

## **REPORT TO EXECUTIVE**

Date of Meeting: 4 April 2023

## **REPORT TO COUNCIL**

Date of Meeting: 18 April 2023

Report of: Director – Net Zero and City Management

Title: Financial Assistance Policy for the Better Care Fund

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

### **1. What is the report about?**

1.1 This report seeks to revise the Council's Financial Assistance Policy so that the assistance available is appropriate to ensure that those vulnerable individuals, both inside and outside of the mandatory Disabled Facilities Grant system, are able to access appropriate help.

1.2 The core Financial Assistance Policy is drafted as a Devon-wide policy with input from all district councils and Devon County Council. It is recognised that there will be local differences, due to differing priorities across the region. However, as far as practicable, there is a need to provide consistency across the region for those working in social care, who refer service users to the provisions of this policy.

1.3 The report also seeks permission to transfer £300,000 from the Exeter City Council Better Care Fund allocation for 2022-2023 to the Exeter City Council Lendology loan fund. This will enable us to use non-committed funds from the 2022-23 financial year to benefit residents in future years through the provision of loans offered at 0% (a 'BCF Loan'). The introduction of this fund will widen the reach of the BCF in Exeter

### **2. Recommendations:**

2.1 That Executive supports the adoption of the revised Financial Assistance Policy for the Better Care Fund and the creation of a ring-fenced BCF loan fund of £300,000.

2.2 That Council adopts the revised Financial Assistance Policy for the Better Care Fund, incorporating the creation of a ring-fenced BCF loan fund of £300,000.

### **3. Reasons for the recommendation:**

3.1 Local authorities have a duty to publish a policy setting out their approach to the provision of financial assistance.

3.2 This revised policy (Appendix A) is updated to ensure consistency within the County Council area (where appropriate) and to reflect the priorities of the service in the context of the ring-fenced annual financial settlement received through Devon County Council as the Upper Tier Authority.

#### **4. What are the resource implications including non financial resources**

4.1 The introduction of this policy will enable the Council to focus on those areas that contribute toward the overall aims of the Better Care Fund, including (but not limited to):

- Avoiding delayed hospital discharge;
- Providing adaptations to improve independence and care;
- Improving private housing stock to reduce ill-health and potential hospital admission;
- Working proactively to reduce the future burden on services; and
- Reducing emissions and contributing toward the 2030 Carbon neutral goal.

#### **5. Section 151 Officer comments:**

5.1 The financial resources mentioned in the report currently form part of the Council's approved capital programme. They are funded, as set out in the report, by capital grant, and, if agreed will be vired to a new budget to be passed across.

#### **6. What are the legal aspects?**

6.1 The Council's Environmental Health and Community Safety Service has statutory responsibilities under the Housing Grants, Construction and Regeneration Act 1996 to provide Disabled Facilities Grants (DFGs) to eligible residents.

6.2 Disabled Facilities Grants (DFGs) are mandatory grants, which the Council has a duty to provide in certain circumstances. This includes adapting properties to allow access (ramps, lifts, etc.), to create accessible washing facilities, cooking facilities and rooms used for sleeping, among other things. Any owner occupier or tenant can apply for a DFG as long as the person for whom the adaptation is proposed has had a statement of need following an assessment from an Occupational Therapist.

6.3 The Better Care Fund is a programme spanning both the NHS and local government which seeks to join-up health and care services, so that people can manage their own health and wellbeing, and live independently in their communities for as long as possible.

6.4 Councils are required to produce a policy stating the basis on which they will allocate Better Care Fund resources, including financial assistance falling outside the mandatory DFG requirements.

6.5 In formulating the policy, reference was made to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) and Better Care Fund guidance.

6.6 The policy clearly states that the mandatory Disabled Facilities Grant has priority over other discretionary (RRO) funding.

#### **7. Monitoring Officer's comments:**

The content of this report raises no issues of concern to the Monitoring officer.

## 8. Report details:

8.1 The key changes in this updated policy are as follows:

8.1.1 New discretionary grants are proposed, along with re-naming existing provision to ensure clarity in the policy:

Accessible Homes Grant now comes in three forms and is increased from £20,000 to £40,000 to reflect the change in building costs, particularly extensions:

- Accessible Homes Grant:
  - This is the core discretionary assistance, available to provide top-up to DFG funding, essential for larger adaptations, including extensions. To bring in line with the mandatory DFG, the DFG means test will be applied in full to this grant, including passporting benefits and the exclusion from means testing for adaptations for children.
  
- Accessible Homes Grant: Contribution
  - This provides funding to cover means tested contributions, where the applicant does not have enough savings to cover the contribution.
  
- Accessible Homes Grant: Moving Application
  - If we assist someone to move out of district, we do not pursue a charge. To bring equity to this grant, the charge has been removed from the conditions, so no longer applies to anyone in receipt of the moving grant.

A maximum of £40,000 is available across the three AHG grants listed.

8.1.2 Stair lift Grant is a re-named grant. As before, this grant covers internal and external stair lifts, platform lifts and other access devices and is available with no means test. This was introduced in 2019 to avoid delayed transfers of care.

8.1.3 Bathroom Adaptation Grant. This is a new discretionary grant, similar to the Stair Lift Grant. The aim of this grant is to speed up the application and processing by removing the means test, thus reducing the potential for delayed transfers of care.

8.1.4 Healthy Homes Grant limit has been increased from £5,000 to £10,000. This reflects the additional cost of building works since the original grant limit was set. Eligibility criteria for this grant have been broadened to include those in financial hardship (as assessed by internal teams or trusted partners, as listed in the policy). This is an essential change, as relying on benefits alone has led to households with urgent or essential issues being unable to fund repairs to reduce risks to health. In addition, the charge on the property has been removed for the following works:

- Works to disabled adaptations already subject to a charge – this is to avoid the need for further full DFG applications when equipment or installations are no longer meeting needs. The Healthy Homes Grant can fund small upgrades or repairs to ensure the adaptation continues to meet needs without the need for a full DFG application.

- Provision of equipment or works to help with end of life care. No charge will be placed to keep a light-touch administrative burden. Equipment placed can be removed and re-used when no longer required.
- Help with hoarding or the cleansing of a property. This is a notoriously difficult area to deal with. Officers of the Council work with colleagues in social services and the Fire and Rescue Service (among others) to bring about improvements. In order to bring small successes in this work, any intervention needs to be as light touch as possible.

8.1.5 Warm Up Grant limit has been increased from £2,000 to £3,000 to reflect additional costs of building works.

8.2 Where appropriate, the policy compliments regulatory enforcement activities, particularly those around private rented accommodation, loans are available to landlords where an officer from the service identifies a defect with the dwelling. Loans are also available to empty home owners to help bring empty properties back into use.

8.3 A transfer of £300,000.00 from the Exeter City Council Better Care Fund allocation for 2022-2023 will be made to the Exeter City Council Lendology loan fund. This will enable us to use non-committed funds from the 22-23 financial year to benefit residents in future years through the provision of loans offered at 0% (a 'BCF Loan'). The introduction of this fund will widen the reach of the BCF in Exeter.

8.4 'BCF Loans' are available subject to available Better Care Fund (BCF) funding in the ECC Lendology loan fund. BCF Loans are offered at 0% for those occasions where the applicant would normally be eligible for a grant, but cannot access the grant funding due to financial circumstances. Being offered at 0% also makes BCF Loans sharia-compliant, thus reducing the impact of the policy on certain religious groups.

## **9. How does the decision contribute to the Council's Corporate Plan?**

9.1 The Financial Assistance Policy for the Better Care Fund contributes to all aspects of the Council's Corporate Plan.

## **10. What risks are there and how can they be reduced?**

10.1 The revision of the Financial Assistance Policy for the Better Care Fund ensures the Council is able to effectively discharge its statutory functions and that discretionary aspects are tailored to support the goals of the service and the wider council, where appropriate.

10.2 The policy will enhance the certainty and consistency of the Council's activities around the provision of financial assistance and will reduce the risk of process failures and will manage expectations around eligibility, available funding and the extent of funded measures.

## **11. Equality Act 2010 (The Act)**

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;

- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act, and an Equalities Impact Assessment has been included in the background papers for Member's attention.

## **12. Carbon Footprint (Environmental) Implications:**

12.1 The Healthy Homes Grant can be used to improve living conditions, which may involve increased thermal efficiency of dwellings.

12.2 The Warm Up Grant can be used to fund measures which will contribute to the reduction of fuel poverty and energy consumption. The primary purpose of the grant is to improve housing conditions that pose a high risk to occupiers.

12.3 The Council funded Lendology Loan scheme can now be utilised for renewable energy/energy efficiency works such as:

- Solar Panels
- Solar Thermal Systems
- Air Source Heat Pumps
- Ground Source Heat Pumps
- Biomass Heating Systems
- Solid Wall Insulation

12.4 Although not the primary purpose of the funding, much of the work carried out has the potential to improve thermal performance of dwellings.

## **13. Are there any other options?**

13.1 The Council is required to have a Financial Assistance Policy for the Better Care Fund. The council could decide not to accept the changes to the policy proposed and therefore keep the existing policy that is in place.

**Director – Net Zero and City Management, David Bartram**

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## **Local Government (Access to Information) Act 1972 (as amended)**

Background papers used in compiling this report:-

- 1) Housing Grants, Construction and Regeneration Act 1996
- 2) Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
- 3) Disabled Facilities Grant (DFG) delivery: Guidance for Local Authorities in England (Department for Levelling Up, Housing and Communities & Department for Health and Social Care)

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