Colchester City Council

Private Sector Housing Financial Assistance Policy

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1.0 Introduction

Colchester City Council is committed to creating safe, healthy and active communities and ensuring that disabled people receive the help and support that they need in order to remain safe and independent in their own homes.

Under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, the Council has the power to provide assistance to repair, improve, acquire, demolish, adapt or provide accommodation in the City.

Colchester City Council can offer assistance in the forms of grants and loans. This Policy sets out what assistance the Council is able to offer: who can apply, whether it is a loan or a grant, what it can be used for and any conditions attached to this assistance.

The Healthy Homes Team will help applicants to apply for grants and loans and will offer support and guidance where appropriate. The team will actively signpost to other services with the agreement of the person in question. We will work with other council teams, organisations, and partners to support applicants with not only housing related enquires, but also issues relating to health and wellbeing in a holistic approach. Team contact details can be found in Section 4 'How to get help with an application'.

1.1 Legislative Framework

The legislation governing Mandatory Disabled Facilities Grant (DFG) is contained in the Housing Grants, Construction and Regeneration Act 1996, as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. This order extended mandatory DFG eligibility to those occupying park homes and houseboats.

All owner-occupiers, tenants, licensees, or occupiers are eligible for a DFG, provided they meet the eligibility criteria. Private Sector Landlords and Registered Providers (RP) may also apply for a DFG on behalf of a disabled tenant, but the tenant must also meet the relevant requirements under the same means testing arrangements. Council tenants and leaseholders of Colchester Borough Homes should contact Colchester Borough Homes or see the Adaptations webpage.

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 provides local authorities with a wide-ranging power to provide assistance based on the principle that repairs are fundamentally the responsibility of the property owner, but financial assistance should be given in particular circumstances. The Order provides local authorities with a general permissive power to provide discretionary assistance and support for improving living conditions. To exercise this power, the Council must first adopt a policy for the provision of assistance.

This policy provides Colchester City Council with the powers set out under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to broaden the scope of Disabled Facilities Grants and to offer alternative forms of discretionary grants for disabled, elderly, low income and other vulnerable residents in the City. The broad aim of this policy is

to remove serious housing hazards that could impact on their health, safety and wellbeing, enabling people to maximise their quality of life and continue to live independently in their own homes. Other social care capital projects and expenditure may be considered in line with the Grant Conditions set by the Department for Levelling Up, Housing & Communities.

Mandatory DFG's under the Housing Grants Construction and Regeneration Act 1996, will be offered to applicants who meet the eligibility criteria. All forms of discretionary assistance beyond the Mandatory DFG are dependent on the availability of funds and can be withdrawn at any time. Mandatory DFG applicants will always take precedent and will not be disadvantaged by discretionary DFG's.

1.2 The Purpose of the policy

Poor housing conditions are known to have a detrimental effect on the health and well-being of occupants. Poor and unsafe housing increases the risk of ill-heath and injury. Certain groups are more vulnerable because they spend more time at home and may be more susceptible to health problems. These groups will include older and disabled people and families with young children.

The Council has outlined one of its key themes in the Strategic Plan for 2023-26 in Creating safe, healthy and active communities by tackling the causes of inequality and support our most vulnerable people. The Council has reviewed its Financial Assistance Policy to support the objectives of this strategic plan.

The Council recognises that the way residents access support is changing across the system, with services increasingly working as part of a wider health, housing and care system. This policy supports that approach by maintaining a commitment to partnership working, sharing expertise and developing joined-up pathways with system partners, so that residents receive timely, coordinated and person-centred support to remain safe and independent in their own homes.

The purpose of this Policy is to provide a formal framework within which the Council can deliver mandatory disabled facilities grants and exercise its discretion in providing other forms of financial assistance under the Regulatory Reform Order 2002.

This framework is designed to ensure the fair, equitable and consistent treatment of disabled people across Colchester who require the Council's financial assistance to adapt their home or relocate to another, more suitable home.

The key objectives of the Financial Assistance Policy are to:

● Help disabled people to maintain their independence by enabling them to adapt their existing homes to meet their needs or move to an alternative, more suitable home that meets their needs.

● Help vulnerable residents to remedy hazards and/or disrepair in their homes where these pose a significant threat to their health and safety, and where they are unable to do so without assistance.

● Support and facilitate Colchester's hospital discharge arrangements by ensuring that the City's residents are able to return home quickly in a manner that enables them to live safely and independently at home, making it easier for carers to provide support; and

● Help prevent admissions to hospital, care homes or residential settings, and higher expenditure elsewhere in the health and/or social care system

1.3 Cases when Assistance is not available

There are certain situations where applicants may not be entitled to assistance. These are if they have:

- started and/or completed the work before their application is approved.
- deliberately worsened their housing conditions (for example, by damaging the structure or fittings).
- a second home or are moving in to a second home.
- made a fraudulent application or request for assistance.
- in the case of Disabled Facilities Grant, Discretionary Disabled Facilities Assistance, Discretionary Stairlift Grant or Fast-Track Grant, no longer have that medical need or the person with the disability is no longer living at the address.
- an insurance policy that will cover the work(s)

2.0 Types of Financial Assistance:

2.1 Mandatory Assistance

To apply for a Disabled Facilities Grant, you must first arrange an assessment with Essex County Council.

They will send an Occupational Therapist to assess your needs to see if you are eligible. They will then make recommendations on what equipment and adaptations you need that will be sent to the Council.

Please visit Essex County Councils website for details of how to arrange an assessment. Further information can be found here: www.essex.gov.uk/topic/adult-social-care-and-health.

The Council has a duty to approve applications under section 23 (1) of the Housing Grants, Construction and Regeneration Act 1996 to satisfy the requirements outlined in the Act for the provision of Mandatory Disabled Facilities Grants. The minimum threshold for a DFG is £1,000 and the maximum upper grant limit is £30,000 (including VAT if applicable).

2.1.1 Disabled Facilities Grants (DFG)

Purpose: The Council must give Disabled Facilities Grants to help eligible applicants to pay towards the cost of adapting their homes to meet the needs of disabled persons.

Eligibility for DFG: Any residents who own or rent a house, bungalow, flat, qualifying houseboat, or caravan with an occupant who is registered (or is registerable as) disabled may apply for a Disabled Facilities Grant for adaptations. Official legal representatives of people who lack capacity to make decisions for themselves can make an application. Landlords are also able to apply on behalf of their tenant.

Each application must be supported by a recommendation from an Occupational Therapist, where applicable we will consult with Essex County Council Social Care.

Only one Mandatory DFG application can be processed at a time. Should additional recommendations be received whilst there is an existing application, these works will be combined and treated as a single application.

To make a Valid Application for a DFG, you will need to complete an application form and supply information about your circumstances and finances. Where applicable, we may also require your Landlord, Registered Provider or Freeholder to give permission to undertake any works. Please see Appendix 3 for further details on what information is required.

The Council reserves the right to refuse grant aid where the works are not reasonable and practicable, or the property is not suitable for adaptation.

DFG for Registered Providers: All Registered Providers will be asked to make a contribution if a tenant makes an application for a DFG. Any contribution depends on the provider's Adaptation Assistance Policy and their financial position.

Qualifying Works:
The qualifying works are set out in Section 23(1) of the Housing Grants, Construction and Regeneration 1996 Act.

The following types of works, when recommended by the Occupational Therapist as "necessary and appropriate", are eligible for a grant, provided it is and deemed "reasonable and practicable" by the council with regard to the age and condition of the property:

- Making the building or dwelling safe for the disabled person
- Facilitating access to and from the building
- Facilitating access to or providing a bedroom
- Facilitating access to the principal family room
- Provision of a room containing a bath or shower or facilitating the use of such a facility
- Provision of a room containing a WC or facilitating the use of such a facility
- Provision of a room containing a wash hand basin or facilitating the use of such a facility
- Facilitating the preparation and cooking of food (only if used by the disabled person)
- Providing or improving a heating system for the use by the disabled person

- Facilitating the use of power, light, or heat by altering the same or by providing additional means of control
- Facilitating access and movement around the dwelling to enable the disabled person to provide care for another person.
- Any such purpose specified by the Secretary of State

Only qualifying works can be funded by a grant. If any of the qualifying works are not completed in line with the Occupational Therapist recommendations, they will not be eligible for grant funding. 'Preferred Schemes' must meet the needs to the relevant person and be approved by the Occupational Therapist and the council. It will be the responsibility of the applicant who is proposing the Preferred Scheme to ensure this meets all our requirements. If these works are not approved, then the funding will be withdrawn.

The council will require two quotes that are less than 6 months old for the eligible works which are reasonable and in line with like or similar works, unless the works or item is a specialist piece of equipment. Should a quote be excessive or above what would be considered reasonable, the council may request an additional quote or determine the grant amount using an average of similar works.

The council will normally approve the lower of the two quotes. If the applicant wishes to go with the more expensive quote, they will have responsibility to fund the difference and pay this direct to the contractor.

In some instances, the Council may have entered into a Framework Agreement meaning that only a single quote from a contractor on this framework is required. This can reduce the time taken to process certain works such as stairlifts.

For cases where it is not appropriate to provide an adaptation to a property, The Council may as an alternative and in agreement with the applicant, provide assistance with moving costs. Please see 2.2.1 Discretionary Disabled Facilities Assistance Loan (DFA).

The Means Test:

11 August 2026 update: The Council has opted to waive applicant contributions arising from financial means testing for Disabled Facilities Grants (DFG) until 31 March 2027. The statutory DFG means test will remain in place during this period, but where the assessment identifies an applicant contribution, the Council may meet or waive that contribution through discretionary housing assistance, subject to eligibility, available funding and the Council's approved policy framework. This temporary arrangement will allow the Council to test the impact of removing applicant contributions and to understand whether this improves access to assistance. It is intended to support vulnerable residents by reducing potential financial and administrative barriers, helping eligible people to receive timely adaptations and assistance that enable them to remain safe and independent in their own homes.

Historical Policy information
All DFG applications are subject to a means test. The council may determine to use the Current Housing Benefit Rates where this increases personal allowance and premium rates resulting in reduced applicant contributions.

However, if the disabled person is in receipt of a qualifying income related benefit or "passported" benefit, then they will make no contribution towards the cost of the eligible works up to the maximum grant limit. These benefits are:

- Universal Credit (UC)
- Income-related Employment and Support Allowance (ESA)
- Income Support (IS)
- Income-based Jobseekers Allowance (JSA)
- Housing Benefit (HB)
- Guaranteed Pension Credit (GPC)
- Working Tax Credit or Child Tax Credit (where annual income for the purposes of assessing tax credit is less than £15,050)

(N.B. Employment and Support Allowance (Contribution Based) and Saving Credit are classed as income and are not a qualifying benefit)

A means test will not be carried out if the disabled person is a child (someone between 0 and 16th birthday) or a young person (someone between 16th and 20th birthday who is in non-advanced ordinary full-time education), evidence maybe required. The application must be made by either the parents/guardians or property owner(s).

All applications must be made either by the owner, the tenant, the landlord of the property, or the disabled person. The means test is only applied to the disabled person (and their partner).

The result of the means test gives the disabled persons contribution towards the cost of the works. This contribution can vary from zero to the full cost of the works. Please note, that although a disabled persons assessed contribution may be calculated to be over the cost of the eligible works or over the maximum grant amount for £30,000, they are still entitled to apply for a Nil Grant.

Previous assessed contributions paid towards DFGs will be taken into account for a period of 10 years, from the certified date of the works.

Amount of grant payable:
The cost of any works started and/or completed before the application has been approved may be excluded from the approved amount.

The maximum DFG that can be awarded is currently set in legislation at £30,000, less the applicant's assessed contribution.

Where there is an assessed contribution to be made by the applicant following a means test, this should be the initial payment. Interim payments are permittable once the works have reached an acceptable point as determined by the Council. Applicants will need to inform the Council of the request for interim payments in advance.

When works commence, there may be occasions where previously unidentified or unforeseen works may be required for safely and/or to complete the approved schedule of works e.g. unseen pipework or electrical work. Where this occurs, approval will need to be given by the council before any work is undertaken. If the council does not approve the works, they may not be eligible under the grant. Any increase in the grant, will be reflected in the Local Land Charge

detailed below. Should the applicant not agree to approved unforeseen works, no grant payment will be made, and any costs incurred will be the responsibility of the applicant to fund.

It is a condition of payment of every grant, unless otherwise agreed by the council, that the eligible works are carried out by the contractor whose quotes accompanied the application or, where two or more estimates were submitted, by one of those contractors.

Where several suitable options have been identified to meet the needs of the disabled person, the council will only provide a grant fund based for the most cost-effective and meets the needs of the disabled persons as outlined by the recommendation. If the applicant's Preferred Scheme is not the most cost-effective then the council will only fund eligible works determined by the council.

The applicant must pay the difference between the options to the contractor directly, before any grant funds are released, as well as any assessed contribution. The council will require evidence that the applicant(s) have the funds available to make payment for the shortfall amount and/or difference before approval can be given. These funds must remain available throughout the works and may include a contingency amount to cover any unforeseen works. This is to ensure the works can be completed.

Grant Conditions:
Under the Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, the Council may place a Local Land Charge on properties subject to a Grant where it is considered that the works add value to the property.

DFG's are approved subject to these statutory conditions regarding occupation of the property throughout the five-year grant condition period. Providing that the disabled person intends to stay in the property for the five years, then the grant is not repayable at all unless the grant value exceeds £5,000.

If the property is sold or ownership transferred within the five year grant condition period, the Council will need to look at the reason for the sale or transfer and may demand repayment of the grant subject to the relevant conditions.

There may be four other conditions attached to the grant. These are:

a) the works must be carried out within 12 months from the date of approval. In exceptional cases, the Council may extend this and will notify the applicant in writing of their decision.
b) Payment can only be made when the works have been completed to a satisfactory standard and meets the recipient's needs, and the council has received a suitable invoice and relevant certificates, demand or receipt for payment of the works. Please note that any such documents must be addressed to the applicant, not the Council. Payment is normally made direct to the building contractor. Please also note, any assessed contribution following a means test should be the initial payment. Interim payments are permittable once the works have reached an acceptable point. Applicants will need to inform the Council of the request for interim payments in advance.

c) In the case where DFG work is required whilst an insurance or legal claim is going through the Courts system, repayment of the full grant will be necessary from the proceeds of the successful claim.
d) If the applicant has chosen a Preferred Scheme (where there may be additional works being undertaken at the same time as eligible works) the Council will usually make payment on completion of the eligible works direct to the applicant for them to manage payment with their contractor.

Grant Repayment requirements:
Repayment of the grant will be required in the following circumstances:

- **Breach of Grant conditions**: If the applicant sells or transfers the property within the five year grant condition period, they may be required to repay the grant to the Council upon the sale or transfer depending on the reason for sale, subject to the relevant conditions.

- **In the case of a fraudulent application** (e.g. when the applicant is not entitled to the grant for whatever reason), immediate repayment of the full grant plus compound interest will be required by the Council.

- **Where the grant approved is more than £5000**, the Council will secure a recoverable charge on owner-occupied properties of up to a maximum value of £10,000. This means that it is registered as a local land charge and will stay in force for 10 years from the certified date and an appropriate proportion may be recovered when the property is sold or transferred during this period.

When deciding whether a charge is due for repayment the Council must consider each case on its merits and will consider the following:
- Will repayment cause financial hardship.
- Is the sale of the property to enable the recipient to move for work.
- Is the sale connected to the physical or mental health or wellbeing of the recipient.
- Will the sale enable the recipient to live with someone needing care or to be cared for.

All applicants can voluntarily repay the grant at any time after the certified completion date if they so wish and the details will be removed from the Land Charges register. Please also note that a DFG repayment requirement will expire after 10 years from the certified date.

2.2 Discretionary Assistance

The Council is given discretionary powers under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to provide assistance to any person for the purpose of improving living conditions, and to support residents to remain safe and independent in their own homes.

All forms of discretionary assistance will meet the following aims and objectives:

- Increase safety, independence and maximise the disabled persons abilities to live well in their own home.

- Maximising the number of disabled people whose homes are adapted to enable them to continue to live independently in their own home.
- Prevent avoidable admission to care settings, supporting the NHS and Social Care.
- Supporting people to be discharged from hospital or care as quickly as possible.

Discretionary forms of assistance may include supporting projects, schemes, or mechanisms to meet the above aims and objectives. These could include, but are not limited to:

- Working with system partners to improve, develop and integrate services for the benefit of applicants, including the Senior Occupational Therapist in Housing Project.
- Supporting organisations with existing or new hospital/care discharge services run by charitable, not-for-profit, or other social enterprises.
- Purchasing specialist/temporary equipment to enable swift discharge from hospital or care setting, whilst more permanent adaptations are processed (where appropriate).
- Exploring and potentially financially supporting capital projects that may reduce overall demand for DFGs or support the development of specialist housing to meet local need.
- Purchasing additional warranty on equipment to ensure that they are maintained and functional for as long as possible.
- Supporting applicants to clear or clean their property and enabling other works and / or support to be undertaken.

All Discretionary Assistance projects and schemes will be subject to the appropriate forms of governance and will demonstrate their ability to meet the aims and objectives.

The Council may also undertake technical inspections or employ specialist services required to gain for further information that enables a property to be fully assessed to undertake the eligible works. These services might include but are not limited to structural reports, architectural services, soil sampling tests, relocation of utilities and planning and building regulation applications. The council may also employ such services to undertake inspections on its behalf due to the nature of the works or in ensuring applications are processed in a timely manner. Assistance can also be given to pay for any associated fees and charges, including in cases where the work does not in the end proceed.

The Housing Health and Safety Rating System (HHSRS) updated in 2026, is the statutory risk-based assessment framework used to identify and evaluate hazards in residential accommodation arising from deficiencies within the dwelling. It was introduced under the Housing Act 2004 and applies to residential properties in England and Wales. Assessments carried out under the HHSRS will support the Council in identifying hazards that present a risk to residents' health, safety or wellbeing, and in determining appropriate works to reduce or remove those risks through this policy, including Category 1 hazards and relevant Category 2 hazards where assistance is considered appropriate.

2.2.1 Disabled Facilities Assistance (DFA)

Purpose: Disabled Facilities Assistance (DFA) is available to help eligible applicants to pay for the cost of adapting their home to meet the needs of a disabled person that are not covered

by the Mandatory DFG. This could include where the required works are above the maximum mandatory DFG amount of £30,000 and the applicant cannot fund the additional costs, or if the applicant is unable to raise their assessed contribution due to financial hardship, or their property is not adaptable. The maximum Discretionary DFA is £30,000, subject to the funds being available. This assistance can be suspended at any time before formal approval.

Eligibility for DFA:
Any applicants who have an owner's interest in the resident property and where an occupant is registered (or registerable as) disabled may apply for a Discretionary DFA for adaptations.

Prior to any DFA approval, support will first be given to seek and exhaust other forms of funding or financial assistance available from charities and evidence will be required on application.

Discretionary assistance can contribute to the total cost of eligible works to meet the needs of the disabled person, as assessed, and recommended by the Occupational Therapist. All work must be considered "reasonable and practicable". The Council reserves the right to refuse financial assistance where these are not met, the property is not suitable for adaptation or in conjunction with Preferred Schemes that can be achieved through a more cost-effective option.

The Council will require the applicant(s) to provide information about their financial situation as part of their application.

The Council may also consider the longer-term affordability of this type of assistance and any future negative impact this might have on the applicants when making its decision.

Second homes will not be considered and are not eligible for any financial assistance.

Where an adaptation is not an appropriate option:

The Council may consider a DFA to assist with moving to a more suitable property. The relevant property will need to meet the majority of the client's needs and must be determine suitable by both an Occupational Therapist and the Council. All works to the property must be deemed reasonable. The applicant would be subject to the same prescribed test of resources used for a DFG application**.**

Financial assistance towards the purchase of a property may also be considered for owner occupiers, but only where there would be no financial gain in the sale of the old property moving to the new property, equally the move to a new property must not place the applicant in negative equity or financial hardship and must be affordable.

In all cases, the property to which the applicant moves must be supported by an Occupational Therapist and the Council.

An individual who receives this assistance shall not be entitled to claim similar discretionary assistance for a period of 10 years, however, is still eligible for a Mandatory DFG to pay towards the cost of adapting the property to meet the remaining needs of the disabled person.

Qualifying Works:
The Discretionary DFA is available to fund the following adaptations to enable a disabled person to stay in their own home:

(a) to make the dwelling suitable for the accommodation of the disabled person

Examples include:

- the provision of a safe play space for a disabled child
- the provision of more satisfactory internal arrangements which would directly benefit the disabled person

(b) to make the dwelling suitable for the employment of the disabled person (examples include the provision or adaptation of a room for the disabled person to use as a work area)

(c) to provide an area for specialist care or treatment (e.g. provision of a dialysis room)

(d) where an applicant is unable to meet their assessed contribution under the means test for the Mandatory DFG, and in the absence of any affordable alternative, the Council may provide the applicant(s) with a Discretionary DFA to enable the works to proceed.

(e) Assistance with moving to an alternative, suitable property. (A “suitable” property is one that has been assessed by an Occupational Therapist and the council and being more suitable for the disabled person’s needs than the current one). A further DFG application may then be possible to adapt a new property.

(f) Where the cost of the eligible works exceeds the maximum DFG limit of £30,000.

The Means Test

The applicant(s) of a DFA is subject to a means test for eligibility of the assistance if the DFA is paying for works that are not DFG eligible. A means test is not applicable where the assistance is for an assessed contribution towards a DFG where the applicant cannot raise the funds, or to support a passported DFG applications to achieve the agreed eligible works that exceed the mandatory DFG £30,000.

Amount payable
Please note that applicants will not be entitled to assistance if they have:

- started and/or completed the work before their application is approved.
- deliberately worsened their housing conditions (for example, by damaging the structure or fittings).
- a second home or are moving into a second home.
- they have made a fraudulent application or request for assistance.
- in the case of Disabled Facilities Grant or Discretionary Disabled Facilities Assistance, no longer have that medical need or the person with the disability is no longer living at the address.

Conditions:

The Discretionary DFA is approved subject to the following conditions:

- Works must be carried out within 12 months from the date of approval. In exceptional cases, the Council may extend this and will notify the applicant in writing of their decision.
- The disabled persons intention is to remain in the property for five years from the certified completion date.
- Payment for works can only be made when the works have been completed to a satisfactory standard and meets the recipient's needs, and the council has received a suitable invoice, demand, or receipt for payment of the works. Please note that any such documents must be addressed to the applicant not the Council. Payment is normally made direct to the building contractor following any contribution by the applicant.
- In the case where Discretionary DFA work is required whilst an insurance or legal claim is going through the Courts system, repayment of the full loan will be necessary immediately from the proceeds of the successful claim.

Repayment requirements:

The Discretionary DFA is secured against the property and will be registered as a Local Land Charge.

Repayment of the loan will be required in the following circumstances:

- If the property is sold or transferred within five years of the certified completion date, it is repayable with compound interest, depending on the reasons for sale.

- It is repayable without interest when the property is eventually sold or transferred to another owner at any point in the future.

- In the case of a fraudulent application (e.g. when the applicant is not entitled to the loan for whatever reason), immediate repayment of the full loan plus compound interest will be required by the Council.

2.2.2 Fast-Track Grant (FTG)

Purpose: To provide a mechanism for a Discretionary Fast-Track Grant alongside the Mandatory Disabled Facilities Grant (DFG), to support and promote prompt hospital discharge and reablement, preventing avoidable Delayed Transfer of Care (DTOC) from hospital or care and the associated additional costs to health / social care services. In addition to supporting prompt discharge, the Fast-Track Grant will also provide the ability to avoid admission, when a recognised risk e.g. falls, has been identified by the referring Health Professional.

The Fast-Track Grant is a Discretionary assistance that follows the Mandatory DFG principles to help eligible applicants pay for the cost of adapting their homes to meet the needs of disabled persons. The means test will not be required when eligibility for the Fast-Track grant is met.

Eligibility for Fast-Track Grant:

Recommendations can be made by a Senior Occupational Therapist in Housing, or Occupational Therapist where the applicant is currently in hospital/care, or who is at risk of being admitted where prompt adaptations would avoid admission, up to the upper financial limit of the mandatory DFG. This will include working with people with life-limiting and life-altering injuries or conditions to prevent formal/interim care placements for those whose home environment is not currently suited to their assessed needs.

Eligibility for a Fast-Track Grant will be at the discretion of the Manager/Budget Holder, and subject to capacity and the availability of funds. Applications that do not meet the criteria for a Fast-Track Grant may be eligible for other assistance detailed in this policy.

Any residents who own or rent a house, bungalow, flat, eligible houseboat, or caravan with an occupant who is registered (or is registerable as) disabled may be eligible for a Fast-Track DFG. Landlords may also support and apply on behalf of their tenant, where appropriate.

The Council reserves the right to refuse grant aid where the works are not necessary, appropriate, reasonable, practicable, or the property is not suitable for adaptation. Where the Fast-Track Grant is not appropriate, the Council may support a Mandatory DFG application, or Discretionary Disabled Facilities Assistance to help the disabled person to move to more suitable accommodation.

Qualifying Works:

The purposes for which **Fast-Track Grants** may be given are adaptations to provide the disabled person with (but is not limited to) the following and is at the discretion of the Manager/Budget Holder:

- Access in to and around the dwelling
- Access to bathroom facilities
- Access to suitable bedroom facilities
- Access to main living/family room
- Access to suitable lighting and heat controls
- Access to kitchen facilities
- Any adaptations necessary to enable the disabled person to care for dependent residents
- Professional Fees related to the grant aided works (also known as preliminary and ancillary fees)

(Additional qualifying works available through standard DFG. See section 23 (1) of the Housing Grants, Construction and Regeneration 1996 Act.)

Where several suitable options have been identified to meet the needs of the disabled person, the council will only provide a grant for the most cost-effective.

The Means Test

The Discretionary Fast-Track Grant is not subject to a means test.

Amount of grant payable:

The cost of any works started and/or completed before the application has been approved will normally be excluded from the approved amount.

The maximum Fast-Track Grant is set to the upper financial limit of the mandatory DFG, subject to funds being available.

Grant Conditions:

The Discretionary Fast-Track Grant is approved subject to statutory conditions regarding occupation of the property throughout the five-year grant condition period. Providing that the disabled person stays in the property for the five years, then the grant is not repayable at all unless the grant value exceeds £5,000.

If the property is sold or transferred within the five-year grant condition period, the Council will need to look at the reason for the sale or transfer and may demand repayment of the grant in full.

There are three other conditions attached to the grant. These are:

a) the grant must be carried out within 12 months from the date of approval. In exceptional cases, the Council may extend this and will notify the applicant in writing of their decision.
b) Payment can only be made when the works have been completed to a satisfactory standard and the council has received a suitable invoice and relevant certificate(s), demand, or receipt for payment of the works. Please note that any such documents must be addressed to the applicant not the Council. Payment is normally made direct to the building contractor.
c) In the case where Discretionary Fast-Track Grant works are required whilst an insurance or legal claim is going through the Courts system, repayment of the full grant will be necessary from the proceeds of the successful claim.

Grant Repayment requirements:

Repayment of the grant will be required in the following circumstances:

- Breach of Grant conditions: If the applicant sells or transfers the property within the five-year grant condition period, they will normally be required to repay the full grant to the Council upon the sale or transfer.
- In the case of a fraudulent application (e.g. when the applicant is not entitled to the grant for whatever reason), immediate repayment of the full grant plus compound interest will be required by the Council.
- Where the grant approved is more than £5,000, the Council will secure a recoverable charge on the property of up to £10,000. This means that it is registered as a local land charge and will stay in force for 10 years from the certified date.

When deciding whether a charge should be waived, the Council will take into account individual circumstances of each case. Severe financial hardship, downsizing and moving into care are some of the factors that are considered. Please contact the council to discuss this if you would like more information.

All applicants can voluntarily repay the grant at any time after the certified completion date if they so wish and the details will be removed from the Land Charges register. Please also note that a Discretionary Fast Track Grant repayment requirement will expire after 10 years from the certified date.

2.2.3 Stairlift Grant (SLG)

Purpose: Stairlifts provide access to essential facilities within the home, increasing independence for disabled adults and children. Stairlifts are usually a relatively straightforward installation requiring little in the way of other home alterations. Given their ease of installation, they can provide a proportionally significant enhancement to the lives of those who needs them.

Eligibility for SLG:
Any residents who own or rent a house with an occupant who is registered (or is registerable as) disabled may apply for a Stairlift Grant. Official legal representatives of people who lack capacity to make decisions for themselves can make an application. Landlords are also able apply on behalf of their tenant.

Each application must be supported by a recommendation from an Occupational Therapist, where applicable we will consult with Essex County Council Social Care.

To make a Valid Application for a SLG, you will need to complete an application form and supply the requested information. Where applicable, we may also require your Landlord, Registered Provider or Freeholder to give permission to undertake any works.

The Council reserves the right to refuse grant aid where the works are not reasonable and practicable, or the property is not suitable for adaptation.

Recommendations can be made by an Occupational Therapist for a disabled occupier or parent/guardian of a disabled child.

Qualifying works:
To qualify for assistance the property must be suitable for a stairlift and that the lift be suitable for the disabled user.

Stairlifts will be funded to facilitate access to essential rooms and facilities such as a room suitable as a bedroom or bathing facilities. Any stairlifts wanted for accessing non-essential facilities that would not be included in a Disabled Facilities Grant will not be eligible.

The Council has entered into a Framework Agreement for the procurement of stairlifts meaning that only a single quote from the contractor on this framework is required. This can reduce the time taken to process applications.

The applicant is under no obligation to use this contractor if they do not wish to, however, the council will require two quotes for a stairlift in this circumstance to process the application. The council will normally approve the lower of the two quotes. If the applicant wishes to proceed with the more expensive quote, they will have responsibility to fund the difference and pay this direct to the contractor.

The council will also fund an additional warranty for up to 5 years as standard.

Means Test:

The Discretionary Stairlift Grant is not subject to a means test.

Amount Payable:

Please note that applicants will not be entitled to assistance if they have:

- Installed a stairlift before their application is approved.
- deliberately worsened equipment (for example, by damaging the structure or fittings).
- a second home or are moving into a second home.
- they have made a fraudulent application or request for assistance.
- no longer have that medical need or the person with the disability is no longer living at the address.

The maximum Stairlift Grant is set to the upper financial limit of the mandatory DFG, subject to the funds being available.

Conditions:

The Stairlift Grant is approved subject to statutory conditions regarding occupation of the property throughout the five-year grant condition period. Providing that the disabled person stays in the property for the five years, then the grant is not repayable at all unless the grant value exceeds £5,000.

If the property is sold or transferred within the five-year grant condition period, the Council will need to look at the reason for the sale or transfer and may demand repayment of the grant in full.

There are two other conditions attached to the grant. These are:

a. the equipment must be installed within 12 months from the date of approval. In exceptional cases, the Council may extend this and will notify the applicant in writing of their decision.
b. Payment can only be made when the works have been completed to a satisfactory standard and the council has received a suitable invoice and relevant certificate(s), demand, or receipt for payment of the works. Please note that any such documents must be addressed to the applicant not the Council when the contractor is not party to a Framework agreement. Payment is normally made direct to the contractor.

Repayment requirements:

Repayment of the grant will be required in the following circumstances:

- Breach of Grant conditions: If the applicant sells or transfers the property within the five-year grant condition period, they will normally be required to repay the full grant to the Council upon the sale or transfer.
- In the case of a fraudulent application (e.g. when the applicant is not entitled to the grant for whatever reason), immediate repayment of the full grant plus compound interest will be required by the Council.

- Where the grant approved is more than £5,000, the Council will secure a recoverable charge on the property of up to £10,000. This means that it is registered as a local land charge and will stay in force for 10 years from the certified date.

When deciding whether a charge should be waived, the Council will take into account individual circumstances of each case. Severe financial hardship, downsizing and moving into care are some of the factors that are considered. Please contact the council to discuss this if you would like more information.

All applicants can voluntarily repay the grant at any time after the certified completion date if they so wish and the details will be removed from the Land Charges register. Please also note that a Discretionary Stairlift Grant repayment requirement will expire after 10 years from the certified date.

3.0 Home Repair Loan (HRL)

Purpose: Home Repair Loans are discretionary assistance to provide help to eliminate or reduce to an acceptable level, any significant risks as assessed using the Housing Health and Safety Rating System (HHSRS), to the occupiers' health and safety. The maximum HRL is £30,000, subject to available funds.

Eligibility for an HRL: HRL is available to homeowners and leaseholders who have a legitimate and reasonable contractual obligation to repair and maintain the property.

Priority may be given to when:

a) applicants have a disability.
b) the applicant has owned and resided in the property for at least the last three years.

Applicants who do not meet these criteria may apply and each case will be decided on its own merits. Properties with serious/life threatening issues (i.e. Category 1 hazards) will be considered in advance of those with minor disrepair issues.

Affordability will be considered by the Council during an application. Further information regarding other registered charges against the property will be required to ensure there is sufficient equity to meet all charges.

Prior to any HRL approval, support will first be given to seek other forms of funding such as equity release or financial assistance from charities or other sources of funding.

HRL's are only available where there is not a current valid insurance policy in place that will cover the works.

HRL's are not available for second homes.

The council reserves the right to withdraw this assistance at any time when funds become depleted.

Qualifying works:

Elimination of Category 1 and some Category 2 or other identified hazards

The council will undertake a HHSRS inspection to determine what hazards exist in the property. The outcome of this inspection will constitute the qualifying works. Should there be multiple hazards/works, the council will determine the priority and if they can be managed in line with the funds available.

Where renovation of a dwelling is the most satisfactory course of action, HRL's may be given to eliminate Category 1 hazards, or where this is not possible, to reduce them to a low Category 2 hazard.

In addition, HRL's may be given to eliminate high Category 2 hazards or reduce them to a low Category 2 hazard or remove them where possible.

On completion of the HRL works, all homes must meet an acceptable standard (and therefore free of Category 1 hazards).

- **To increase thermal efficiency of homes**:

The Council wishes to make sure that the residential properties within its district are as thermally efficient as possible.

The Council will support applicants to access all available forms of assistance to meet this need. This may mean accessing other central government or local schemes, or other similar future schemes that will meet all or part of the works, in advance of Council financial assistance. These schemes will need to be exhausted prior to assistance being offered.

The Means Test:

All HRL applications will be means tested to determine a valid application.

However, if the applicant is in receipt of a qualifying income related benefit or "passported" benefit, then they will make no contribution towards the cost of the eligible works up to the maximum loan limit. There benefits are:

- Universal Credit (UC)
- Income-related Employment and Support Allowance (ESA)
- Income Support (IS)
- Income-based Jobseekers Allowance (JSA)
- Housing Benefit (HB)
- Guaranteed Pension Credit (GPC)
- Working Tax Credit or Child Tax Credit (where annual income for the purposes of assessing tax credit is less than £15,050)

(N.B. Employment and Support Allowance (Contribution Based) and Saving Credit are classed as income and are not a qualifying benefit))

If the applicant does not receive any of these benefits, then the same means test that applies to the Disabled Facilities Grant will be carried out in accordance with the Government's rules.

The result of the means test is the applicant's contribution towards the cost of the works and does **not** qualify for other Council financial assistance.

Amount payable:

The cost of any works started and/or completed before the application has been approved will be excluded from the approved amount.

HRL's are an interest free repayable assistance. The minimum HRL that can be paid is £300. The maximum is £30,000.

The £30,000 limit is reduced by any previous HRLs (or its predecessors, Home Repair Assistance and Home Renovation Loan) paid in the 10-year period preceding this application.

Conditions:

HRLs are approved subject to the following conditions:

- The works must be carried out within 12 months from the date of approval. In exceptional cases, the Council may extend this and will notify the applicant in writing of their decision.
- Payment can only be made when the works have been completed to a satisfactory standard and the council has received a suitable invoice and certificates, demand or receipt for payment of the works. Please note that any such documents must be addressed to the applicant <u>not</u> the Council. Payment is normally made direct to the contractor. The clients' contributions will need to be the first payment to the contractor.
- In cases where HRL work is required whilst an insurance or legal claim is going through the Courts system, repayment of the full loan will be necessary from the proceeds of the successful claim.

Repayment requirements:

The Discretionary HRL is secured against the property and will be registered as a Local Land Charge.

Repayment of the loan is required in the following circumstances:

- In the case of a fraudulent application (e.g. when the applicant is not entitled to the loan for whatever reason), immediate repayment of the full loan plus compound interest will be required by the Council.

- If the property is sold or transferred within five years of the certified completion date, it is repayable with compound interest.

- It is repayable without interest when the property is eventually sold or transferred to another owner after 5 years.

4.0 Support with all forms of assistance

4.1 How to get help with an application:

The Healthy Homes Team will support people in making an application for all forms of financial assistance.

The team will offer support, advice, and guidance where appropriate, and actively signpost to other services with the agreement of the person in question.

We will endeavour to advise applicants and answer enquires as soon as possible. We will work with other council teams, organisations, and partners to support applicants with not only housing related enquires, but also issues relating to health and wellbeing.

How to contact the Healthy Homes Team:

The **Healthy Homes Team** can be contacted on:

Telephone: 01206 506362
Email: grantsandloans.support@colchester.gov.uk
Please visit our website for more information: https://www.colchester.gov.uk/disabled-facilities-grants/

4.2 Feedback:

As a team, we are continuously working to improve how we deliver the service. An important part of this is to welcome feedback from residents and use this to help develop and shape the service. You can leave feedback on this or any council service by visiting Help Us Get It Right.

Alternatively, you can also contact the team at:

- **By email:** grantsandloans.support.gov.uk
- **By Post:** The Healthy Homes Team
  Colchester City Council
  Rowan House, 33 Sheepen Road, Colchester, CO3 3WG
- **By telephone:** 01206 506362

To contact the Local Government Ombudsman, please see below.

Local Government Ombudsman
10th Floor

Millbank Tower
Millbank
London, SW1P 4QP
Telephone: 020 7217 4620

4.3 Procedure

The procedure for all types of financial assistance is similar but may vary depending on the individual requirements and evidence that is required to support each application. Please see Appendix 1 for details of what information is required to make a valid application for a DFG.

Applicants should note that by making an application for financial assistance, they agree to the terms and conditions attached to that assistance and understand that any false or misleading information may invalidate an offer of financial assistance. In cases where information is falsified or not disclosed, this may result in legal action against the applicant(s) if financial assistance has been provided.

Please also note that to process applications, the Council will need to gather information and evidence from applicants to support the application. The availability of this supporting information may impact on the time it takes to process the application. We will also require permission from all owners of the property being adapted.

4.4 Contractual arrangements

There are two contracts for each application:

The first is the **contract between the applicant** (or their representative or agent) and their chosen **building contractor**.

The contractor is responsible to the applicant for ensuring that the works progress to a satisfactory conclusion. Before the works commence, it is essential that the applicant and the contractor agree the following:

- The scope and cost of the works to be carried out (this may be the approval notice schedule of works provided by the council, but it may also include items that are not covered by the approval notice). This should also include VAT and proof of public liability insurance
- The time it will take to complete the contract
- All the relevant practical arrangements for working on site: for example, the hours of work, what services can be used by the contractor (e.g. electricity, water, toilet etc), the provision of dustsheets to protect furniture, possessions etc and other preliminaries
- How the work is to be paid for – for example, by instalments, on completion etc.

The second is the **contract between the applicant and the Council**.

Where the Council approves an application for assistance, it is forming a contract with the applicant to pay a specified sum of money payable on satisfactory completion of the relevant works and on condition that the applicant complies with the terms under which the assistance is given.

An applicant who fails to comply with the terms and conditions of assistance will be wholly liable for meeting any costs incurred under the contract and/or will be required to repay the money upon breach of the conditions.

4.5 Resolving disputes

If an applicant (or their representative) disputes the eligibility of grant or loan works, this should be discussed with the Home Adaptations Officer. Should the dispute fail to be resolved, the Healthy Homes Manager/budget holder will review the case.

The applicant (or their representative) and the contractor will normally be expected to resolve any contractual disputes that arise. Any disputes which involve breach of contract by either party are civil law issues and may require specialist advice from a solicitor or a representative from your local Citizens' Advice Bureau. Where disputes relate to unfair contractual or credit terms, or poor workmanship, then the Trading Standards department of Essex County Council may be able to help you with some advice.

4.6 Changes in the applicant's circumstances

Applicants (or their agent) must inform the Council of all relevant changes in their circumstances, from the date of enquiry through to approval and payment of assistance. This includes changes relating to health.

Applicants are encouraged to contact the Council in advance if they believe that their circumstances may change, in order that they can be given advice on the options available to them.

5.0 Reviewing the Policy

The Financial Assistance Policy was approved by Cabinet on 7 September 2022 and came into force on 14 October 2022. The Council reserves the right to amend the eligibility criteria detailed in this policy, based on changes to the funding amounts, legislation, state benefit criteria and/or national guidance.

The policy may require small amendments on occasion that do not alter the core scope of the policy. This may include new government schemes that may benefit residents. This may be agreed by the Portfolio Holder for Housing.

Changes to the policy that effect the eligibility or availability of any grants or loans, or the addition of new Council forms of assistance may be made by Cabinet.

6.0 Equality Impact Assessment

We aim to make our services accessible to all who need them. If required, we can offer:

- A minicom and loop service for personal callers
- Language line translation services
- Other personal translators depending on requirements

An Equality Impact Assessment (EqIA) has been completed of this Policy to ensure that we its implementation does not adversely affect protected groups. The EqIA helps to ensure that the Policy does not discriminate, that everyone can access our services, we promote equality and we meet our legal obligations.

7.0 Privacy Policy

Information obtained in connection with the Financial Assistance Policy will be stored, used and retained in accordance with our Privacy Policy: Healthy Homes Privacy Notice

8.0 Cases Falling Outside the Policy

The policy details the circumstances in which an application for assistance will normally be approved. However, all applications for Discretionary Assistance will be considered on their own merits, even where it may fall outside of the policy. In such cases, assistance may be offered at the discretion of the council if the need is justified.

Anyone who feels that their application for assistance has been refused unfairly is entitled to request a review. Where appropriate, the matter will be referred to the appropriate manager/budget holder for the final decision. This request should be made in writing where possible and detail the basis for the appeal.

9.0 Appendices:

9.1 Appendix 1 - Information required for a DFG Valid Application

For Non-Passported Applications (Not in receipt of a qualifying income related benefit)

Where applicable:

1. **Application for a Disabled Facilities Grant** – Part 1 & 2 or separate if applicant different from disabled person

2. **Authorisation** - For us to check Housing Benefit/Council Tax Reduction and DWP

3. **Land Registry/Proof of Title**

4. **Landlord's Certificate or Joint Owners Certificate**

5. **Evidence of:**
    - Proof of Residency – utility bill
    - Proof of Benefit – Letter from relevant department
    - Attendance Allowance
    - Disability Living Allowance Medium Care
    - Disability Living Allowance High Care
    - Other Disability Living Allowance
    - PIP Daily Living Enhanced Rate
    - PIP Daily Living Standard Rage
    - PIP Mobility
    - Carers Allowance

6. **Power of attorney information**

7. **Pension evidence**
    - State Retirement evidence
    - Occupational Pension evidence
    - Other Pension evidence

8. **Bank Accounts**
    - Bank statements – 3 months to valid application date

9. **Employment details**

10. **Other Incomes**

Cont. Appendix 1 - Information required for a DFG Valid Application

<u>For Passported Applications (In receipt of a qualifying income related benefit)</u>

Where applicable:

1. **Application for a Disabled Facilities Grant** – Part 1 & 2 or separate if applicant different from disabled person

2. **Authorisation** - For us to check Housing Benefit/Council Tax Reduction and DWP

3. **Land Registry/Proof of Title**

4. **Landlord's Certificate or Joint Owners Certificate**

   Once the above is collected we will then have the Valid Application Date and can then collect remaining evidence below:

5. **Evidence**
   - Proof of Residency – utility bill
   - Proof of Benefit – Letter from relevant department
   - Universal Credit
   - Income Support
   - Income-related Employment and Support Allowance (not contribution-based ESA alone)
   - Income-based Jobseeker's Allowance not contribution-based JSA alone
   - Guarantee Pension Credit (not Savings Pension Credit alone)
   - Working Tax Credit/Child Tax Credit
   - Housing Benefit

Appendix 2 – Better Care Fund

9.2 Better Care Fund

The Disabled Facilities Grant (DFG) forms part of the Better Care Fund (BCF) that was announced in 2013. The BCF is collaboration between NHS England, the (now) Department for Levelling Up, Housing and Communities, the Local Government Association and Department of Health and Social Care

The DFG is paid annually to the upper-tier authorities and is then reallocated to districts, boroughs, and city councils to meet their statutory obligation to provide DFG's.

Its purpose is to join up funding and improve the lives of some of the most vulnerable people in our society, enabling them to manage their own health and wellbeing and live independently in the community for as long as possible. The BCF provides the opportunity for better integration between health and social care services, resulting in improved experience and better quality of life.