

Published ** April 2022



Leeds City Council Private Sector Housing Assistance Policy

1.0 Introduction

1.1 This document provides details of Leeds City Council's policy for the provision of housing assistance pursuant to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

The Order provides local housing authorities with a general permissive power for the provision of assistance for the purpose of improving living conditions. In order to exercise this power a local authority must first adopt a policy for the provision of assistance.

1.2 This document sets out the City Council's Housing Assistance policy to create opportunities for all disabled and vulnerable people and their families to live independently in quality, affordable, safe and stable housing of their choice across all tenures for the approval of housing assistance. It will remain in force until any amendments are approved.

2.0 How this policy contributes towards the City Council's wider objectives

2.1 Local authorities have always had a role in providing and improving the condition of housing. Indeed, the origins of local government are found in this role. Since 1949 central government has encouraged and sometimes required local authorities to give grants for repairs and improvement. The details of these grants were laid down in statute by central government. In 2002, local housing authorities were given the freedom to devise its own system of grants (more properly termed, "assistance"). Grants for disabled persons for works to enable them to access and use the facilities in their home – Disabled Facilities Grants – remain prescribed by central government.

2.2 The notion of improving housing standards and promoting independent Living is encapsulated by the City Council's key priorities in the forthcoming years. These aims are main drivers in the Council's Vision for Leeds 2011-30 and the City's Best Council Plan 2020 - 25:

- Ensure more people with poor physical or mental health remain living at home or close to home for longer.
- Support adults whose circumstances make them vulnerable to live safe and independent lives.
- Ensure resources are efficiently matched and directed towards those with greatest need.
- People with social care needs receive coordinated and effective personalised support from local health and wellbeing agencies.
- Deliver the Children and Young People's Plan with the aim of creating a Child Friendly city.
- Deliver the Health and Wellbeing City Priority Plan.

3.0 Key priorities of the City's Housing Assistance policy

3.1 The City Council is duty bound to approve applications made under section 23(1) of the Housing Grants, Construction and Regeneration Act 1996 that satisfy the requirements of that Act (Disabled Facilities Grants).

The City Council has discretionary powers under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to provide assistance in any form for the purpose of improving living conditions.

3.2 Types of Assistance available

- Disabled Facilities Grant application
- Discretionary Housing Assistance
- Unsecured loan
- Secured loan
- Sanctuary Scheme
- Care and Repair's Services
- Private Sector housing conditions

4.0 Disabled Facilities Grants (DFG)

4.1 To qualify for this type of assistance the applicant must be a person who would qualify for a mandatory disabled facilities grant, under Part 1 of the Housing Grants, Construction and Regeneration Act 1996.

4.2 In determining eligibility for a Disabled Facilities Grant, the local housing authority must be satisfied, under section 24 (3) of the Act, that the 'relevant works' are 'necessary and appropriate' to meet the needs of the disabled occupant and it is 'reasonable and practicable' to carry out the works having regard for the age and condition of the housing to which the works will be carried out.

4.3 Section 24 (3) also obliges a local housing authority to 'consult' with the 'social services authority' in respect of assessing whether the 'relevant works' are 'necessary and appropriate' to meet the needs of the 'disabled occupant'. An Occupational Therapist, employed by Adult Social Care or Children's Services, determines whether adaptations are 'necessary and appropriate'.

4.4 Eligible works under this grant are contained in section 23 (1) of the HGCR Act 1996 and defines 12 classes of adaptations for disabled occupiers that are mandatory and are based around:

- Giving access into and around the dwelling
- Making a dwelling safe for the disabled person residing there
- Accessing sleeping and bathing facilities
- Facilitating the preparation and cooking of food
- Ensuring the power, heating and lighting system are suitable and under control
- Providing facilities and access for carers.
- Giving access to the garden

4.5 Since 2010/11, the Disabled Facilities Grant has been paid as a un-ring fenced capital payment through a determination under section 31 of the Local Government Act 2003.

4.6 The House of Commons briefing paper on DFG's (England) dated 19th February 2013 states: '**Creating greater flexibility will allow the DFG funding to be used for associated purposes, such as moving home,**' and '**DFG funding could be pooled with resources from a number of other programmes. It will then be for local authorities to determine, against local priorities, how best they use these resources**'. Again this demonstrates the broad remit that local authorities have in respect of using DFG funding to provide adaptations and promote independent living.

5.0 Discretionary Housing Assistance to promote Independent living

5.1 The Council's Health & Housing Service create opportunities for all disabled people and their families to live independently in quality, affordable, safe and stable housing of their choice across all tenures. Health & Housing works closely with a number of internal services across the Council, with local health services and other external partners to identify and deliver the most suitable housing solution for clients to enable them to continue to live independently.

5.2 The Health & Housing service holds a weekly Review meeting which considers cases to identify the most suitable housing solution that will maximise independent living for that individual client(s). The Panel considers the two housing pathways of '**staying put**' and '**planned move**'.

This may either be by 'staying put' and adapting a client's current home or by a 'planned move' to re-locate the client and their family to a more suitable dwelling within the city. All decisions by the weekly Panel are open to a further review by the client if they are unhappy with the Panel's initial outcome

5.3 The Review Panel comprises of a range of housing and health professionals that discuss individual cases taking the client's views and opinions are consideration. It is often attended by professional officers from other services and directorates. The process is people centric and balances the health and housing needs of individuals by providing choice and self-determination while making the best use of resources.

5.4 It is the Council's primary responsibility to deliver Disabled Facilities Grants and control the budget accordingly to ensure its statutory duties are met in a timely manner.

However, if the budget allows, the Council may decide they have sufficient resources to entertain applications for discretionary aid. Individuals or other services/agencies may apply for discretionary aid to promote independent living and will be informed whether the Council is in a position to consider their application at that time.

If money is available, an individual applicant will be asked to submit financial statements and complete a standard pro forma around household income and expenditure to enable an assessment of affordability. The Council will assess each case on its own individual merits and has the discretion to refuse, part fund or fully fund a request including the offer of a loan that promotes independent living. Other services, agencies and charities applying for discretionary money will be asked to provide a clear written business case including any drawings, plans, quotes, statutory approvals etc. Decisions will be made on an individual basis for each case.

The Council reserves the right to inform applicants, at any given time, it is not entertaining applications for discretionary money due to financial pressures on the Disabled Facilities Grant budget.

Some common examples of the use of discretionary funding include:

- funding/part funding with costs associated with moving house,
- funding/part funding to cover an individual's statutory means tested contribution
- Top-up for eligible works when 30K grant has been exceeded
- Covering landlords bonds or rent to enable a client to move between properties.
- Adaptations funding for a child with a second home where joint custody/shared care arrangements exist.
- To provide secured and unsecured loans
- Assisting with standard works for 'life limiting' cases
- Assisting with repairs to specialist equipment
- Raising the threshold of the statutory test of resources
- Repairs to make the home of a disabled persons safe, wind and weatherproof.
- To repair or improve a disabled persons deficient heating system.

6.0 Loans for eligible works for the provision of adaptations.

6.1 Following consultation with the Occupational Therapy service, the Housing Authority draw up a scheme termed the 'eligible scheme' that meets the needs of the disabled person having regard to sections 23 and 24 of the Housing, Grants, Construction and Regeneration Act 1996.

When the cost of the scheme exceeds the £30 grant cap the customer may wish apply for a loan to bridge the shortfall in funding.

6.2 There can be several factors why customer may not be able to afford their contribution and may wish to access a loan. This may be because a customer may not being able to fund their contribution following the government's Test of Resources or because the scheme costs exceed the DFG limit of £30k, as examples.

6.3 Customers are entitled to carry out their own schemes, as long as they are equal to or better than the Council's eligible scheme as agreed by the Occupational Therapist. In these cases, the Council will commit the cost of the Council's eligible scheme, up to the maximum grant of £30,000, to the applicant's own scheme. This is termed as a 'preferred scheme' and the allocated monies will be paid to the applicant/builder on the satisfactory completion of the scheme. In these cases the customer would obtain their own quotes and contractor, and manage the work themselves.

Discretionary funding or loans are not provided to fund 'preferred schemes'.

6.4 Unsecured Loans

Unsecured loans are usually the outcome of a formal application for discretionary funding. Customer will comply with the application process, which includes the disclosure of all household income and expenditure, supported by bank statements. Applications will be presented to the weekly Review panel and applicants will be notified in writing of the outcome. Loans are paid directly to the relevant contractor, from the DFG budget and the customer repays at an agreed rate, up to a maximum of 72 monthly payments.

6.5 Secured Loans

When customers do not qualify for discretionary funding or discretionary funding may not be available, it may be possible for the Council to offer a loan which is secured against the property in the form of a 'charge'. These charges are usually long term and not usually repayable until the property is sold, there are alterations to the name(s)

on the title deeds or other major changes occur in the customer's circumstances, as specified in the agreement.

As part of an application, an individual may have to seek permission for the charge off other title charges, such as their existing mortgage company. There are also terms and conditions which customers will be advised on eg. interest rates. The charge will be registered on the property title.

7.0 Sanctuary scheme

Leeds City Council, in partnership with West Yorkshire Police, operates a Sanctuary scheme offering a range of security measures to help households, who have experienced domestic violence or some other form of hate crime, to continue to live 'safely' in their existing homes. The scheme is free of charge and tenure neutral: home-owners and private tenants are equally eligible to access the scheme as social housing tenants. A household must be assessed by a West Yorkshire Police Domestic Violence Co-ordinator as experiencing domestic violence or hate crime and that it would be 'safe' for them to remain in their current home if security measures were installed. The security items are installed by Leeds Building Services which is part of Housing Leeds/Leeds City Council. It is wholly the choice of the household whether they take up the offer of a Sanctuary scheme and other options, such as homeless assessment and temporary accommodation, will be activated if the household decides they cannot safely stay in their existing home.

8.0 Care & Repair Ltd (Leeds)

8.1 Care & Repair (Leeds), is the Home Improvement Agency for Leeds, offering a wide range of services to assist older and disabled people, and people living with long term health conditions, to live in a warm, safe and secure environment. Two of their key services, namely the **Home Plus Leeds** and **Adaptations service** are specifically designed to promote independent living.

8.2 The **Home Plus Leeds** service is funded by the Council to enable and maintain independent living through improving health at home, helping to prevent falls and cold related health conditions. The **falls prevention** element of the service is available for anyone over the age of 18yrs who is at risk of falls or has previously fallen in the home, providing interventions such as the fitting of grab rails and stair rails. This is a free service for home owners and people in private rented properties (with the permission of the landlord). The **warmth and repairs** element of the service is for owner-occupiers with a household income of less than £21,000, and savings of less than £16,000, who is over the age of 65, **or** expecting or have dependent children up to 18yrs living in the same property **or** has a disability or long-term health condition. People can get help with servicing and repairs to heating and hot water systems, draught proofing and insulation measures and help changing to the cheapest energy deal. There is also some financial assistance towards essential

repairs that may be causing a hazard to health, such as plumbing or electrical issues.

8.3 Care & Repair's **Adaptations service** provides an alternative assistance to clients than the Council's agency service to provide adaptations for disabled users. They are formally contracted by the Council, and the service offers a bespoke drawing and planning service that is particularly useful for clients that are applying for adaptations through a disabled facilities grant but wish to carry out extra works themselves over and above the grant aided facilities. They can take the worry out of having adaptations carried out in the home for people who have the funding to pay for the adaptation themselves, but need support to manage the whole process from start to finish. They have a list of approved contractors who they have checked and vetted to ensure the highest quality and value for money.

9.0 Private sector housing conditions

9.1 Home Improvement Loans

Leeds City Council has two loan schemes that offer financial assistance to vulnerable home owners with homes that are in poor repair, have category one hazards present and require to be made wind and weather tight:

- **Equity release loan** of up to £15,000 to support owners who cannot access commercial borrowing but have equity available within their property. All lending is secured against the property. There is a current budget of £2M to fund lending which is recyclable.
- **Interest free unsecured loan** in partnership with Leeds City Credit Union which is available to vulnerable homeowners who can afford to repay £5,000 over 5 years to carry out necessary repairs to their homes. There is a base budget of £50,000 to support this work which is continually recycled due to repayments made by borrowers.

Leeds City Council operates two loan schemes to support bringing empty homes back into use:

- An **equity release loan** of up to £30,000 to support owners to bring empty homes back into use. Loans are subject to interest and repayable within a 5 year period from the date of completion of works. Repaid money is recycled to support further lending.
- In partnership with Leeds City Credit Union an **interest free loan** of £5,000 borrowed over 2 years to allow owners to carry out minor works to quickly return properties back in to use.

9.2 Group Repair Scheme

The scheme involves the targeted improvement of private sector housing stock within the Holbeck area of Leeds with an investment of £3.7m into the improvement of 142 properties to be completed by summer 2022.. The Council will consider the feasibility of replicating this scheme in other areas including the exploration of funding opportunities.