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| REPORT TO: | Executive Board |
| DATE: | 29 th November 2023 |
| SUBJECT: | Lincolnshire Discretionary Housing Financial Assistance Policy |
| PURPOSE: | To recommend adoption of the Policy and enable eligible clients to be more consistently assisted across the South and East Lincolnshire Councils Partnership. |
| KEY DECISION: | Yes |
| PORTFOLIO HOLDER: | Councillor William Gray. Portfolio Holder for Communities and Better Ageing |
| REPORT OF: | Emily Spicer. Assistant Director – Wellbeing and Community Leadership |
| REPORT AUTHOR: | Stuart Horton. Strategic Housing Manager, SELCP Adam Newman-Pring. Lincolnshire Healthy and Accessible Homes (Housing) Lead |
| WARD(S) AFFECTED: | All |
| EXEMPT REPORT? | No |

SUMMARY

This Discretionary Housing Financial Assistance (DHFA) policy (the Policy) (**Appendix A**) which has been developed by all seven Lincolnshire district councils working collaboratively with Lincolnshire County Council, aims to:

- create a level of consistency across the county and maximise the contribution that DFG / BCF can make;
- enable vulnerable people to live independently in a home of their own; and
- reduce the need for more expensive health and social care service interventions.

District councils have in many cases already adopted discretionary policies under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the "RRO") using Disabled Facilities Grant (DFG) / Better Care Funding (BCF) from the Government to support works above the mandatory DFG limit of £30,000. These policies also allow home repairs, improvements and other forms of assistance to be funded to assist eligible vulnerable clients where necessary and

appropriate. However, this has led to a postcode lottery for Lincolnshire residents with financial support available for different things, with different eligibility criteria in different areas.

The Policy and accompanying Explanatory Notes (**Appendix B**) have been recommended by the Lincolnshire Housing, Health and Care Delivery Group to all district councils for adoption as part of the overall vision of the Lincolnshire Homes for Independence blueprint for people to live independently, stay connected and have greater choice in where and how they live.

RECOMMENDATIONS

- 1) That the Executive Board approves the Policy and Explanatory Notes attached at Appendices A and B to be adopted with effect from 01/04/2024
- 2) That authority is delegated to:
 - a. the relevant Assistant Director to make minor and inconsequential variations to the Policy in consultation Portfolio Holder with responsibility for Housing, if agreed on a countywide basis. This delegation will not be used to make changes to the Policy that substantively change the purpose of the Policy;
 - b. the relevant Assistant Director to:
 - i. make amendments to the local variations detailed within the Explanatory Notes in consultation with the Portfolio Holder with responsibility for Housing. This delegation will not be used to make amendments to the Explanatory Notes that impact other districts, unless agreed on a countywide basis and
 - ii. remove and update any superseded policy provisions relating to discretionary housing assistance contained within the relevant existing council policy in consultation with the Portfolio Holder with responsibility for Housing;
 - c. the Chief Executive Officer to suspend the awarding of new discretionary assistance under this policy in consultation with the relevant Assistant Director and Portfolio Holder with responsibility for Housing.
- 3) That, in addition to the minor and inconsequential variations permitted within the Policy, authority is delegated to:
 - a. the relevant Assistant Director to make initial amendments to the Policy in consultation with the Portfolio Holder with responsibility for Housing; to enable any appropriate recommendations from other Lincolnshire district councils' scrutiny of the Policy to be considered and incorporated, if agreed on a countywide basis.
- 4) That the Executive Board approves the ELDC delegations to officers as set of in the Explanatory Notes.

REASONS FOR RECOMMENDATIONS

To allow a more consistent approach across Lincolnshire to be taken in relation to discretionary housing financial assistance in order to assist vulnerable households in need to live in a safe home. This will significantly help organisations that work on a countywide basis (e.g. Health and

Lincolnshire County Council occupational therapy services) to have a clearer picture of the assistance districts are able to offer.

To allow for the relevant provisions relating to discretionary housing assistance contained within the council's existing policy to be updated as superseded on adoption of the Policy, and to avoid duplicate policy provisions being in operation (**Appendix C**).

To allow for appropriate amendment of the Policy, if necessary, as Lincolnshire district councils have differing approaches to policy adoption and differing timelines.

OTHER OPTIONS CONSIDERED

To continue to operate three independent discretionary housing assistance policies across the South and East Lincolnshire Councils Partnership and up to seven different policies across the county, with significant variation in the assistance available and processes for awarding discretionary housing financial assistance.

1. BACKGROUND

- 1.1.** District councils have previously each adopted discretionary housing assistance policies under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the "RRO"). This Order confers on local housing authorities a power to improve living conditions in their area by providing assistance for a number of purposes subject to having adopted a policy for the provision of the assistance.
- 1.2.** Disabled Facilities Grant (DFG) / Better Care Fund (BCF) monies from the Government are used in line with these policies to support eligible vulnerable and or disabled clients with necessary and appropriate works to their properties to help keep them safe, warm, and well. However, this separate approach to policies by districts has resulted in significant variation in the assistance households are able to access across the county and has presented difficulties for other services working over Lincolnshire in knowing what assistance is available to help their clients.
- 1.3.** These clients are often owner-occupiers that do not have the financial means to undertake the necessary works. This differs from rented properties where social and private landlords are responsible for the necessary work and where disrepair issues can be addressed by informal or formal enforcement action.
- 1.4.** To address this variation in policy approach, there has been a desire for a countywide discretionary housing financial assistance policy for some time and it has been identified as an action in the Lincolnshire Housing, Health and Care Delivery Plan. It is also one of the aims of the Lincolnshire Homes for Independence blueprint for people - "We will ensure services to support people to remain living in their current home complement each other as a system-wide approach" and contributes to the overall vision of the blueprint - for people to live independently, stay connected and have greater choice in where and how they live.

2. REPORT

- 2.1.** The Policy and Explanatory Notes have been developed collaboratively by the seven district councils working with Lincolnshire County Council through the Lincolnshire Healthy and Accessible Homes Group (formerly the Lincolnshire Moving Forward with DFG Group). This group has previously successfully progressed several pieces of work, including a countywide contractor framework with an agreed schedule of rates to deliver DFGs more effectively across the county.
- 2.2.** This common policy aims to create more consistency across the county and maximise the contribution that DFG / BCF makes to enable vulnerable people to live independently and safely in their home, help keep people out of residential care or nursing homes and hospital, or enabling discharge from hospital to a suitable home.
- 2.3.** The Policy is designed to be flexible and take into account the wide range of circumstances encountered, ranging from topping up mandatory grants for extensions (due to the increasing cost of building works and materials), to facilitating a move to a more suitable home, or addressing unsafe electrics or other hazards in a vulnerable low income owner occupier's home.
- 2.4.** The Policy, therefore, makes provision for:
 - Helping an applicant to move to a suitable home (relocation)
 - Topping up mandatory DFG
 - Helping reduce delayed transfers of care (DTC), e.g. priority works needed to facilitate hospital discharge
 - Helping people stay safe, warm and well
 - Providing aids and adaptations for people with specific conditions e.g. dementia, learning disabilities, neurodiversity and sensory impairments
 - Assisting with an applicant's contribution to a mandatory grant
- 2.5.** The Policy does not amend the way in which mandatory DFG is delivered, but supplements it. It is not recommended that the council/s amend mandatory DFG policies at this time.
- 2.6.** Several eligibility criteria are set out within the policy relating to the referral of the person, the property where the works are required, and the person's financial circumstances. People can be referred through a wide range of professionals. This allows for an application to be made for people who come into contact with services which identify a need or issue relating to the person's property. The assistance able to be provided then depends on the person's circumstances. This includes an element of financial assessment to ensure limited resources are used for those in genuine need. However, if the individual or their partner is in receipt of certain identified benefits and meet all other eligibility criteria, they will be eligible for DHFA without further financial assessment.
- 2.7.** In addition, the Policy allows the financial assessment to be waived in certain circumstances (such as end of life care) in order to expedite work required up to a value of £8,000.
- 2.8.** The Policy also enables the allowances within the financial assessment to be adjusted to take into account inflation against the existing 2009 means tested allowances. This can equate to an uplift of almost 55% against the 2009 means tested allowances and ensures that individuals are not adversely impacted by the rising costs associated with undertaking works where a financial assessment is applied.

- 2.9.** Councils are under no obligation to award discretionary housing financial assistance, however subject to the availability of funding, assistance of up to £15,000 may be awarded. Assistance over this value may also be awarded in exceptional circumstances though an approach set out in the Explanatory Notes that accompany the Policy. This method of considering matters above or outside those set out in the policy is also used in relation to the number of grants that can be awarded to an applicant and has been built into the policy to ensure that proper consideration is given to take account of the actual circumstances of applicants.
- 2.10.** Some of the funding awarded may be recoverable where the cost of works are likely to increase the value of the property e.g. for works over the mandatory DFG grant limit of £30,000 e.g. for an extension to a property. Again, details of these circumstances are set out in the policy's explanatory notes.
- 2.11.** The Policy has been developed in two parts – the main Discretionary Housing Financial Assistance Policy and the Explanatory Notes. This is so that the main policy may be formally adopted by councils with the explanatory guidance notes being able to be amended and updated with Assistant Director and Portfolio / Lead Member approval from all district councils, to allow them to be developed and refined through learning and providing any necessary clarifications on implementation. The Explanatory Notes provide guidance to officers on what should and should not be approved as eligible for assistance so that decisions are not subjective.
- 2.12.** The Policy may not completely achieve a fully consistent approach across the Lincolnshire districts, due to the retention of some local variations set out within the Explanatory Notes. However, the Policy provides a significant step forward in providing a consistent set of purposes and more flexible approach to address a wide range of circumstances and works required to improve property conditions for low-income disabled and vulnerable people, and improve health and wellbeing outcomes. The provision for districts to detail any local variations within the Explanatory Notes enables any local factors or constraints to be reflected and amended as necessary without affecting the core purpose and provisions of the Policy.

3. CONCLUSION

- 3.1.** The proposed Lincolnshire Discretionary Housing Financial Assistance Policy and accompanying Explanatory Notes is a significant step forward in providing a more consistent approach to providing assistance to low income disabled and vulnerable owner-occupiers across the county. It will mean we can more consistently assist them with a range of issues, working with other services to help ensure residents are safe in their homes. It will help reduce the need for other more expensive health services and assist the delivery of improved health and wellbeing outcomes.

EXPECTED BENEFITS TO THE PARTNERSHIP

A consistent Discretionary Housing Financial Assistance Policy across the partnership will greatly assist officers and teams working across the three districts rather than having different policy approaches in each area. It will also help ensure consistency for our residents.

IMPLICATIONS

SOUTH AND EAST LINCOLNSHIRE COUNCILS PARTNERSHIP

As mentioned, a consistent Discretionary Housing Financial Assistance Policy across the partnership will greatly assist officers and teams working across the three districts.

No major implications are currently foreseen as the provision to award discretionary assistance already exists within the following policies across the Partnership:

- South Holland District Council: Housing Assistance Policy
- East Lindsey District Council: Housing Grants Assistance Policy
- Boston Borough Council: Private Sector Housing Policy Framework

The adoption of a common policy across the Partnership will supersede these provisions. Therefore, the provisions relating to discretionary housing assistance will need to be updated within these policies on approval and adoption of the Policy to avoid duplicate policy provisions being in operation. (Details of superseded policy provisions and proposed updated policies are provided at **Appendix C**)

CORPORATE PRIORITIES

The Policy helps to support and contribute to the following corporate priorities within the Partnerships Councils:

Boston Corporate Strategy. Priority 1 – People Focused “We want Boston to be a place where people want to live, a place where they can thrive in their local communities, feel safe, secure, healthy and welcome”

East Lindsey Corporate Strategy. Strategic Aims - Help enable a supply of homes that meet needs and aspirations, Maximise healthy and active lives, Improve equality of opportunity across the district and in target areas.

South Holland Corporate Plan. Priorities – Your Home, Your Health and Wellbeing.

STAFFING

None

WORKFORCE CAPACITY IMPLICATIONS

The Accessible Homes Team structure across the South East Lincs Council’s Partnership has recently been approved and will provide additional capacity to progress both mandatory Disabled Facilities Grants and Discretionary Grants / Financial Assistance.

CONSTITUTIONAL AND LEGAL IMPLICATIONS

It should be noted that nothing in a discretionary housing financial assistance policy under the RRO would remove an individual's right under the legislation to apply for a statutory DFG under section 23 of The Housing Grants, Construction and Regeneration Act 1996.

DATA PROTECTION

None

FINANCIAL

The council/s receives funding via Lincolnshire County Council from the Government to fund Disabled Facilities Grants as part of the Better Care Fund , which aims to draw together health, social care and housing, in order to help people live well and independently in their own homes for as long as possible. As such, this funding is used to provide discretionary housing financial assistance where availability allows. At present there is an underspend of the funding allowing discretionary assistance to be resourced, although this needs to be monitored alongside demand for mandatory Disabled Facilities Grants. The government has recently announced that it will continue to fund DFGs at the current level until 2025.

RISK MANAGEMENT

None

STAKEHOLDER / CONSULTATION / TIMESCALES

The draft Discretionary Housing Financial Assistance Policy has been developed with input from Lincolnshire County Council Occupational Therapists and other partners and organisations e.g. Foundations (the National Body for Disabled Facilities Grants and Home Improvement Agencies) through the Lincolnshire Healthy and Accessible Homes Group. The policy has also been presented to the Lincolnshire Housing and Health Network senior officers' group and the Lincolnshire Housing, Health and Care Delivery Group, where it was recommended that it progress through district councils' adoption processes. The relevant Portfolio Holder has also been consulted on the policy, however no formal public consultation has been carried out.

REPUTATION

None other than the normal service delivery reputational risks

CONTRACTS

None

CRIME AND DISORDER

None

EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

None. The Policy is in accordance with the public sector equality duty as it helps advances equality of opportunity in relation to age and disability.

HEALTH AND WELL BEING

The Policy is focused on improving health and wellbeing outcomes

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

None

LINKS TO 12 MISSIONS IN THE LEVELLING UP WHITE PAPER

| MISSIONS | |
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| This paper contributes to the follow Missions outlined in the Government’s Levelling Up White paper. | |
| Health | By 2030, the gap in Healthy Life Expectancy (HLE) between local areas where it is highest and lowest will have narrowed, and by 2035 HLE will rise by 5 years. |
| Wellbeing | By 2030, well-being will have improved in every area of the UK, with the gap between top performing and other areas closing. |
| Housing | By 2030, renters will have a secure path to ownership with the number of first-time buyers increasing in all areas; and the government’s ambition is for the number of non-decent rented homes to have fallen by 50%, with the biggest improvements in the lowest performing areas. |

ACRONYMS

RRO - Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

DHFA – Discretionary Housing Financial Assistance

DFG – Disabled Facilities Grant

BCF – Better Care Fund

DTOC - delayed transfers of care

| APPENDICES | |
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| Appendices are listed below and attached to the back of the report: - | |
| <i>APPENDIX A</i> | Lincolnshire Discretionary Housing Financial Assistance Policy |
| <i>APPENDIX B</i> | DHFA Policy Explanatory Notes |
| <i>APPENDIX C</i> <ul style="list-style-type: none">● <i>APPENDIX C.1</i>● <i>APPENDIX C.2</i> ● <i>APPENDIX C.3</i> ● <i>APPENDIX C.3.1</i> | SELCP – DHFA – Superseded Policy Provisions <ul style="list-style-type: none">● REVSIED – ELDC Housing Grants Assistance Policy● REVISED – Boston BC Private Sector Housing Policy Framework● REVISED – SHDC Appendix 1 for Housing Assistance Policy● REVISED – Appendix 2 for Housing Assistance Policy |

BACKGROUND PAPERS

Background papers used in the production of this report are listed below: -

| Document title | Where the document can be viewed |
|---|---|
| The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 | https://www.legislation.gov.uk/uksi/2002/1860/made |
| Boston Borough Council: Private Sector Housing Policy Framework – Version 1.2 – 8 December 2022 | Private Sector Housing Policy Framework (boston.gov.uk) |
| South Holland District Council: Housing Assistance Policy. Revision date 17.03.2020 | Housing Assistance Policy.pdf (sholland.gov.uk) |
| East Lindsey District Council: Housing Assistance Grants. Approved Policy Document | Housing Assistants Grants (e-lindsey.gov.uk) |

CHRONOLOGICAL HISTORY OF THIS REPORT

A report on this item has not been previously considered by a Council body.

REPORT APPROVAL

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|---------------------------|--|
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| Signed off by: | Emily Spicer, Assistant Director – Wellbeing and Community Leadership emily.spicer@sholland.gov.uk |
| Approved for publication: | Name of Councillor (if required) |