



**Disabled Facilities Grants and  
Adaptations Policy  
2018**

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<b>Version:</b>	2	<b>Review due:</b>	01/12/2022

<b>Approved by</b>	EDR
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<b>Document Review</b>			
<b>Version</b>	<b>Amendment</b>	<b>By</b>	<b>Date</b>
2	Discretionary Assistance & Contractor	R Liddle	November 2019
3	Discretionary Assistance Conditions	R Liddle	

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## 1. Introduction

- 1.1. East Staffordshire Borough Council is committed to ensuring that disabled residents are able to live as independently as possible in their homes for as long as possible.
- 1.2. DFGs are mandatory grants which are available to disabled people when works to adapt their home are judged *necessary and appropriate* to meet their needs, and when it is *reasonable and practicable* to carry them out having regard to the age and condition of the dwelling or building.
- 1.3. The maximum amount is £30,000 however this is subject to a means-test (except for children). This means that applicants' income and savings are assessed to determine the amount of any contribution they are required to make towards the cost of the work, and hence the amount of grant available to them.
- 1.4. Mandatory grants over £5,000 can be recovered if the property is sold within 10 years of the grant being provided by the Council; the maximum amount recoverable in any one case is limited to £10,000.
- 1.5. Discretionary grants may be available to assist with the cost of moving or to provide top up funding above the mandatory grant. The full cost of a discretionary grant is recoverable on sale or transfer of the property.
- 1.6. This policy will ensure that the council carry out and follow all relevant statutory duties to allow an assessment of need and deliver efficient and quality services to disabled people to arrange adaptations or provide advice and assistance for moving to a more suitable home.

## 2. **Mandatory Disabled Facilities Grants**

### 2.1. Overview

- 2.1.1. The provision of Disabled Facility Grants (DFG) is a mandatory requirement for the Council to provide within its role as Local Housing Authority. The principal legal provisions are contained in the Housing Grants, Construction and Regeneration Act 1996 (the Act) and associated regulations.
- 2.1.2. A DFG is available to homeowners, tenants of private landlords, tenants of housing associations, owners of qualifying houseboats and owners of qualifying park homes.
- 2.1.3. Staffordshire County Council has a responsibility to provide community care equipment and minor adaptations (which a person has been assessed to need and for which he or she is eligible) free of charge provided the cost (including fittings) is less than £1000.

### 2.2. Eligibility

- 2.2.1. The purposes for which a mandatory DFG may be given are set out in section 23(1) of the Act. These include:
  - a) Facilitating access to and from the dwelling
  - b) Making the dwelling safe
  - c) Facilitating access to a room usable as a principal family room
  - d) Facilitating access to a room used for sleeping
  - e) Facilitating access to a room in which there is a lavatory
  - f) Facilitating access to a bathroom
  - g) Facilitating access to a room in which there is a wash hand basin
  - h) Facilitating the preparation and cooking of food
  - i) Improving or providing a heating system to meet the needs of the disabled occupant
  - j) Facilitating the use of a source of power, light or heat by altering the position of controls
  - k) Facilitating access and movement around the dwelling to enable the care of a person who is normally resident there and is in need of such care
  - l) Access to the garden
- 2.2.2. The provision of a DFG is dependent on the works being necessary and appropriate and reasonable and practicable.
- 2.2.3. Necessary and Appropriate - In reaching a decision as to whether works are '*necessary and appropriate*' the Council is required to '*consult the social services authority*' which is Staffordshire County Council's Occupational Therapy team who provide referrals for clients meeting the Care Act eligible needs criteria. Where a client requires an adaptation but does not meet Staffordshire County Councils criteria for an assessment an applicant must obtain an independent Occupational Therapist Assessment from an approved pool of providers. The Occupational Therapist will visit

and assess the disabled person's needs and, where necessary, will consult the Council's technical officer when advice relating to technical matters is needed.

2.2.4. Reasonable and Practicable -The Council must be sure that it is reasonable and practical to approve a grant for an adaptation having regard to the age and condition of the dwelling. It is not reasonable and practicable to adapt some dwellings, for example:

- where there are multiple or excessive changes in levels
- where the dwelling is in a poor or dilapidated condition
- where moving existing services would be prohibitively expensive
- where the dwelling is a listed building or in a conservation area and the adaptation would be prohibitively expensive or inappropriate
- where the footprint or location of the dwelling makes an adaptation inappropriate
- where the adaptation work would have a negative effect on other residents

2.2.5. In cases where it is not possible to adapt a dwelling to an appropriate standard or where the cost of works is considered excessive, the Council will take the view that the works are not '*reasonable and practicable*'.

2.2.6. Where the applicant has a preference for works that are over and above those that are recommended or are deemed reasonable and practicable to meet the client's needs, the Council will only fund the most cost effective option(s). The applicant will then be required to fund any additional costs themselves.

2.2.7. Where the existing layout of the dwelling (including outbuildings and garages) can be converted or adapted to accommodate the facilities required, the Council will not consider any extension to the property. Where a scheme involves substantial structural works officers should consider re-housing as an alternative option where and if alternative accommodation is available.

2.2.8. In reaching a decision on the required works the Council takes into account the following:

- a) Grant works must fully meet the needs of the client. Works which only partially meet the requirements will only be considered in exceptional circumstances.
- b) Works funded by means of DFG will be the simplest and most cost-effective adaptations that will meet the clients assessed needs.
- c) Facilities will be provided on the ground floor unless that is impractical or more costly.
- d) The re-ordering and/or change of use of existing rooms will be the preferred solution and take precedence over extensions. The use of dining rooms, offices, garages etc will be utilised prior to the use of an extension.
- e) The provision of additional rooms due to overcrowding will not be funded by the DFG.
- f) Applications for grant aided work will not be considered where works have already started or works which have been completed prior to the application being submitted to the Council.

2.2.9. Repairs and or remedial works will not normally be part of a DFG. Where such works are required, the owner of the dwelling will be responsible for carrying these out and the Council will not approve any DFG until such works are completed to the satisfaction of the Council. Similarly, where any remedial or repair works are discovered whilst adaptation work is underway, these will be the responsibility of the owner to fund before the adaptation works can proceed. In exceptional cases, assistance (mandatory or discretionary) may be available for remedial, repair or unforeseen works, subject to the availability of resources (see section 3). The Council reserves the right to request the owner of the dwelling provides an electrical safety certificate and gas safety certificate (where applicable) before commencement of any works.

### 2.3. Application for a Disabled Facilities Grant

2.3.1. For the purposes of the legislation relating to Disabled Facilities Grants, a person is defined as being disabled if:

- their sight, hearing or speech is substantially impaired;
- they have a mental disorder or impairment of any kind; or
- they are physically substantially disabled by illness, injury or impairment present since birth or otherwise.

2.3.2. A person aged 18 or over is considered to be disabled if:

- they are registered as a result of any arrangements made under section 29(1) of the National Assistance Act 1948, or
- they are a person for whose welfare arrangements have been made under that section or might be made under it.

2.3.3. A person aged under 18 is considered to be disabled if:

- they are registered in a register of disabled children maintained under the Children Act 1989, or
- in the opinion of the social services authority (Staffordshire County Council) they are a disabled child as defined for the purposes of Part III of the Children Act 1989.

2.3.4. All owner-occupiers, tenants, or occupiers who are able to satisfy the criteria in the Act are eligible for a DFG. Private landlords may also apply for a DFG on behalf of a disabled tenant but must also satisfy the requirements of the Act. Housing Association tenants are eligible to apply for DFG and are assessed on the same basis as private owners and tenants, and under the same means testing arrangements.

2.3.5. Applications for a DFG by an owner or a landlord must be accompanied by an owner's certificate or landlord's certificate giving written permission for the property to be adapted. Where a landlord withholds permission for the works to be undertaken a grant cannot be given. Furthermore, where the owner of a privately rented dwelling cannot be located, or has died and the dwelling is in probate a grant cannot be given.

2.3.6. In the case of an owner, the intention must be to live in the dwelling as their only or main residence throughout the grant condition period.

- 2.3.7. In the case of a landlord the dwelling must be let or available for letting for the whole of the grant condition period.
- 2.3.8. A DFG can only be approved for the disabled person's main residence. If an applicant is proposing to purchase a dwelling that requires adaptations the Council can accept an application form but is unable to approve a DFG until the ownership has transferred to the applicant.
- 2.3.9. The Council has two approved contractors to undertake works, however if a client wishes to use an alternative contractor they will have to submit at least two itemised quotes, specifying the cost of VAT for each item of work and the Council will only pay for the work once they are satisfied it is completed to an adequate standard. When using your own contractor, you are responsible as an employer for ensuring that they have the correct insurances in place. The applicant will have to self-fund any additional costs between the different quotes. If a relative of the applicant provides the quotations, the grant will be approved for the cost of the material only. The applicant will be responsible for the cost of the labour.

#### 2.4. Means Tested Contributions

- 2.4.1. A standard test of resources is undertaken for all applicants applying for a DFG in accordance with the Act. Children and young persons are exempt from the means test.
- 2.4.2. The test of resources only takes into account the resources of the disabled applicant, and their spouse or partner where applicable. It does not take into account the applicant's outgoings.
- 2.4.3. Applicants in receipt of one of the following types of income will be 'passport' through the means testing process:
- Income Support
  - Income Based Job Seekers Allowance
  - Income Based Job Employment Support Allowance
  - Guarantee Pension Credit
  - Housing Benefit
  - Working/Child Tax Credit (if income for tax credits is below a specified amount)
  - Universal Credit
- \* This list is prescribed by central government and may be amended from time to time.
- 2.4.4. In circumstances where the test of resources results in a 'nil' grant i.e. where the applicants contribution is greater or equal to the cost of the works the applicant can request the Council to approve the 'nil' grant. This will enable the cost of these works to be deducted from any future application for a DFG within the following 10 years providing the adaptations recommended by the Occupational Therapist were provided in full.
- 2.4.5. Where a client contribution is required, this will be need to paid to the Council prior to commencement of any works.



## 2.5. Prioritisation

- 2.5.1. The Council will use a prioritisation system to ensure priority is given to those applicants for DFGs who are in greatest need (see Appendix 2).
- 2.5.2. The level of prioritisation will be assessed by the Occupational Therapist, however if the clients health deteriorates then their case may be reprioritised, subject to advice and information from Health or Social Services.
- 2.5.3. Cases which are deemed as urgent will be dealt with without unnecessary delay. Such cases may include-
  - To facilitate the clients discharge from hospital
  - The client is terminally ill
  - The applicant cannot access essential hospital care without an adaptation
  - The current situation is placing the service user and their carers at imminent risk from injury
- 2.5.4. Cases will only be determined as urgent with supporting evidence following a health or social care assessment.
- 2.5.5. The Council will aim to complete 95% of all valid urgent applications within 55 working days from the date of initial enquiry and 150 working days for valid non-urgent applications.

## 2.6. Determination of Grant

- 2.6.1. On receipt of a full and valid grant application the Council must issue a decision on approval within 6 months. The Council aims to provide a decision on urgent applications within 3 working days and all other cases within 20 working days.
- 2.6.2. Where the Council is likely to refuse an application for a DFG, the Council will contact the applicant to give them the opportunity to provide additional information prior to a formal refusal being made.
- 2.6.3. Where the Council has no option but to refuse an application for a grant the Council will advise the applicant of the reasons for the refusal.
- 2.6.4. An applicant has a right to request a review of this decision which should be made in writing to the Environmental Health Team Leader within 28 days of the date of the refusal letter.
- 2.6.5. Adaptations must be completed within 12 months of the approval date, otherwise the grant will be cancelled and the applicant liable for payment of the Council's reasonable costs.
- 2.6.6. All grant applicants must familiarise themselves with the grant conditions which are detailed in Appendix 3. Grant conditions are provided to applicants during the application process and are detailed on the grant approval documentation.

## 2.7. Payment / Repayment of Grant

2.7.1. The Council will pay the grant directly to the contractor on satisfactory completion of the works.

2.7.2. Where a dispute arises regarding the standard of the works the Council will withhold any payment until the works have been completed satisfactorily in the professional opinion of the Council. Where the works meet the council's approval but the applicant is not satisfied the Council will not unreasonably withhold payment to the contractor.

2.7.3. Where the Council approves an application for a grant amount exceeding £5000 and the applicant has an owners interest in the premises on which the works are to be carried out, the Council will demand the repayment of the grant which exceeds £5000 up to a maximum of £10,000 if-

a) the recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and

b) the Council having considered-

- i. The extent to which the recipient of the grant would suffer financial hardship were he to be required to repay all or some of the grant;
- ii. Whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his employment;
- iii. Whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or a disabled occupant of the premises; and
- iv. 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 the reason of disability or infirmity

is satisfied that it is reasonable in all the circumstances to require the repayment.

2.7.4. This condition places a local land charge on the property which is binding on any person who is the owner of the dwelling or building.

2.7.5. In cases of financial hardship and on representation from the grant recipient, consideration will be given on a case by case basis to further reduce the grant repayable, however this is likely to only occur if the recipient is in negative equity.

## 2.8. Maintenance / Warranties

2.8.1. When equipment is installed using a DFG, the applicant who was awarded the grant becomes the owner and is therefore responsible for maintenance, repairs or removing equipment once it is no longer needed. Therefore, once the grant works are completed, the Council will not finance or organise servicing, repairs or maintenance after the expiry of any applicable warranty period, which is usually 12 months. Applicants are encouraged to consider purchasing a maintenance package with the contractor at the time of the installation as repairs can be very expensive.

- 2.8.2. A 12 month warranty will be funded as part of the Grant for certain specialist equipment, e.g. stairlifts, specialist toilets. No additional warranty will be provided for other equipment, including ceiling track hoists. Information relating to warranties will be provided to the applicant as part of the grant approval process.
- 2.8.3. Generally the Council do not remove adaptations if and when they are no longer required. Neither are reinstatement works carried out. Applicants will be made aware of this before the DFG work is undertaken. Similarly, if an applicant changes their mind about an adaptation once the Occupational Therapist assessment has been carried out and the works have been undertaken, unless there has been a significant change in the applicant's medical condition the Council will not remove or carry out further adaptations.
- 2.8.4. Consideration to replace damaged or broken facilities/equipment will be given under a further DFG providing it:
- cannot be repaired;
  - has not been wilfully damaged;
  - still meets the needs of the client;
  - has been annually serviced/maintained, where applicable (including beyond the warranty period); and the warranty period has expired

## 2.9. Changes in Circumstances

- 2.9.1. Certain changes in the applicant's circumstances may affect the payment of grant. Such changes, prescribed by legislation, are:
- where the works cease to be necessary or appropriate to meet the needs of the disabled person;
  - the disabled occupant ceases to occupy the dwelling; or
  - the disabled occupant dies.

In such circumstances the Council can decide:

- not to pay the grant, or pay any further instalments;
  - that some or all of the works should be completed and grant or partial grant will be paid; or
  - that the grant application should be re-determined.
- 2.9.2. The Council may demand the repayment of a grant that has already been paid, together with any interest in the circumstances outlined above. However, each case will be considered on its merit.
- 2.9.3. The right to demand repayment also applies where an applicant ceases to be entitled to a grant before completion of the works. An example of where this may apply would be if the applicant ceases to own or have the tenancy of the dwelling to be adapted.
- 2.9.4. The Council may refuse to pay the grant, pay any further instalments or recalculate the grant in such circumstances if:
- The grant was approved on the basis of inaccurate, incomplete or false information
  - The cost of works is less than the original estimates

### **3. Discretionary Assistance**

#### **3.1. Overview**

- 3.1.1. Local housing authorities have the power to grant discretionary housing assistance, in any form under The Regulatory Reform, (Housing Assistance) (England and Wales) Order 2002. This includes to adapt or improve living accommodation or to assist a person to move to more suitable accommodation.
- 3.1.2. The Council will consider providing such assistance in the form of a discretionary grant to a disabled applicant in the following circumstances:
- as a 'top up' to a mandatory grant
  - to fund unforeseen works and/or issues of disrepair
  - to assist a disabled person or their family to move to more suitable accommodation.
- 3.1.3. Such assistance will be subject to the financial resources available at the time of the application. If there are insufficient resources to deal with referrals for mandatory DFGs received from the Occupational Therapist, the Council reserves the right not to approve any discretionary grant application.
- 3.1.4. A discretionary grant must be for works that meet the needs of the disabled person. The Occupational Therapist will determine the needs of the disabled person and the Council will determine whether assistance can be made available for such works. All applicants will be means tested as prescribed in the regulations.
- 3.1.5. Grant conditions for discretionary grants are detailed in Appendix 3. Grant conditions are provided to applicants during the application process and are detailed on the grant approval documentation.

#### **3.2. Top-Up to Mandatory Grant**

- 3.2.1. The Council has agreed through this policy to provide an additional funding to the mandatory DFG, currently £30,000, in the form of a discretionary grant up to a maximum of £15,000 and subject to the availability of resources.
- 3.2.2. Top-up from the Council will only be offered for works that meet the eligibility criteria for mandatory DFGs and will be subject to the same means test as the mandatory grant.
- 3.2.3. Funding from the Council will only be made available as a last resort and must be approved by the Head of Service. Applicants will need to show that other options have been explored including but not limited to self-funding, charitable funding and top-up from Staffordshire County Council Health and Social Care Services.
- 3.2.4. The exception to this is the provision of a discretionary grant for 'unforeseen' works and issues of disrepair that are encountered once works on site have commenced. The maximum discretionary grant in these circumstances is £2,000. This will not be subject to the means test but will be registered as a charge on the property.

### 3.3. Relocation Grant

- 3.3.1. A relocation grant may be available to an applicant who owns or privately rents their dwelling if adaptations to their current home through a DFG are not a feasible option. This grant is discretionary.
- 3.3.2. The maximum grant available is £5,000 which may be used towards specific relocation expenses, which includes estate agent fees, legal costs and removal costs.
- 3.3.3. Applicants must be aged 18 or over on the date the application is made. In the case of a disabled child, the parent(s) would make the application.
- 3.3.4. Any application must be supported by a recommendation from the Occupational Therapist. Both the Council and the Occupational Therapist must be satisfied that the proposed dwelling already meets the needs of the disabled person without further adaptation or are satisfied that it can be adapted at a reasonable cost.
- 3.3.5. Applicants must be relocating within East Staffordshire Borough Council.
- 3.3.6. Applications must be submitted prior to the relocation, grants cannot be paid retrospectively. Nor can assistance be made available towards the purchase price of the new dwelling.
- 3.3.7. The Council will normally require at least two estimates from independent contractors that realistically reflect the cost of the works/service provided. In some circumstances, one estimate may be accepted if the Council is satisfied that the cost is reasonable.
- 3.3.8. All applicants will be required to complete the move within 12 months from the date of approval of their application.
- 3.3.9. Payments can be made payable either directly to the service / work provider or to the person named on the grant approval. If payment is to be made to the applicant this can only be done on production of a valid invoice or receipt.
- 3.3.10. If on the sale of the applicant's existing dwelling, a net equity of more than £20,000 is released, the Relocation Grant will only fund the physical removal costs. (Net equity refers to any equity released when the purchase price of the new dwelling is less than the existing dwelling's selling price).
- 3.3.11. If the move is aborted through the fault of the applicant then costs will not be paid and any costs already paid will be reclaimed from the applicant. If the reason for the move falling through is not the fault of the applicant then the Council will cover costs.
- 3.3.12. The new dwelling must be the disabled occupant's main residence and no applicant will be awarded a Relocation Grant on more than one occasion.
- 3.3.13. If the disabled occupant moves from the new dwelling within 5 years then the grant must be paid back in full unless there are exceptional circumstances.

3.3.14. The Relocation Grant scheme will be subject to the same test of resources as the mandatory Disabled Facilities grant scheme unless the relocation is to meet the needs of a disabled child.

3.4. Payment/ Repayment of Discretionary Grant Assistance

3.4.1. Where a dispute arises regarding the standard of the works the Council will withhold any payment until the works have been completed satisfactorily in the professional opinion of the Council. Where the works meet the council's approval but the applicant is not satisfied the Council will not unreasonably withhold payment to the contractor.

3.4.2. The Council will register a charge with Land Registry in respect of all discretionary grants in accordance with the The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008 and where the applicant ("the recipient") has a qualifying owner's interest in the premises on which the relevant works are to be carried out. This charge will remain indefinitely until it is repaid.

#### **4. Complaints**

- 4.1. It is acknowledged that a large part of the grant process is very prescriptive to ensure it is delivered in accordance with the Act. However, the Council will endeavour to support and guide applicants through the process and will ensure their assessed needs are met.
- 4.2. Where an applicant is dissatisfied with the service (including where a grant has been refused), they should contact the Environmental Health Manager, who will aim to resolve the issue. If the matter is not resolved to the applicant's satisfaction they can make a formal complaint through the Council's Complaints Procedure. Once a complaint has gone through the Council's complaints procedure an applicant can contact the Local Government Ombudsman if they are dissatisfied with the Council's response.

## **Appendix 1**

### **Works eligible for Assistance**

#### **1. Facilitating access to and from the dwelling**

1.1. Works eligible for assistance may include:

- Ramped access to the main entrance door
- Widening doors
- Resurfaced path to the entrance door
- Structural alterations for the installation of a stair lift or step lift
- Handrails

#### **2. Making the dwelling safe**

2.1. A grant may be given for certain adaptations to the dwelling or building to make it safe for the disabled person and other persons residing with them. This may be the provision of lighting where safety is an issue or for adaptations designed to minimise the risk of danger where a disabled person has behavioural problems. Where such a need has been identified, a DFG is available to carry out appropriate adaptations to eliminate or minimise that risk.

#### **3. Facilitating access to a room usable as a principal family room**

3.1. A grant may be given to ensure the disabled person has access to a room used or usable as the principal family room (i.e. living room or lounge). This may be the provision of door widening or the installation of a through-floor lift where the living area is on the 1<sup>st</sup> floor.

#### **4. Facilitating access to a room used for sleeping**

4.1. A grant may be given for the provision of a room usable for sleeping where the adaptation of an existing room in the dwelling (upstairs or downstairs) or the access to that room is unsuitable in the particular circumstances.

#### **5. Facilitating access to a room in which there is a lavatory**

5.1. A grant may be given for the provision of access to a room in which there is a lavatory. This may include the provision of door widening or a through floor lift.

#### **6. Facilitating access to a bathroom**

6.1. A grant may be given for the provision of, or access to bathing or showering facilities. Works eligible for assistance include:

- The provision of a level access shower or wetroom
- Provision of a thermostatically controlled shower or specialist bath



- Door widening

## **7. Facilitating access to a room in which there is a washhand basin**

- 7.1. A wash hand basin will normally be provided in the same room as the WC. Works may be undertaken for the relocation of a wash hand basin or replacement with a more suitable type.

## **8. Facilitating the preparation and cooking of food**

- 8.1. A grant may be given to re-arrange or enlarge a kitchen to improve the manoeuvrability of a wheelchair and to provide specially modified or designed storage units, work top area etc. Where most of the cooking and preparation of meals is done by another household member, it would normally not be appropriate to carry out full adaptations to the kitchen. However, it might be appropriate that certain adaptations be carried out to enable the disabled person to perform minor functions in the kitchen, such as preparing light meals or hot drinks. Full adaptation will only be considered where the disabled person is the main or only user of the kitchen. Adaptations can include:
- Alteration to the height of the kitchen sink
  - A cooker point and oven-housing in a safe position and the provision of worktops either side if possible
  - Work surfaces located beside the sink and each side of the cooker having a total length of 1.5m where spacing allows
  - Accessible cupboards for food storage on an essential basis and space for a refrigerator
  - Hobs, ovens, extraction systems and white goods are not provided under a DFG.

## **9. Access to heating, lighting and power**

- 9.1. A grant may be given to provide or improve the existing heating, lighting or power system in the dwelling to meet the disabled person's needs. This may be the relocation of power points or controls. A grant will not be given to adapt or install heating in rooms which are not normally used by the disabled person. The installation of central heating to the dwelling will only be considered where the well-being and mobility of the disabled person would otherwise be adversely affected.

## **10. Access to a garden**

- 10.1. Access to the garden or yard (front, side or rear) may be provided where access cannot be gained via the main entrance. This would be fulfilled by either improving existing access, or by providing a suitable outdoor space that can be accessed safely from the dwelling to allow appreciation of the outdoor area by the disabled person.

## Appendix 2

### Prioritisation System-

#### DFG PRIORITY CHART

Client's Name: \_\_\_\_\_

Client's Address: \_\_\_\_\_

PRIORITY NEEDS			
<b>WC</b>	No Independent Access 50	High Risk or Very Difficult Access 40	Moderate Risk or Moderately Difficult Access 30
<b>Room usable for sleeping</b>	No Independent Access 30	High Risk or Very Difficult Access 20	Moderate Risk or Moderately Difficult Access 10
<b>To the property</b>	No Independent Access 30	High Risk or Very Difficult Access 20	Moderate Risk or Moderately Difficult Access 10
<b>Living room</b>	No Independent Access 20		
<b>Heating system</b>	Meets Criteria 20		
<b>Use of kitchen</b>	Main Domestic Provider 30	Occasional User 10	
<b>Bathing/Showering</b>	High Need 50	Moderate Need 30	Normal Need to Keep Clean 10
<b>To meet carer's needs</b>		High Risk 20	Moderate Risk 10

<b>SUPPLEMENTARY NEEDS</b>		
<b>Safety</b>	Significant Risk of Injury to Self 20	Moderate Risk of Injury to Self 10
<b>Safety</b>	Significant Risk of Injury to Others 20	Moderate Risk of Injury to Others 10
<b>Risk of family or package of care breakdown</b>	Significant Risk 20	Moderate Risk 10

<b>POINTS TOTAL</b>	
<b>PRIORITY 1</b>	<b>OVER 70 POINTS</b>
<b>PRIORITY 2</b>	<b>40-60 POINTS</b>
<b>PRIORITY 3</b>	<b>30 POINTS AND UNDER</b>

**Client Case Reference:**

## **Appendix 3**

### **Grant Conditions-**

#### **Mandatory Grant Conditions**

The conditions relating to mandatory Disabled Facilities Grant are contained within the Act and summarised as follows:

- i. The eligible works shall be carried out within twelve months from the date of approval of the application. The Council may extend this period where it is felt to be appropriate, for example, where it is satisfied that the eligible works could not have been carried out without carrying out other works that could not have been reasonably foreseen when the application was made.
- ii. The Council may demand repayment from the applicant of interim grant payments made where, without reasonable excuse, the eligible works were not completed within twelve months from the date of approval, or such longer period as it may allow, together with compound interest on that amount.
- iii. The eligible works shall be carried out by one or more of the contractors whose estimates accompanied the formal application for grant.
- iv. The Council may relax condition iii where it is satisfied that circumstances have arisen which could not reasonably have been foreseen at the time the application for grant was made, which have materially altered the ability of one or more of the aforementioned contractors to carry out the eligible works within the time period specified. In these circumstances written permission must be given for a change of contractor before the new contractor starts work.
- v. Eligible works shall be carried out in accordance with the specification of works accompanying the grant approval document.
- vi. The payment of a grant, or part of a grant, is conditional upon:-
  - the eligible works being executed to the satisfaction of the Council, and,
  - the Council being provided with an acceptable invoice, demand or receipt for payment for the works and any preliminary or ancillary services or charges in respect of which the grant or part of the grant is to be paid. (For this purpose an invoice, demand or receipt is acceptable if it satisfies the Council and is not given by the applicant or a member of his family).
- vii. The Council will issue payment direct to the contractor for works that have been carried out to the Council's satisfaction.
- viii. Any issues arising after the certified date with regard to the adaptation will be between the applicant and the contractor or, in the case of equipment, the supplier or manufacturer. This is the guarantee period and unless otherwise stated will be 12 months from the certified date.
- ix. Unless otherwise stated any breach of grant conditions shall result in a demand for repayment
- x. It is a condition of grant that the disabled occupant will live in the adapted dwelling, houseboat or park home as their only or main residence throughout the grant condition

period or for such shorter period as the Council may allow having regard to his or her health or other relevant circumstances. Unless otherwise stated, the "grant condition period" means the period of 5 years beginning with the "certified date".

- xi. In accordance with the Disabled Facilities Grant (Conditions relating to approval or repayment of Grant) General Consent 2008 a condition is attached to Mandatory Grants to enable the Council to require the repayment of an element of the grant (currently maximum £10,000) if the dwelling is disposed of within ten years of the grant being completed.
- xii. The Council shall require the repayment of disabled facilities Grant in the following circumstances:
  - (a) if the grant is for a sum exceeding £5,000, and;
  - (b) the applicant (the recipient) has a qualifying owner's interest in the premises on which the relevant works were carried out (i.e. they are not a tenant); and
  - (c) the recipient disposes (whether by sale, assignment, transfer or other) of the premises in respect of which the grant was given within 10 years of the certified date of completion; and
  - (d) the amount of repayment which will be required is that part of the grant that exceeds £5,000 subject to a maximum repayment of £10,000.

### **Discretionary Disabled Facilities Grant Assistance**

The conditions will mirror the mandatory grant conditions with the exception of the following:

- (i) The Council will put a land charge with no maximum limit on the dwelling in respect of discretionary grants, where the applicant ("the recipient") has a qualifying owner's interest in the premises on which the relevant works are to be carried out.
- (ii) The charge will remain indefinitely for discretionary grants.
- (iii) The repayment mechanism applies to both owner-occupiers and landlords.
- (iv) If the dwelling is sold or transferred (i.e. a relevant disposal) before the grant process is completed and interim payments have been made, these will be repayable to the Council in full.
- (v) Where a dwelling is sold or transferred for any reason, including where the owner has died, the grant plus interest will be repayable to the Council in full.
- (vi) The Council will seek to recover grant funding in all circumstances where a breach of conditions has occurred. However, the Council will consider any request for full or partial waiving of the charge in accordance with above. This must be received within 21 days of the notice for repayment being received.
- (vii) Repayment of Discretionary grants will include interest charged annually at the Bank of England Base Rate for the first 10 years from the certified date of the Grant.