

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Christine Marshall, Executive Director - Commercialisation (S151 Officer)

To: Policy Development Panel 15th September 2020, Cabinet 27th October 2020

Author: Phil Stacey Housing Options Manager

Subject Housing Assistance Policy

Purpose: To update policies and enable South Holland District Council to assist a range of vulnerable and/or disadvantaged households

Recommendation(s): That the Housing Assistance Policy is approved and that authority is delegated to the Housing Landlord Services Manager, in consultation with the Portfolio Holder for Housing and Health, to amend the policy to reflect changes in legislation and national policy/strategy.

1.0 BACKGROUND

- 1.1 South Holland District Council has a general permissive power to assist households with the improvement of living conditions. To do this; it must adopt a policy to exercise these powers. This allows the Council to decide whether it provides grants, loans, advice and so on to repair, improve, and extend, convert or adapt housing accommodation. This policy will supersede and will also cover relevant areas from the Community Housing Renewal Policy, as an assurance review of Private Sector Housing carried out in October 2019 also recommended that a review of the Community Housing Renewal Policy be completed.
- 1.2 By adopting this policy, South Holland District Council will focus on preventing people having to give up their homes; thus promoting and enabling independent living, by supporting those who may be at risk, to access housing (including their current home) which meets their needs.
- 1.3 The programme of assistance will include:
- Providing adaptations to help disabled people to live independently and safely in their own homes through disabled facilities grants.
 - Providing a range of measures to create sustainable and appropriate housing for people who may be vulnerable and/or disadvantaged.
 - The provision of grants to help vulnerable homeowners to improve their homes and to facilitate property owners bringing housing stock back into use.
 - Assistance to those who are either threatened with homeless or who are homelessness persons to either prevent their homelessness and/or to allow access to suitable housing.
 - Assistance to SHDC tenants when emergencies occur and intervention can maintain their tenancy and/or prevent their homelessness.
- 1.4 Much of this policy will be delivered under the Better Care Fund (BCF) which provides financial support for councils and NHS organisations jointly to plan and deliver local services.

- 1.5 Except for mandatory grants, all other assistance which may be provided under this policy is at the discretion of the Council and will be subject to the availability of financial resources and how those resources may be directed by the Council's strategic priorities. If 75% of available funds have been committed to mandatory grants then new discretionary applications will be suspended, other than in exceptional circumstances.
- 1.6 To allow the policy to take into account changes to legislation, policies or strategies at the national level it is recommended that authority is delegated to the Housing Landlord Services Manager, in consultation with the Portfolio Holder, to amend the policy in accordance with legislation, national policies and strategies.
- 1.7 South Holland District Council also provides support to homeless persons to secure accommodation in the Private Sector. This comes in the form of financial assistance, for example: to pay rent in advance or a deposit. Other appropriate assistance will be considered on a case by case to help prevent homelessness.
- 1.8 South Holland District Council will assist its existing council tenants to help maintain their tenancy and/or prevent their homelessness in emergencies.

2.0 **OPTIONS**

- 2.1 Approve the policy (**preferred option**).
- 2.2 Approve selected parts of the policy as determined.
- 2.3 Do nothing and continue with delivering Mandatory Disabled Facilities Grants only.

3. **REASONS FOR RECOMMENDATION(S)**

- 3.1.1 The focus of the Housing Assistance policy is one of prevention and is to enable independent living, by supporting those whose independence may be at risk to access housing, (including their current home), which meets their needs.

Types of Assistance:

- **Mandatory** – Disabled Facilities Grants (DFG's)

The Council must assist those who qualify for a DFG as laid down in legislation. The adaptations funded will be considered as being the most appropriate, reasonable and cost-effective way of meeting the assessed needs of the disabled person up to the maximum grant of £30,000.

Where the applicant/disabled person wishes to carry out works to the property which are over and above those assessed by the Occupational Therapist (OT) as necessary, and the alternative works are defined by the Council as reasonable and practicable and will meet the assessed needs of the disabled person, the Council may offer financial assistance up to the value of the assessed need.

These grants are **mandatory** and thus will be prioritised over any discretionary grants.

- **Discretionary** – Discretionary Housing Grants (DHG's)

This provides greater flexibility to the Council to provide assistance schemes which help people meet their needs.

This includes wider health determinants other than disability, which can be made worse by housing conditions, for example, we may consider the health impacts of housing conditions on vulnerable owner-occupiers and consider schemes to undertake minor repairs to make homes safe and healthy or other preventative schemes which stop or delay conditions becoming worse.

The provision of assistance other than Mandatory Disabled Facilities Grants is subject to the availability of funding. As well as help and assistance to homeowners; assistance is also available to homeless persons and current South Holland District Council tenants.

3.2 Appendices 1 and 2 provides the range of mandatory and discretionary assistance that may be available and this will be updated as new schemes are agreed or existing schemes are removed.

4 **EXPECTED BENEFITS**

4.1 Increase in the District of both sustainable and suitable accommodation for vulnerable persons.

4.2 An increase in the health and well-being of citizens of South Holland and the reputation of the Council.

4.3 Reduction of homelessness.

3.6 People staying in their homes longer by the provision of flexible support.

5 **IMPLICATIONS**

5.1 **Carbon Footprint / Environmental Issues**

5.1.1 Providing a range of grant and/or loans, for example, to keep people safe well and warm in their homes will contribute to reducing the carbon footprint in the district.

5.2 **Constitutional & Legal**

5.2.1 The provision of a Disabled Facilities Grant (DFGs) is regulated by the Housing Grants, Construction and Regeneration Act 1996. This places a statutory duty on the Council to provide grant assistance to qualifying disabled people to undertake a range of adaptations to their homes which are deemed “necessary and appropriate” to meet their needs and it is “reasonable and practicable” to undertake the adaptations having regard to the age and

condition of the dwelling. The grant is subject to a means test (except in the case of children) and works must be eligible as defined by the Act and Regulations.

5.2.2 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 gives the council the power to assist (either directly or indirectly) any person to improve living conditions in the area provided this is given under a published policy.

5.2.3 The Homelessness Reduction Act 2017 came into force on 3 April 2018 and placed increased duties on local authorities to assess an applicant's needs and to prevent and relieve homelessness.

5.2.4 Section 104 Housing Act 1985 requires Local authorities to publish information for tenants about the terms of their tenancies, the right to buy and repair obligations and must provide written tenancy agreements.

5.3 **Corporate Priorities**

5.3.1 There is a strong link between work around Housing and our corporate priorities, notably to: 'Ensure that our residents are enabled to live in high-quality housing no matter the tenure'.

5.4 **Data Protection**

5.4.1 All data will be held per the Data Protection Act 1998 and the General Data Protection Regulation (EU) 2016/679 (GDPR).

5.4.2 The Council may investigate or formally verify any of the information provided in connection with any application for assistance.

5.4.3 To progress an application, it may be necessary to share information provided internally with other services or other organisations that may assist with the grant process. These may include:

- South Holland District Council – Revenues & Benefits, Planning & Building Control. Housing Management. Housing Repairs.
- Lincolnshire County Council – Adult Social Care or Children's Services.
- Relevant Government Departments.

5.4.4 The Council is under a duty to protect public funds and may use the information provided for the prevention and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes.

5.4.5 The above information will need to be communicated with applicants at the time their personal information is obtained in the form of a Privacy Notice. This is necessary to comply with the individual's 'Right to be Informed' per GDPR.

5.4.6 Safeguards will ensure the security of the data and will comply with Article (1) (f) of the GDPR.

5.5 **Financial**

5.5.1 The Better Care Fund is managed by Lincolnshire County Council and is distributed to them by the Department of Health and Social Care and the Ministry of Housing,

Communities and Local Government. The Council receives a variable grant (annually) from Lincolnshire County Council to provide housing solutions so that residents of the district can manage their health and wellbeing, and live independently in their communities for as long as possible. In this current financial year, our allocation was £680,721.

5.5.2 The Council may charge up to a 15% administration fee for any professional/technical services or charges incurred relating to work for which the assistance is being sought e.g. obtaining proof of ownership, drawing of plans and so on. This fee will be incorporated into the relevant total assistance amount.

5.5.2 Funding for other schemes come directly from either the General Fund or the Housing Revenue Account.

5.6 **Health & Wellbeing**

5.6.1 There is a positive link between increasing the supply of housing, along with investing in the condition of housing in the district and the broader Health and Wellbeing agenda.

5.7 **Staffing**

5.7.1 The Housing Assistance Policy will be provided as a generic function across the Private Sector Housing Team together with partnerships within Building Control and the wider Housing team.

6 **WARDS/COMMUNITIES AFFECTED**

6.1 All

7 **ACRONYMS**

7.1 DFG= Disabled Facilities Grant

7.2 GDPR= General Data Protection Regulation

7.3 OT= Occupational Therapist

7.4 DHG= Discretionary Housing Grant

7.5 BCF = Better Care Fund

Background papers: -

Lead Contact Officer

Name and Post: Phil Stacey Housing Options Manager

Telephone Number

Email: philstacey@sholland.gov.uk

Key Decision: Y

Exempt Decision: N

This report refers to a Mandatory and Discretionary Service

Appendices attached to this report: Appendix 1: Individual Scheme Details

Appendix 2: Individual Scheme Details Table