

AGENDA ITEM 7

HIGH PEAK BOROUGH COUNCIL

Report to Housing Select Committee

8th October 2015

TITLE:	Review of Disabled Facilities Grant
EXECUTIVE COUNCILLOR/ PORTFOLIO HOLDER:	Cllr McCabe
CONTACT OFFICER:	Mike Towers
WARDS INVOLVED:	All

1. **Reason for the Report:** To inform the committee of the proposed joint County Council and District Councils transformation review of Disabled Facilities Grants and outline the potential impact on adaptation assistance and future funding.

2. **Recommendation**
 - 2.1 That the report is noted

3. **Executive Summary**
 - 3.1 The Derbyshire County Disabled Facilities Grant Strategy Group submitted a bid to the County Council's Transformation Fund regarding a fundamental review of the use of funding for adaptations and the means of delivering adaptations to eligible clients.

 - 3.2 The bid was successful, and the Strategy Group in association with various external partners will shortly commence the 2 year project aimed at critically reviewing the existing interventions and identifying options for re-engineering the adaptations process and the means of funding.

- 3.3 The review will take place in the context of the wider health and social care objectives relating to personal care, independent living and hospital admission/discharge targets.
- 3.4 The context of the Review was submitted in the form of a pledge to the Derbyshire Partnership Forum and the Committee is invited to support the pledge locally.
- 3.5 Alongside the Review, there are some concerns about how the Disabled Facilities Grant funding might be affected in the immediate future by the re-direction of statutory funding into the Better Care Fund, a combined Health and Social Care budget paid directly to the County Council. Essentially, there is no ring-fencing of adaptation funding beyond 2015/16 and this potentially presents a risk to the District Councils who remain the grant authority for adaptations and who still retain the legal duty to provide mandatory assistance to eligible disabled clients.

4. How this report links to Corporate Priorities

- 4.1 Meet Financial Challenges and Provide Value for Money.
 - 4.1.1. Effective use of financial and other resources to ensure value for money.
 - 4.1.2. Ensure our services are easily available to all our residents.
- 4.2 Provide Quality Services in Partnership with Communities.
 - 4.2.1. Positive relationship with communities
 - 4.2.2. Effective relationship with strategic partners
 - 4.2.3. Use the Council's influence to stand up for the needs of our communities

5. Options and Analysis

- 5.1 The District Councils in Derbyshire are the grant authorities for the provision of mandatory adaptation assistance under the provisions of the Housing Grants, Construction and Regeneration Act 1996. Districts must, under the current legal framework, meet the needs of disabled clients in their areas and must ensure that these needs are met regardless of the source of the enabling funding, subject to the caveats contained in the legislation.
- 5.2 The Transformation Review presents a timely opportunity to consider all potential options for adaptations moving forward, including the mechanism by which interventions are delivered. As a joint review between the funding authority and the District duty holders, it ensures that all due consideration is given to the obligations on both partners and provides a good incentive to find a mutually agreeable solution based on the most effective means of delivering effective, efficient and timely services to disabled customers.

- 5.3 There is a small but potentially significant risk to the District Councils whilst the duty to provide adaptations assistance remains a legal duty for them but the funding for the assistance is held by the County Council. There is some discussion of this in Part 7 of this report.

6. Implications

6.1 Community Safety - (Crime and Disorder Act 1998)

There are no significant implications for Community Safety within this context.

6.2 Workforce

The final delivery mechanism may impact on the resources required to deliver the outcomes.

6.3 Equality and Diversity/Equality Impact Assessment

This report has been prepared in accordance with the Council's Diversity and Equality Policies.

The Review, at its most fundamental level, is focused on the delivery of effective and timely interventions to persons with disabilities, enabling them to remain living independently in their own homes.

6.4 Financial Considerations

The provision of funding for mandatory adaptations assistance could have some local resource implications.

6.5 Legal

There is no current or proposed outcome that will remove the District Council's legal obligation to provide mandatory assistance for adaptations. Whilst processes can be re-engineered, only a change in the law will affect this obligation.

6.6 Sustainability

The Review is intended to produce a modern, fit for purpose intervention mechanism that secures the effective provision of adaptation assistance for the foreseeable future.

6.7 Internal and External Consultation

The Review will include consultation with the District Council's specialist Housing staff and elected members through the Housing Select Committee, with external agencies who represent the

interests of disabled persons, and with a cross-section of disabled clients across Derbyshire.

6.8 Risk Assessment

The Review will impact on the service provision and the funding of the mandatory grant function, and so may carry some risk as yet unidentified. There is a small but potentially significant risk regarding the provision of adaptation funding in the short term.

7. **Background and Detail**

7.1 **Context**

- 7.1.1. With an increasingly elderly population and more disabled children surviving their early years through to adulthood, the demand for adapted housing will continue to increase.
- 7.1.2. Disabled Facilities Grants (DFG's) are utilised to enable vulnerable adults, young people and children to remain in their own homes and live independently in their communities. When delivered early, alongside other preventative measures, they may contribute to preventing admissions to hospital and residential care, as well as contributing to better quality of life.
- 7.1.3. There have been a number of recent developments that impact on the delivery of DFGs. The Care Act 2014 places responsibility on local authorities for providing information and advice so that people can make informed choices and for providing services or steps that prevent, delay or reduce the need for care and support. The Act also requires local authorities to co-operate with other local organisations and work to integrate services to promote well-being and improve quality and outcomes. These issues are all key to a successful accessible homes service.
- 7.1.4. The Better Care Fund (BCF) also provides a framework for partnerships working to review local systems and to improve the lives of older and disabled people. Given that the NHS budget is now providing the majority of funding for DFGs it might be expected that there will be greater scrutiny of the delivery and more conversations taking place with the Clinical Commissioning Groups about how the system can be improved as part of a wider view of the needs of residents. A DFG however will often not be the answer when there is an urgent need. More recently, the establishment of local authority based Health and Wellbeing Boards and changes to the funding of adult social care have created the environment for more joined-up responses to the needs in particular of older and disabled people.
- 7.1.5. Across the county a number of NHS led workstreams are taking

place looking at supporting residents with long term health conditions to remain at home and this is likely to identify even more residents in need of adaptation and thus place even greater strain on the existing budget and systems in place. It should be remembered that whilst each local housing authority will have local criteria, eligibility is primarily set nationally and the DFG is a mandatory grant albeit part-funded by Government through the Better Care Fund plus discretionary top up from local authority funds.

7.2 Proposed Transformation

7.2.1. There will be three work streams as part of the Review. Each of the work streams will address the needs of all age groups through a 'life cycle' approach. This will require specific consideration of the housing needs of different age groups, and the extent to which they are the same or different. It will also require exploration of the similarities and differences in legislation and models of service delivery between children's and adult services. It is critical that other related transformational work taking place across particularly those involving the CCGs is identified and links made. It is recognised that there are interdependencies between the workstreams.

The three work streams comprise:

7.2.1.1. A review of how housing options services for disabled people are accessed and whether current provision is effective, particularly in light of the integration of health and social care

- An understanding of whether DFGs should be accessed as a discrete service or part of a wider service in enabling the needs of disabled people to be met
- To identify what needs to be done to ensure equality of access through better signposting and provision of information across the county
- The best method for triaging and providing housing advice and support at the earliest opportunity to increase choices, reduce cancellations and reduce avoidable adaptations
- To assess the suitability of the current model of accessing assessment and how trusted assessors can be utilised to speed up access and minimise duplication
- To incorporate work taking place in the county between health and social care and other transformational projects to understand how access to adaptations can be better integrated
- Implementation of improved access arrangements for meeting the needs of disabled residents

7.2.1.2. An analysis of the current delivery of housing options for disabled people including the cost effectiveness of the DFG delivery.

- To map out the DFG process from a resident/patients perspective
- To complete a DFG Process Review to capture local innovation and to understand the full scope of redesign by reducing duplication and unnecessary input into the process
- To review management information required to monitor changes and performance and put together a plan to be able to produce management information reports
- To produce a list of savings and through discrete projects, prioritise and put the changes in place where it feasible to do so.
- To introduce the recycling of stairlifts and other movable equipment where financially expedient to do so.
- To model financial implications of implementing the best practice across the county.
- To explore an 'integrated hub' approach and set out options/models for future delivery
- To develop a local implementation plan
- Implement new ways of working across partners

7.2.1.3. Funding Review – An analysis of the future financial implications and how the needs of residents can be met in a cost effective manner.

- To include an analysis of the Derbyshire pound and funding arrangements between the District, Borough and County Council.
- To use the JSNA to identify with the best possible clarity likely future demand for adaptations
- The implications of funding for DFGs being passported from the Better Care Fund including risks associated with delays
- An assessment of the additional financial health and social care costs whilst residents wait for adaptations
- An assessment of the savings in terms of the 'Derbyshire pound' through better delivery of adaptations
- The viability of alternative funding arrangements for DFGs such as equity loans, integrated funding approach with health, interest free loan provision, financial support to assist in moving home.
- The relationship with housing providers, ALMOs and social housing in the provision of adaptations.

- The costs to individuals, their carer's and families of those in need of adaptation.
- The role of the private sector landlord and the cost to the sector.

The outcomes of the Reviews will be reported back, via the DFG Strategy Group, to the Derbyshire Chief Executives with the analysis and recommendations for change based on the findings of the work groups.

7.3 New Service Model

7.3.1. The new service model will be identified from the review and include:

- Developing a sustainable access and delivery model, integrated with housing, health and social care (Children and Adults) that is able to respond to the challenges of an increasing number of disabled young people as well as numbers of older people living with long term conditions
- Helping to minimise the risk of unplanned hospital admissions and falls by adopting a flexible, risk based approach to the delivery of DFGs and increasing choice to meet need.
- Ensuring the assessment process delivers an appropriate balance between safety and dignity.
- Making better use of existing resources through smarter and leaner procurement and leaner service delivery. Securing a financial commitment from Housing Associations to address the housing needs of people with disabilities while encouraging better use of existing adapted properties and offering choice.

7.4 First Steps

7.4.1. The progress of each of the work streams will be reported to the DFG Strategy Group on a quarterly basis. Quarterly progress reports will be submitted to the Derbyshire Chief Executives' Group and the Derbyshire Finance Officers' Group. A detailed timeline and project plan for delivery of the agreed actions will be produced and monitored.

7.4.2. The Review is about identifying how sustainability can be achieved for the benefit of residents in need and ensure that solutions required for ensuring homes meet the needs of disabled people can be found more easily. This should include how cheaper earlier interventions can be put in place to prevent more expensive solutions for longer. Current funding is

inadequate to meet the collective demands across the county. Understanding future demand and then planning for it will be a key element to underpin the whole process to meet the needs of Derbyshire's disabled residents. Continuing to adapt hundreds of existing homes each year is not the only answer and the bid will look at how residents can be supported to look at a wider range of options.

7.4.3. With the advent of the Better Care Fund there is an expectation and opportunity to look at both consolidation as well as taking a fresh view from the eyes of the disabled resident, carers and their family.

7.4.4. The bid identified a pledge that summarises the aims of the Review and the context in which it will be conducted. Housing Select Committee is invited to support the principles of the pledge locally. The Pledge, submitted to the Derbyshire Partnership Forum, is as follows;

Partners are committed to improving the DFG process as one of a number of options that can help to meet the housing needs of disabled residents. This includes a commitment to improve access to and the delivery of adaptations. There is a commitment to support individuals even where no public subsidy or service is available. Self-funding is increasingly common and services need to reflect a commitment to appropriate support. There is a commitment is to develop efficient and effective local services across Derbyshire that provide access to adapted homes including the delivery of DFGs and this will involve the following:

- *improving the access to adaptation options including DFG;*
- *ensuring the options for resolving needs are presented at the earliest opportunity;*
- *improving support to exercise choice where required;*
- *reducing delays and waiting times in all aspects of the service;*
- *delivering a joined-up approach to service delivery between partner agencies;*
- *ensuring effective resident input to the process;*
- *improving communication about progress*
- *securing adequate levels of funding to support the delivery of the commitments.*

7.5 Alongside the Review, there is a small but potentially significant risk regarding the new funding regime for Disabled Facilities Grants immediately beyond the 2015/16 funding allocation.

7.5.1. In essence, the funding for mandatory Disabled Facilities Grants (DFG's), which traditionally was provided direct to local authorities

from the Government, is now incorporated into the Better Care Fund, a combined health and social care budget given to the County Councils. For 2015/16, the government insisted that the element of the Better Care Fund relating to DFG's was ring-fenced to the districts at the previous year's level, but there is no such requirement for subsequent years. This means that the district Councils have no guarantee that similar levels of funding will be made available, or even that any funding will be allocated. There is currently no mechanism in place to bid for or receive funding for the next financial year, and the availability of funding for DFG's might depend entirely on the priorities set primarily by the Health Services.

- 7.5.2. The anomaly is that the obligation – the statutory duty – to provide mandatory DFG assistance rests with the district Councils. This means that external funding issues aside, a disabled client applies to the district for assistance and provided they are eligible, the district Council is required to make funding available for their adaptation. In the event that reduced funding or no funding is forthcoming from the County Councils, the district Councils will still have to make provision to accommodate grant applications from eligible clients.
- 7.5.3. In recent years, the amount of external funding has been more than sufficient to cover the expenditure on DFG's, and so the Council has not needed to contribute any of its own resources to meeting DFG demand. In the High Peak, average annual expenditure on DFG demand runs at around 300,000 per year. In the event that funding from the County Council is significantly reduced in the coming years, it will be necessary to ensure that there is some sort of financial provision made to deal with the demand for DFG assistance. The entitlement is mandatory, and so there is no resource argument against providing assistance, and indeed there is a very active disability community who understand this and who will (and have done so, in the past) make any necessary legal challenges to any authority which refuses valid applications on the grounds that they do not have the funding to meet their needs.
- 7.5.4 It should be borne in mind that there is no indication from the County Council that funding will be withdrawn in the immediate future – the discussion above is simply to explain the potential for risk in the event that funding is reduced or removed. High Peak is represented on the County-wide DFG Strategy Group which is in an excellent position to engage with the County Council on this matter, and this should give advance warning of any potential changes to the funding process. In addition, the Strategy Group will have a direct input into the Transformation Review, which will be a primary influence on the nature of the future funding process going forward. This is perhaps a matter that should be flagged by the corporate Risk Management Group for future reference, and

updating reports will be presented to Housing Select as matters progress.

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**Web Links and
Background Papers**

Location

Contact details