such as insurance policies, warranties or owner resources.
- C.4.2.4 A grant can be awarded in addition to a loan from Lendology CIC if the amount of loan available is not enough to cover the cost of addressing the eligible works.
- C.4.2.5 For cleaning and clearing, the works need to have been identified as necessary to enable discharge from a hospital, or other care setting.

C.4.3 The eligible works:

- a. Works to clear and clean dwellings, or part thereof, as required.
- b. Works to repair equipment previously installed under a DFG. Any works covered by a warranty will not be eligible for funding. If the equipment is beyond economic repair no further grant funding will be available. In such cases, a new OT referral will be required to pursue a new DFG application (if eligible).

C.4.4 Will it be means-tested?

- C.4.4.1 No further means test, except via Lendology if a loan application is required for financial eligibility

C.4.5 How much funding might be available?

- C.4.5.1 The maximum grant awarded is £5,000 and will be subject to the availability of resources.

C.4.6 Will there be a charge against the property?

- C.4.6.1 No charge will be placed against the property.

C.4.7 Conditions attached to the grant

- C.4.7.1 The person must be a permanent resident of Torridge and the property must be their permanent address.
- C.4.7.2 All works must relate to the applicant's needs.
- C.4.7.3 Must be referred by an OT/suitable appropriate assessor or discharge practitioner
- C.4.7.4 Only a single award of this grant will be available in any 12 month period.

C.4.8 How to apply

- C.4.8.1 Through the Housing Renewal team.

C.4.8.2 Funding will be awarded on a case-by-case basis as outlined above and subject to the availability of funding.

D. APPENDIX D – Loan Assistance through Lendology

D.1 Background

D.1.1.1 Torridge District Council work in partnership with Lendology CIC, a Social Enterprise lender, to provide loans to a broad range of homeowners to improve the private sector housing stock across the district.

D.2 Eligible applicants/loan types

D.2.1 Homeowners and Park Home Owners

D.2.1.1 Assistance available includes:

- a. Home repair works
- b. Energy Efficiency Works
- c. Renewable Energy works
- d. Adaptations (where a client is ineligible for a DFG, or where a client does not wish to apply for a DFG)
- e. Top-ups for those in receipt of a DFG are available via the Disabled Facilities Loan – see below.
- f. Where a client wishes to fund their contribution towards DFG.

D.2.2 Landlords

D.2.2.1 Assistance available:

- a. For renewable energy enhancements and energy efficiency improvements.
- b. To carry out repairs or improvements to rented accommodation to address either:
 - Assessed failures of the Decent Homes Standard including remedying all category 1 hazards and high scoring category 2 hazards, or
 - To improve the condition of the HMO accommodation (as defined by the Housing Act 2004), including fire precautions, means of escape, amenities etc., or
 - Works to meet requirements of the HMO Management Regulations, Minimum Energy Efficiency Regulations, Electrical Safety Regulations, or
 - Works to meet requirements of other regulations placing duties on landlords of rented accommodation.

D.2.3 Empty Homes

D.2.3.1 Assistance to carry out repair works to help bring empty homes back into use.

D.2.4 Bulk Buy Fuel Loans

D.2.4.1 For applicants, of any housing tenure, to fund the purchase of home heating e.g. Calor gas, oil, wood, LPG. Maximum loan of £2,000 repayable over 12 months fixed at 0% interest.

D.2.5 Disabled Facilities Loan (DFL)

- D.2.5.1 The Disabled Facilities Loan (DFL) is available:
- a. Where top-up funding is required for an adaptation, i.e. if grant funding routes have been exhausted.
 - b. Where a means tested contribution is payable by the applicant, the DFL can be used to cover the contribution amount (over and above any grant funding approved for the same).
- D.2.5.2 This loan is available for mandatory DFG needs, as identified as necessary and appropriate by the Occupational Therapist and reasonable and practicable by the Council.
- D.2.5.3 The DFL will typically be offered at 0% and will be available on a capital repayment basis only, or as determined by the Lendology assessment based on individual circumstances.
- D.2.5.4 Other loan products offered by Lendology may be more suitable to individual circumstances. The decision on whether or not loan funding can be approved and the terms of the loan, are matters for Lendology CIC to decide via their assessment.

D.3 Loan Eligibility

- D.3.1.1 This will vary and is based on the individual circumstances of each applicant.
- D.3.1.2 Lendology CIC will carry out a full financial assessment and provide independent advice on ethical and responsible lending and the most appropriate loan product to suit the needs of the applicant.
- D.3.1.3 Loans interest rates are subsidised and owners will be advised by LCIC the rate of interest payable which will be fixed throughout the term of the loan.
- D.3.1.4 Where possible, loans are protected by a Title Restriction registered at the Land Registry. The charge for this is £20.00 payable by the loan applicant.