

TONBRIDGE & MALLING BOROUGH COUNCIL

STRATEGIC HOUSING ADVISORY BOARD

08 November 2010

**Joint Report of the Director of Health and Housing and Cabinet Member for
Housing**

Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken
by the Cabinet Member)**

1 DISABLED FACILITIES GRANT REVIEW

Summary

This report updates Members on:

- **the waiting times for children's Occupational Therapist (OT) assessments;**
- **details on ongoing financial commitment to adaptation works from Russet Homes;**
- **an agreement reached by Kent Housing Group on adaptations in the social rented sector which covers financial arrangements and levels of service;**
- **ongoing work with in touch to improve the Disabled Facilities Grant process; and**
- **level of DFG spend in 2010/11.**

1.1 Children's OT Assessments

1.1.1 Members will be aware of the ongoing dialogue we have had with Kent County Council's Head of Corporate Parenting, Liz Totman, since the last meeting of this Board in July 2010. The Director of Health and Housing wrote to Members of this Board on 13 October 2010 with an update.

1.1.2 To summarise, the initial assessment process that was carried out in August 2010 revealed the following position with regard to children's cases within Tonbridge and Malling as at 7 October 2010:

- **two priority A* cases which have been allocated;**
- **five priority A cases which will be allocated by December 2010; and**

- eight priority B cases which will be allocated by April 2011.

Officers have sought clarification on the priorities in order that we can all better understand the cases awaiting a full assessment. We are advised of the following:

- priority A* cases are those already a priority A and the situation is becoming critical, child and carers at risk of family breakdown (safeguarding issues) – these cases are to be agreed by area OT/OT assistant in discussion with Principal OT for the area;
- priority A cases include where children are terminally ill, where it is a hospital discharge, where there is a high serious risk of injury to carer or child through manual handling, where it is an urgent respite/foster placement, a request for a property viewing, an urgent equipment review if equipment has broken down or child at risk due to outgrowing equipment or pre-hospital admission advice for parents and other hospital professionals; and
- priority B cases are all other referrals.

1.1.3 As the Director of Health and Housing's letter to Members indicated we do feel that we have made some progress in moving cases forward to a point where we have a better understanding of the nature of the client's needs. For the Council to know that there are potentially seven children's cases requiring a DFG is extremely useful in terms of resourcing and budgets. We are also encouraged by the intention to keep the initial screening process in place to prevent families waiting on the list unnecessarily and continue to enable intelligence to be collated on what future caseloads might be.

1.1.4 We do however remain concerned about the time it will take to actually allocate cases to OTs to progress. We are informed that the oldest priority A case was a referral made in July 2009 (15 months) and the oldest priority B case was a referral made in October 2007 (three years). We are also disappointed that no grant spend will be incurred in this financial year from these cases.

1.1.5 In order to monitor the ongoing allocation and initial assessment of children's OT cases we propose the following approach:

- 1) officers will continue their ongoing contact with the Principal OT and area OTs in particular focussing on updates on allocations and initial assessments at the regular case meetings that are held;
- 2) a further meeting with Liz Totman, KCC Councillor Leyland Ridings, Members and officers from Tonbridge and Malling is proposed for 30 November 2010 where a progress update will be sought; and
- 3) the Director of Health and Housing will report back into the February 2011 meeting of the Board where, dependent on progress made, Members may

decide to request Liz Totman attends a further Board meeting as offered by her when she attended in July 2010.

1.2 Adaptations within Russet Homes

- 1.2.1 Members will be aware of the agreed notional allocation from the 2010/11 DFG budget of £300,000 for Russet tenants and Russet's commitment of at least a further £150,000 towards major adaptation works in their properties.
- 1.2.2 We have recently had the opportunity to see the draft Russet Asset Management Delivery Plan (AMDP) 2010. The Director of Health and Housing highlighted to Russet that we would like to see more flexibility in their modernisation programmes to allow tenants more choice to meet their needs e.g providing flush-floor showers in bathrooms. This prevents any need to retro-fit to meet a disabled tenants needs and saves expenditure. The Director of Health and Housing also highlighted that we do not anticipate we will ever see a government allocation sufficient to meet levels of DFG demand. The Director of Health and Housing requested that Russet make an ongoing annual provision for partnership funding to top-up DFG expenditure for their tenants. This continues the arrangements we have had in place of shared funding for the last two years.
- 1.2.3 We are extremely pleased to report that the draft AMDP was amended to include a recognition of the provision for in-house funding major adaptation works with the value for 2010/11 being £250,000 and a statement "It is likely this level of commitment will be maintained in subsequent years subject to overall capital expenditure needs and the level and availability of DFG". The draft AMDP will go before the November meeting of the Russet Board for agreement.
- 1.2.4 Although Russet emphasise that the level of ongoing support from them will depend on their overall capital investment needs and a satisfactory balance in the relationship between DFG and Russet funds, we believe this level of commitment to partnership working from an RSL to funding major adaptations is unique, certainly within Kent.
- 1.2.5 We believe we should congratulate Russet for this ongoing commitment to partnership working of the truest sense. We, as a council, are now so much closer to our desired position of equitable funding of adaptations in Russet stock and as a result fairer spread of DFG spend across all tenures. We have also by this arrangement, significantly increased the level of funding now being targeted towards meeting the needs of disabled householders each year in the borough

1.3 Kent Housing Group – minimum standard for the funding of disabled adaptations in housing association stock

- 1.3.1 A task and finish group of the Kent Housing Group was set up in 2009 to complete an assessment of the current range of approaches and policies across the Kent RSLs and local authorities with a view to reaching a local agreement(s) in Kent of the future funding of DFGs for housing association tenants. The aim of the

agreement was to provide more clarity for users and better equity in funding adaptations between local authorities and social housing providers.

1.3.2 The proposal from the group is the following funding framework for RSL residents:

- adaptations up to £1000 – RSL to fund in full
- adaptations between £1,000 and £10,000 – RSL to fund 40 per cent, LA to fund 60 per cent
- adaptations overs £10,000 – LA to fund in full via DFG

This proposal mirrors what was expected in guidance from Government on adaptations in the RSL sector. This guidance was never issued.

1.3.3 However the protocol also states that where there are existing agreements in place with provider partners these should be recognised and adhered to. We particularly stressed this point as it is important for Tonbridge and Malling in the light of the previous paragraphs detailing the proposed ongoing financial commitment to supporting our DFG budget from Russet. We would not want any Kent agreement to affect our ongoing partnership work with Russet in delivering adaptations.

1.3.4 This proposal should be seen as supplementary to that we have with Russet in that it will secure a commitment from the other RSLs in the borough to increase resources targeted at this need.

1.3.5 The proposal also outlines the need for named contacts within each RSL's who can be contacted about ongoing DFG cases and agreed processes for the RSL to follow in helping their tenants through the DFG process.

1.3.6 The Director of Health and Housing will ensure Members are kept up to date with how this proposal goes forward and particularly how it may impact on our residents if the RSLs operating in our Borough sign up to the agreement.

1.4 Work with *in touch* to improve the Disabled Facilities Grant process

1.4.1 *In touch* hosted a workshop in June 2010 where all the agencies involved in delivering DFGs across the four local authority areas the agency covers were invited. The aim of the day was to explore the mechanism by which residents across the four LA areas obtain a DFG, where 'best practice' existed and lessons could be learned and ultimately to begin the exploration of an 'ideal' DFG/adaptation process which would provide a speedier and consistent approach for all agencies involved and most importantly the disabled person.

1.4.2 It was clear from the workshop that DFG practices across the four LA areas differ considerably. This can be confusing for OTs who may have to cover more than one area and does not make it easy for *in touch* case workers and technical officers to easily provide cover for different local authorities. It is also quite clear

that the DFG process for some simple adaptations has become overly bureaucratic and lengthy.

1.4.3 Our officers are continuing to work with *in touch* to investigate further what improvements can be taken forward. These include:

- consideration of *in touch* staff carrying out the initial financial assessment of DFG applicants. At the moment an officer from the Private Sector Housing Team undertakes this, however *in touch* also visit and collect financial information for their own purposes. A further final financial assessment is also carried out at formal application stage and this will be continue to be undertaken by the Council as it is currently;
- whether in some cases inspections by technical officers from both the Council and *in touch* are needed. This is difficult as the Council inspection also includes a wider Decent Homes Survey and clearly the Council is responsible under the legislation for ensuring the proposed works are 'reasonable and practicable' and 'necessary and appropriate'. There may however be some scope for reducing the number of duplicate technical officer inspections; and
- as was mentioned at the last meeting of this Board whether 'simple' adaptation works could be taken outside of the DFG process. The CLG have confirmed that they did not envisage any future Government DFG allocations would be affected by this move. Our officers are due to meet shortly with Foundations representatives to discuss the idea further. Foundations are the National Co-ordinating Body for Home Improvement Agencies and are aware of this proposal successfully operating elsewhere so we are keen to learn more about this first. The Director of Health and Housing will also liaise with the Director of Finance at an early stage to ensure we meet all the necessary financial requirements in any future proposals. The Director of Health and Housing will of course report further to this Board any developments that may take place along these lines.

1.5 DFG spend in 2010/11

1.5.1 Members are reminded that the DFG budget for 2010/11 is £611,000. This is made up of £410,000 Government allocation and £201,000 Council funding.

1.5.2 As at the time of writing this report DFG spend was approximately £359,000 with a further £256,000 committed. We have agreed a notional allocation for Russet of £300,000 and so far they have spent approximately £101,000 with a further £87,000 committed. Clearly if they were to spend their full £300,000 allocation the DFG budget may be overspent.

1.5.3 The Director of Health and Housing has alerted the Director of Finance to the risk of overspend on the DFG budget in 2010/11. Clearly not all the commitment may materialise into actual spend and it is difficult at this stage to accurately predict the

final year spend. We do however consider that it is prudent to introduce a delay in grant approval of owner occupier and private tenant applications (within the mandatory six month period) to control the total spend. We will keep this under review and as ever urgent cases will be approved as quickly as possible. The Director of Health and Housing will update and liaise with the Director of Finance as to this, to maintain DFG spend within budget. We will report into the February 2011 meeting of this Board with an update.

1.6 Legal Implications

- 1.6.1 DFGs are a mandatory grant and valid applications have to be approved or refused within six months.

1.7 Financial and Value for Money Considerations

- 1.7.1 The proposed ongoing financial commitment from Russet to major adaptations in their tenants' homes greatly reduces the demand on the Council's DFG budget and should be welcomed.
- 1.7.2 The proposed agreement from Kent Housing Group on funding of disabled adaptations in housing association stock may mean a small reduction in DFG spend on housing association properties if other preferred partner RSL's operating in Tonbridge and Malling agree to sign up.
- 1.7.3 If no delay to grant approvals is implemented the DFG budget for 2010/11 is likely to be overspent.

1.8 Risk Assessment

- 1.8.1 The ongoing delays in OT assessments for children in Tonbridge and Malling may put at risk those families in need of works to adapt their home.
- 1.8.2 Any delays introduced to DFG approvals to help control spend in 2010/11 may leave disabled residents at risk and may harm the reputation of the Council.

1.9 Equality Impact Assessment

- 1.9.1 See 'Screening for equality impacts' table at end of report

1.10 Recommendations

- 1.10.1 **CABINET** is **RECOMMENDED** to:
- 1.10.2 **ENDORSE** the approach to monitoring of progress of children's OT assessments as detailed in paragraph 1.1.5;
- 1.10.3 **COMMEND** Russet for their proposed ongoing financial commitment to funding major adaptations for their tenants should this be approved by the Russet Board;

- 1.10.4 **NOTE** the proposal from the Kent Housing Group of a minimum funding commitment by RSLs to funding of disabled adaptations;
- 1.10.5 **NOTE** the ongoing discussions with *in touch* with the aim of streamlining and speeding up the DFG process; and
- 1.10.6 **NOTE** the possible overspend on the 2010/11 DFG budget and **ENDORSE** the approach outlined in paragraph 1.5.3 to help in controlling further spend.

The Director of Health and Housing confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Linda Hibbs

Nil

John Batty
Director of Health and Housing

Screening for equality impacts:		
Question	Answer	Explanation
a. Has an equality impact assessment on the policy (to which the activity relates) already been carried out?	No	
b. Is the decision in line with the policy?	Yes	
Note: <i>If the answer is 'no' to either of the above questions, then the activity must be 'screened' for equality impacts using the questions below.</i>		
c. Does the activity have potential to cause adverse impact or discriminate against different groups in the community?	Yes	The additional funding from Russet is to fund adaptations for their tenants only. The demand on the DFG budget is high and any delays in DFG approvals to control spend will primarily affect owner occupiers and private tenants.
d. Does the activity make a positive contribution to promoting equality?	Yes	Streamlining the DFG process to enable speedier adaptations to meet the needs of disabled residents. Improving the wait for an OT assessment for children will speed up the process. The additional Russet funding allows more adaptations for their tenants and frees up the DFG budget for other tenures.
Note: <i>If the answer is 'yes' to any of the above questions, then a full equality impact</i>		

Screening for equality impacts:		
Question	Answer	Explanation
<i>assessment is required.</i>		

When a full equality impact assessment is required:	
Note: <i>If this is an interim report seeking clarification or guidance, then this section should be deleted and details included in the main report; if a final report, then questions e and f below should be filled in.</i>	
Question	Answer
e. Please provide a summary of the impacts	<p>There is an adverse impact on children who have to wait far longer than adults for an OT assessment in order to get adaptations.</p> <p>There is an adverse impact on owner occupiers and private tenants who make DFG applications due to funding constraints whereas Russet tenants can access an additional funding stream.</p>
f. What weight do the equality impacts have with regard to other factors relating to the decision?	<p>We aim to make the process quicker for children however this results in additional demand on the DFG budget and resources which may not be able to be met.</p> <p>We will always seek to maximise funding opportunities however there are limits on funding available.</p>