

Homes and Neighbourhoods  
222 Upper Street

Report of: Cllr Una O'Halloran, Executive Member for Homes and Communities

Meeting of: Executive

Date: 14 July 2022

Ward(s): All

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## Subject: Policy for Disabled Facilities Grants for Council Tenants

### 1. Synopsis

- 1.1. This report sets out the proposed policy for the council in the delivery of Disabled Facilities Grants (DFGs) in the homes of council tenants. The policy has been developed on advice of Legal Services to ensure our approach to delivery is documented, transparent and meeting legislative requirements.
- 1.2. The revised policy has been drafted to reflect current central government guidance.
- 1.3. Disabled Facilities Grants are available to a maximum of £30,000 for council tenants.

### 2. Recommendations

- 2.1. That the policy for Disabled Facilities Grants for Council Tenants be agreed.

### 3. Background

- 3.1. This policy covers the application and decision-making processes and the procedure for the grant of a DFG to a council tenant, including those living in Partners for Improvement in Islington (Partners) managed properties. The policy reflects the principles set out in the "Home Adaptations for Disabled People – A Good Practice Guide 2013" (published by the government) and complies with this

guidance. The DFG scheme for council tenants should be aligned to the scheme for non-council tenants. The process for agreeing grants for council tenants is different, but the principles are the same as those set out in Good Practice Guide, leading to a consistent approach across all tenures.

- 3.2. The grant is only available for works that are recommended by Occupational Therapy services. The grant will only pay for the reasonable cost of adaptations up to a maximum of £30,000. The disabled person must continue to live in the property for five years unless their health causes them to move.
- 3.3. Disabled people and those that live with them can qualify for a DFG. The disabled person does not need to be registered disabled and applications can be made on behalf of children in the household.
- 3.4. Homes and Neighbourhoods will decide whether the application for a DFG is approved and decide the type of adaptations to be made, if any, taking account of the advice from Occupational Therapy Services. This relates to both council-managed and Partners-managed properties. In making a decision, Homes and Neighbourhoods will satisfy themselves whether it is 'reasonable and practicable' to carry out the works for the proposed adaptation. The decision will be made having regard to the age and condition of the dwelling or building and considering of all the circumstances of the case.
- 3.5. Circumstances where a DFG may be approved for a tenant are where adaptations would:
  - Improve access to and from the home and garden.
  - Improve access to and use of certain rooms within the home; including the kitchen, bathroom or bedroom.
  - Facilitate the preparation and cooking of food.
  - Improve and enable full use of heating, lighting and power.
  - Ensure the safety of a disabled person and those they live with.
- 3.6. Common adaptations include level access showers, stair lifts, door-widening and provision of ramps.
- 3.7. DFGs are means tested and the funding for installations in council homes will come from the dedicated Housing Revenue Account (HRA) budget.

## 4. Implications

### 4.1. Financial Implications

- 4.1.1. It is not anticipated that the formalisation and alignment (in particular, the reference to a £30k cap) of the HRAs DFG policy to that applies to the General

Fund in respect of private sector housing will give rise to increased expenditure within the HRA.

#### **4.2. Legal Implications**

- 4.2.1. By virtue of s.23 of the Housing Grants, Construction and Regeneration Act 1996 ('the Act'), local authorities have a duty to approve an application for a DFG from an eligible applicant (s.100). The grant must be required for a purpose set out in s.23 the Act. The Act provides that the DFG shall not be approved unless the Council is satisfied that it is 'necessary and appropriate' to meet the disabled person's needs; and that the works are 'reasonable and practicable' when considering the age and condition of the property (s.24).
- 4.2.2. The maximum amount of the grant is £30,000 (*Disabled Facilities Grant and Home Repairs Assistance (Maximum Amounts and Additional Purposes) (England) Order 2008*). The grant is means tested and the applicant will normally be required to meet the costs of any works in excess of £30,000. However, Article 3 of the *Regulatory Reform (Housing Assistance) (England and Wales) Order 2002* allows the local authority to provide a discretionary grant/loan for adaptations in addition to or as an alternative to the DFG. The local authority is required to have a published policy before this power may be used.
- 4.2.3. Minor adaptations costing less than £1,000 may be provided to tenants under the provisions of Social Care legislation.

#### **4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

- 4.3.1. Some adaptations may involve the installation of new equipment that may require more energy usage

#### **4.4. Equalities Impact Assessment**

- 4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

- 4.4.2. An Equalities Impact Assessment (EIA) is not required in relation to this report, because an EIA screening was carried out. The screening identified positive impacts for disabled and older residents. No negative impacts on any groups were identified.

## 5. Conclusion and reasons for recommendations

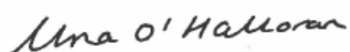
- 5.1. Having a formalised DFG policy for council tenants will allow the council to be more transparent to tenants about how DFGs are agreed and funded and that this is consistent with the service available to housing association and private tenants and homeowners. It should also prevent any challenges on the basis that our policy is not clear or consistent.

### Appendices:

- Disabled Facilities Grants policy

### Final report clearance:

Signed by:



**Cllr Una O'Halloran, Executive Member for Homes and Communities**

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