

SUBJECT:	DISABLED FACILITIES GRANTS – REMOVAL OF MEANS TESTING
MEETING:	INDIVIDUAL CABINET MEMBER DECISION
DATE:	9TH MARCH 2022
DIVISION/WARDS AFFECTED:	ALL

1. PURPOSE:

- 1.1 To consider the proposal to remove means testing for small and medium sized Disabled Facilities Grants from 31st March 2022, as requested by Welsh Government.

2. RECOMMENDATIONS:

- 2.1 To consider the benefits and risks of removing means testing.
- 2.2 To approve the withdrawal of means testing for small and medium Disabled Facilities Grants with effect from 1st April 2022.

3. KEY ISSUES:

- 3.1 All Councils in Wales have been requested by Welsh Government to remove means testing for small and medium sized Disabled Facilities Grants (DFG's). Welsh Government wishes to reduce barriers for disabled people to enable them to remain living at home safely, independently and with dignity. Welsh Government is also seeking to reduce the pressures on Health and Social Care Services.
- 3.2 To encourage and incentivise Local Authorities to implement this policy change, Welsh Government has made available an ENABLE grant uplift for 2021/22 of £7,800. The ENABLE grant uplift is to provide a level of compensation to local authorities for loss of income by not requiring a contribution from service users for small and medium sized adaptations it provides. This grant uplift can be used to help meet the capital pressures and address any potential bottlenecks as a result of increased demand. Although Welsh Government has confirmed there will be no claw back for 2021/22, the 2021/22 uplift has been awarded to the Council in the expectation that the Council will implement the requested change in readiness for 2022/23 financial year.
- 3.3 The Council's current policy is to offer 'lean' grants for DFG's up to the value of £10,000. Applicants who can evidence that they are in receipt of one of the following qualifying benefits will not be means tested for a DFG.
- Income support; Guaranteed Pension Credit; Attendance Allowance; Council Tax Reduction; Disability Living Allowance; Personal Independence Payments and Universal Credit.
- 3.4 The reality is that the Council's existing policy means that typically, the majority of applicants who apply for small and medium DFG aren't means tested. For 2021/22, approximately 85 referrals are projected). Although, there are a small number who will need to make a contribution. Therefore, in effect, this proposal is only making a minor amendment to the Council's current policy. On the basis of the current demand (assuming the status quo continues), the change is regarded to be relatively minor.

3.5 The proposal not only supports Welsh Government, it also helps to streamline the DFG delivery process as there will be no requirement to acquire income information or determine qualifying benefits. Therefore, this supports the Council's ambition to process DFG's as quickly as possible.

3.6 There is a risk, however, that the change may result in an increase in the demand for small and medium DFG's. At present the Council has little information to determine whether the policy change will indeed, increase demand. Although, it is known that on occasions a small number of applicants cancel their applications each year, giving means testing as a reason.

3.6 For the purpose of this policy, a large DFG will be defined as an adaptation that requires Planning and/or Building Regulation consent. Applicants applying for a DFG falling into this criteria, will be means tested.

3.7 It is proposed that this policy change is first stage of a general policy review of the Council's approach to delivering disabled adaptations. The second stage will be considered over the next few months with a view to a decision being made on a revised policy late in 2022.

4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

4.1 There are no negative implications with this proposal. **See Appendix 1.**

5. OPTIONS APPRAISAL

5.1 The following options are available:

Option	Benefit	Risk	Comment
<p>Option 1: The recommended option is to agree the proposed policy change to remove means testing for small and medium disabled facilities grants.</p>	<ul style="list-style-type: none"> • This option supports the request of Welsh Government. • On the basis of existing policy of providing 'lean' grants for DFG's under £10,000 and in receipt of qualifying benefits, the Council's practice is already compatible and in line with the Welsh Government request. Therefore, the change to the Council are not considered significant. • This will help to remove administrative activity from the grant delivery process, thereby, helping to speed up the delivery of 	<ul style="list-style-type: none"> • Demand for disabled facilities grants will unsustainably increase from applicants who previously would not have applied for grant assistance due to having adequate financial means. • The Council's capital current budget may be insufficient to fund a large increase in demand. • A large increase in demand will have staffing and contractor implications. 	

Option	Benefit	Risk	Comment
	<p>disabled facilities grants.</p> <ul style="list-style-type: none"> The Council will be eligible for the ENABLE grant uplift (currently £19,500 for 2021/22). 		
<p>Option 2: Not to implement the removal of means testing</p>	<ul style="list-style-type: none"> Going forwards and based on previous years funding, the Council will have more certainty about future demand. It is anticipated that the Council's current annual budget of £900,000 would be sufficient to meet short-term (eg 2022/23) projected demand. 	<ul style="list-style-type: none"> This is not aligned with Welsh Government policy. The Council will not be awarded ENABLE grant uplift by Welsh Government. For 21/22 the value of the uplift is £19,500. Welsh Government have indicated they may implement future legislative change to require local authorities to remove means testing for small and medium sized DFG's. 	

6. REASONS:

6.1 Local Authorities are under statutory duties to provide DFGs to eligible disabled people. This will not change should this proposal be approved. However, the Council is expected to use the powers of the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 to pay grants without applying a means test. The Order facilitates Local Authorities to introduce discretionary forms of assistance for housing adaptations as well as assistance through DFGs (which remain a mandatory statutory provision). These discretionary forms of assistance may be carried out without conditions or financial limits. This therefore enables Local Authorities to carry out adaptations without a means test.

7 RESOURCE IMPLICATIONS

7.1 The authority currently commits £900,000 a year for DFG grants. There is a potential for annual costs to increase due to an uplift in demand once the means test is removed. The impact of this increase is hard to quantify at this stage but the capital budget will be regularly monitored by officers and any overspend reported to members as part of the budget monitoring process.

7.2 The Council will receive an ENABLE grant uplift (approximately £19,500) in return for agreeing this policy change. This grant uplift can be used to meet the capital pressures and address any potential bottlenecks as a result of any possible increased demand. The available ENABLE grant uplift (currently

£19,500 for 2021/22), however, will have limited financial benefit to the Council, as this funding will only fund, typically 4 or 5 adaptations.

7.3 It will be a condition of the ENABLE grant uplift that Local Authorities do not means test small and medium DFGs.

8. CONSULTEES:

8.1 Cabinet; Senior Leadership Team; Head of Enterprise & Community Animation; Head of Adult Services.

9. BACKGROUND PAPERS: None

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