



PRIVATE SECTOR HOUSING  
ASSISTANCE POLICY  
2025

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## **1.0 INTRODUCTION**

- 1.1 This document details Folkestone and Hythe District Council's Housing Assistance Policy. This policy document replaces the previous policy dated 2018.
- 1.2 This policy has been adopted under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order enables local authorities to develop a means of providing assistance to households living in the private sector to carry out repairs, improvements and adaptations so that they can address local needs and priorities and remain independent in their homes. In order to make use of these powers, the Council has to publish a Housing Assistance Policy.
- 1.3 This document also provides our policy on mandatory Disabled Facilities Grant, which is provided under The Housing Grants, Construction and Regeneration Act 1989.
- 1.4 The policy recognises the pressures on the Council's own capital funds and any money for future housing renewal is only likely to be funded from repayment of previous loans and grants or from direct government allocation (such as the Better Care Fund).
- 1.5 The Policy reflects the local housing conditions as contained in the Private Sector Stock Modelling Report 2016, and the aims of the Healthier Homes Strategy. It also reflects the contents of the Department for Levelling Up, Housing and Communities and Department of Health and Social Care(now MHCLG) Disabled Facilities Grant (DFG) delivery: Guidance for Local Authorities in England. The council has also referred to the Better Care Fund: policy framework guidance 2023-2025 and the BCF Planning Requirements 2023-2025.

The Policy addresses the following priorities:

- To remove serious (category 1) hazards in homes occupied by households on low income.
- To bring empty homes back into use.
  - To provide adaptations to existing homes to meet disabled people's needs.
  - To assist with essential works to help disabled, older and vulnerable people to remain safe and independent in their home.
- To enable homes to be efficiently heated for persons whose long term health conditions; age or disability makes them vulnerable to the cold and falls.
- To enable residents to be discharged from hospital back into their home safely, and to reduce the risk of admission or readmission to hospital by ensuring that the home environment is free from serious hazards.

- To ensure that assistance is used as effectively as possible; that monies are recycled where possible and to provide assistance to those persons in greatest need.
- 1.6 This Policy will be reviewed in line with budgetary, or government policy changes as and when required and at least every 5 years. The Director or Chief Housing Officer, may make minor changes to the policy in the interim.
- 1.7 Any queries relating to this Policy should be referred to the Private Sector Housing Manager, Folkestone and Hythe District Council, Civic Centre, Castle Hill Avenue, Folkestone, Kent, CT20 2QY. Telephone: 01303 858660. Email: [private.sectorhousing@folkestone-hythe.gov.uk](mailto:private.sectorhousing@folkestone-hythe.gov.uk)
- 2.0 The Legislation**
- 2.1 This policy follows the rules set out in the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. It also aligns with the Housing Grants, Construction and Regeneration Act 1996, which covers the mandatory Disabled Facilities Grants (DFG). This allows the council to use its discretion and funding wisely to provide adaptations for disabled individuals beyond the mandatory requirements.
- 2.2 The Housing Grants, Construction, and Regeneration Act 1996, with amendments from the Disabled Grants (Maximum Amounts and Additional Purposes) (England) Order 2008 makes it the council's legal duty to adapt homes for disabled people. The Housing Act 2004 introduced the Housing Health and Safety Rating System (HHSRS) to establish minimum standards for housing. It also obligated the council to take action if serious hazards (Category 1) are found in a dwelling. The department for Local Government and Communities further established the standard for Decent Homes in 2006, specifying minimum requirements for housing quality, repair facilities, and thermal comfort. Ensuring good housing standards is crucial for addressing health and wellbeing inequalities.
- 2.3 The Care Act 2014 states that local authorities must provide services and facilities that help people live independently. The core purpose of adult care and support is to assist individuals in achieving their personal goals. The "wellbeing principle" is central to this act, emphasising the importance of promoting wellbeing and independent living.
- 2.4 According to the DFG Guidance 2022, if the social care authority confirms a need, they must provide assistance, even if the housing authority cannot fully approve or fund the application.
- 2.5 Under section 343 of the Armed Forces Act 2006 (as amended by section 8 of the Armed Forces Act 2021), the Council must consider the Armed Forces Covenant when allocating disabled facilities grants and may offer special consideration for veterans in certain situations.

### **3.0 FUNDAMENTAL PRINCIPLES**

- 3.1 It is neither possible nor desirable for the council to offer assistance for all private sector housing problems. It can only directly assist with a proportion of these through targeting the available resources at priority needs.
- 3.2 Although emphasising that the responsibility to maintain private property rests firmly with the owner, it is recognised that the private housing stock plays a major role in meeting the housing needs of the district and has an important effect on the occupier's health and independence, which in turn should result in less demand on health and social care resources.
- 3.3 Most assistance is offered in the form of a loan secured on the property and repayable by the owner. In this way funding can be re-cycled to assist subsequent owners. In addition, certain forms of assistance can help balance the local housing market in a way which gives more choice and opportunities to those in housing need and bring additional good quality housing back into use.
- 3.4 Money repaid to the council, either on repayment of loans upon disposal of the property or when grant or loan conditions are broken, will be reinvested in the private sector housing capital programme. The council considers that this is an appropriate way forward given the pressure on resources and because, over time, it will allow more homeowners to be assisted with a limited amount of resource.
- 3.5 Each case will be considered on its individual merits. However, there are some general principles that will be applied:
  - (a) Landlords are running a business and have a legal duty to keep their property in a good state of repair and comply with all relevant standards. Loans to improve a property will not be available to landlords (with the exception of Empty Home loans).
  - (b) Owners should always maintain effective buildings insurance and the council will not fund work that can be covered by insurance.
  - (c) If the level of disrepair is excessive and beyond the means of the loan limit, the council reserves the right to refuse the loan or only deal with the most urgent or dangerous elements of the work.

### **4.0 VULNERABLE HOUSEHOLDS**

- 4.1 A vulnerable household is defined as one in receipt of at least one of the principal means tested or disability related benefits. Details of these qualifying benefits can be found in appendix 2 at the end of this policy.

## **5.0 SPECIFIC TYPES OF ASSISTANCE AVAILABLE**

5.1 The council will provide the following forms of assistance to private owners and/or tenants to enable them to improve and adapt their properties, and where possible bring long-term empty homes back into use.

- Home Safe Loans (owner-occupiers only)
- Home Energy Advice and Fuel Poverty (tenure neutral)
- Winter Warmth Repayable Grants (owner occupiers only)
- Handyperson Scheme (tenure neutral)
- Folkestone and Hythe Home Enablement Service (tenure neutral)
- Health and Housing Coordinator (Hospital Discharge) Service based at the William Harvey Hospital (tenure neutral)
- Hoarding Support Service (tenure neutral)
- Disabled Facilities Grants (mandatory and discretionary – privately owned, housing association owned or privately rented properties. Although tenants of council owned stock can apply, the funding is awarded from the council's Housing Revenue Account budget.
- Discretionary funding of deep cleans, declutters, minor works to enable safe discharge from or prevent readmission to hospital or care settings (tenure neutral, and repayable if owner occupied).
- Dementia, Alzheimer's and Parkinson's provision of specialist equipment and minor adaptations.
- Empty Homes Loans (and Folkestone and Hythe No Use Empty Plus scheme)

5.2 Financial assistance will be given subject to sufficient funds being available. Once the budget has been committed for the financial year, no further offers will be made.

5.3 Disabled Facilities grants are mandatory, and where funds are insufficient to support the discretionary schemes, these schemes will be suspended first in order to comply with the statutory duty of providing disabled adaptations to our residents.

5.4 Where funding falls short of meeting the need for mandatory DFG the Council may draw up a waiting list of people requiring assistance.

5.5 Further innovative schemes may be devised to enable appropriate spend of the Better Care Fund allocation and to help more people to live independently in their own homes and meet health related targets. These will be developed in partnership with the Home Improvement Agency where appropriate.

## **6.0 HOME SAFE LOANS**

6.1 These Loans are intended to assist vulnerable people to make their homes free from serious hazards. All loans will be registered at the Land Registry as a legal charge. See 4.0 above for the definition of vulnerable for this purpose.

- 6.2 Home Safe Loans are available throughout the district. There are no prior occupation conditions. These loans are available to any relevant vulnerable owner occupier over the age of 18, where serious hazards exist in their home. The loans are not appropriate for extensive and continued lack of maintenance, poor hygiene or dilapidation.
- 6.3 The loans will be up to a maximum of £20,000, with no means test being applied by the council (other than the need to be a vulnerable person as in section 4.0 above). Occasionally, however, it may be appropriate to offer more assistance and such cases will be considered by the Strategic Housing Manager and Private Sector Housing Manager. The loan is repayable on the future sale of the relevant property or when changes or additions to the original title ownership occur and will not attract any interest charges during the term of the loan.
- 6.4 The Home Safe loan process will be managed by the Home Improvement Agency (unlike Mandatory DFGs where the customer is given a choice of agent). This is to ensure consistency in the procedure which involves preparation of legal charge documents on behalf of the council.
- 6.5 Relevant fees to the Home Improvement Agency , or for Building Regulations or Planning approval, or any other agreed professional fees, can be included as part of the loan calculation.
- 6.6 After receiving assistance, a vulnerable person's home may develop other defects, and a further loan may be appropriate to deal with that problem. However, the total amount of loan assistance provided must not exceed the £20,000 limit in any five-year period unless an exception has been agreed by the Private Sector Housing Manager together with the Strategic Housing Manager.
- 6.7 Any requests to waive loan repayment in part or whole or to alter the council's status on the Land Charges Register will not normally be considered except in very exceptional circumstances. This will ultimately be determined by the Chief Housing Officer in consultation with the council's legal team.
- 6.8 If conditions are broken after approval of council assistance and before completion of works, then payments made in respect of partially completed works shall be repaid to the council in full.

## **7.0 HOME ENERGY ADVICE AND FUEL POVERTY**

- 7.1 To alleviate fuel poverty in the Folkestone and Hythe District area the council will inform homeowners and tenants of the advice and financial assistance that is available to improve the energy efficiency in their homes. The council currently works closely with local agencies, energy providers, framework partners or the Greater South East Net Zero Hub, who provide support to local authorities for implementing government schemes such as the Home Upgrade Grant, ECO and ECO flexible eligibility. The council's website is updated regularly to reflect the constant changes in this field and provide the most current advice to residents.

- 7.2 Customers are routinely referred for access to any government support or council welfare support schemes as and when they become available. This is done directly by the council or via the Home Improvement Agency. Types of support include the Household Support Fund (vouchers for fuel and food), and the Household Essentials Fund which can replace broken or missing white goods with more energy efficient new ones.

## **8.0 KENT AND MEDWAY ENERGY AND LOW EMISSIONS STRATEGY**

- 8.1 The Council has pledged its commitment to the Kent & Medway Energy and Low Emissions Strategy and its five key priorities. This Housing Assistance policy seeks to align as much as possible with the key priorities in the strategy which are:-

- Low Carbon Heating
- Energy Saving and Efficiency
- Renewable Generation
- Smart Energy System
- Transport Revolution

- 7.2 Government net zero schemes run on a rolling one or two year programme. The council will participate, publicise and promote any government schemes (such as Home Upgrade Grants and ECO Local Authority flexible eligibility) as and when suitable opportunities are available.

## **8.0 WINTER WARMTH REPAYABLE GRANTS**

- 8.1 The Better Care Fund guidance provides a widened scope for Disabled Facilities Grant (DFG) Funding and suggests that funding energy efficiency measures (heating and insulation) in the home for older and disabled and chronically sick residents can help them to maintain independence in the home for longer and prevent hospital admissions through suffering from cold and falls in the home.
- 8.2 Eligibility criteria for Winter Warmth Repayable Grants are that the applicant must be a homeowner who is over 65 years and/or they are in receipt of benefits and that they suffer with a long term illness or have a disability that makes them vulnerable to the cold. The health element of the criteria must be signed off by a care navigator, home improvement agency case worker, health care professional, General Practitioner or Occupational Therapist.
- 8.3 The funding is provided in the form of a repayable grant up to £10,000 (with conditions). If the property is either sold or changes are made to the existing title ownership, the grant will have to be repaid. This condition remains in place for 10 years after the completion of the works and is registered as a local land charge. Upon the 10<sup>th</sup> anniversary of the completion of works, the land charge will be removed, and no grant monies will be repayable. This condition is applied the same as it is with mandatory disabled facilities grants under the Regulatory Reform Order 2002.



- 8.4 This scheme will help more vulnerable and sick Folkestone and Hythe residents to remain independent in their own home and will help to meet one of the Better Care Fund targets, in addition to reducing fuel poverty and improving energy efficiency of properties in the district. Alternative funding such as access to government grants will be explored for each applicant first, as they may be eligible for non-repayable forms of funding, or for more sustainable forms of heating (such as heat pumps).
- 8.5 Whilst it is recognised that gas boilers are not encouraged in terms of government carbon emissions and net zero policy, the cost to install alternatives (such as heat pumps) are currently prohibitive in most cases. The time taken to install such alternatives defeats the object of ensuring that the occupants no longer suffer the effects of cold in situations where their current heating system has broken down or is failing and a replacement boiler is required urgently.

## **9.0 PARTNERSHIP WORKING WITH THE HOME IMPROVEMENT AGENCY (HIA)**

- 9.1 The council has procured a local Home Improvement Agency (HIA). The selected partner agency provides a service in the most economically advantageous way and has experience in dealing with vulnerable clients. They also have an ability for sign-posting, accessing other services for clients, provision of handyperson services and a detailed understanding and working knowledge of the DFG and loan processes.
- 9.2 The HIA provides advice and assistance to help vulnerable home owners and tenants to improve the condition of their homes and enables them to continue to live independently in the community.
- 9.3 The HIA project manage the majority of Winter Warmth Repayable Grant and Disabled Facilities Grant applications and all of the Home Safe loans. The HIA ensures that works are properly procured and completed to the necessary standards.
- 9.4 Any work completed with the assistance of council funding must be independently verified by the HIA or other organisation approved by the council.
- 9.4 The council will direct customers to the HIA for assistance with Disabled Facilities Grants as they are the council's procured partner. However, we recognise that the customer is entitled to choose their own project manager/surveyor. In order to ensure that they choose someone who is suitably qualified and experienced, the council will refer them to a directory of accredited Home Improvement agencies (which can be found on <https://www.findmyhia.org.uk/>). If the client has another provider in mind (who is not listed on FindmyHIA), the council will need to be satisfied that the provider can meet the requirements of the guidance at Appendix 4 Guidance and code of Practice for Advisors/Agents acting on behalf of clients wishing to access a DFG.

## **10.0 THE HANDYPERSON SCHEME**

- 10.1 The Council provides a Handyperson Scheme. The service covers minor repairs, security and health and safety works for homeowners and private sector tenants over 55 years old, who are either vulnerable or who have a physical or mental disability which prevents them undertaking the works themselves. The Council's Housing Service also have a Handyperson Scheme for council tenants. Both schemes are run by the Home Improvement Agency.
- 10.2 The scheme is not an emergency call out service, nor does it address gas/electrical works, or carry out external repairs above two storeys high. The service charges a subsidised hourly labour fee for clients in receipt of means tested benefits or a set hourly fee for clients not in receipt of benefits; the client being responsible for the cost of the materials. These subsidised rates are maintained by funding from the Council..

## **11.0 FOLKESTONE AND HYTHE HOME ENABLEMENT SERVICE**

- 11.1 This free scheme provides a responsive service helping people live independently and safely at home. It is run by the HIA Handy Person Service.
- 11.2 It offers practical support to help people to be discharged from hospital more quickly, but can also help to prevent people going into hospital in the first place.
- 11.3 Examples of work that the scheme can cover are supplying and fitting key safes, supplying and fitting bannister and grab rails, moving a bed from upstairs to downstairs, addressing slips trips and falls by securing carpets to the floor, and relocating trailing cables. These works are not exhaustive and each case will be considered on its own merits by the Private Sector Housing Manager.
- 11.4 Clearing rooms of hoarded items (sometimes on a large scale) to make way for a bed or to prevent falling in the home can also be considered, (alongside more extensive repairs) but these will be charged against the property as a repayable grant where the property is owner occupied. If the property is tenanted, the landlord will be consulted as some of the deficiencies found may be their responsibility. These are assessed on a case by case basis. Sometimes deep cleaning of parts of the house will also be considered as part of the assistance, particularly where the condition of the property is preventing discharge from hospital or is deemed to be seriously detrimental to the occupant's health.
- 11.5 Clients must be 50 years or over and be either chronically sick or disabled and live in the Folkestone and Hythe District area. The service can only accept direct referrals from health or social care colleagues or the care navigator service.
- 11.6 Exception to the over 50 years old criteria may be given where the Home Enablement Service is being used in conjunction with a hospital discharge

(and managed by the Health and Housing Co-ordinator of the HIA's Hospital discharge service).

## **12.0 THE HEALTH AND HOUSING COORDINATOR (HOSPITAL DISCHARGE) SERVICE**

- 12.1 This is a free service to patients at the William Harvey Hospital who reside in the Folkestone and Hythe District funded by DFG allocation. The service is run by the HIA by employing a person to be an integral member of the hospital discharge team to aid a robust approach to support patient discharge quickly, safely and effectively.
- 12.2 Additionally, the role involves undertaking a visit to the patient's home following discharge to review the home environment and addressing issues that could prevent the patient from re-entering hospital. Issues likely to be tackled would include clutter and hoarding, uneven or excessive height of door thresholds, trailing cables, loose carpets, or any issues that could cause slips, trips and falls. Assessment for minor adaptations and equipment to enable independence in the home can also take place, along with fitting of key safes to facilitate care packages. Assessments for suitability for telecare, checking the property for disrepair and adequate heating, assessing for bathing difficulties and getting up and downstairs and determining whether a referral to occupational therapy for an assessment for DFG is required.
- 12.3 This service works hand in hand with the Home Enablement and Handy person services and on occasion referrals to the Home Straight (Hoarding Support) Service are also made.
- 12.4 The Health and Housing Co-ordinator will always seek a contribution from the client towards the cost of any de-clutter or deep cleaning works or minor repairs or investigations. Where this is not possible the council will fund the works using the Better Care Fund. In cases where the client is an owner occupier the council will seek to register a charge against the property for the cost of the works. This charge will be registered at a local land charge level and will expire after 10 years. If the property is sold, the client vacates the property or names are added or removed from the title deed during the 10 year period, repayment of the amount equal to the cost of works (no interest) will be required.

## **13.0 Hoarding Support Service**

- 13.1 Hoarding Disorder is recognised as a mental health condition in which people have a strong need to save a large number of items and experience distress when attempting to get rid of them. Typical hoarded items include newspapers, magazines, household goods and clothing. Sometimes, people with hoarding disorder accumulate a large number of animals, which are often not properly cared for.
- 13.2 Hoarding disorder can lead to dangerous clutter. The condition can interfere with people's quality of life in many ways. It can cause people

stress and shame in their social, family and work lives. It can also create unhealthy and unsafe living conditions.

- 13.3 The council offers a hoarding support service which is managed by the Home Improvement Agency (HIA). The Hoarding Co-ordinator will accept referrals from professionals (with the client's consent) in addition to self-referrals.
- 13.4 The service provides support to clients to address clutter or hoarding within their home, working with clients in their homes using a personalised plan to de-clutter or partially clear the property. They also support clients to find ongoing cleaning routines / services in order to maintain their property, provide a period of on-going support to maintain behaviour change, and support and refer to ongoing services who would deal with the underlying causes of the hoarding behaviour.
- 13.5 The Hoarding Co-ordinator will always seek a contribution from the client towards the cost of any de-clutter or deep cleaning works. Where this is not possible the council will fund the works using the Better Care Fund. In cases where the client is an owner occupier the council will seek to register a charge against the property for the cost of the works. This charge will be registered at a local land charge level and will expire after 10 years. If the property is sold, the client vacates the property or names are added or removed from the title deed during the 10 year period, repayment of the amount equal to the cost of works (no interest) will be required.

#### **14.0 DISABLED FACILITIES GRANT (DFG)**

- 14.1 The Disabled Facilities Grant is a mandatory grant – that is, the council has to provide them, subject to funding being available. These grants are administered under the detailed provisions of the Housing Grants, Construction and Regeneration Act 1996, as amended by the Regulatory Reform Order 2002.
- 14.2 Traditionally a DFG is provided to adapt the home of a disabled person to meet their needs and allow them to achieve as independent a life as is reasonable. However, since the introduction of the Better Care Fund (BCF) in 2015, more innovative use of the DFG funding is encouraged. The main objectives set out in the BCF include using the funding to assist with reductions in delayed transfers of care from hospitals and care settings (commonly known as bed-blocking) by improving the safety of the home environment and making it secure.
- 14.3 The need for adaptation is determined by an Occupational Therapist (usually from KCC Social Services). The council only acts on recommendations made by an Occupational Therapist and, providing the work is reasonable and practicable and the application is satisfactory in all other aspects, the grant will be approved.
- 14.4 The council will carry out a test of the financial resources of the disabled person (government prescribed means test) and assess how much, if any,

they have to pay towards the work. Currently the HIA does this on behalf of the council. The grant covers any reasonable cost, including professional fees or ancillary charges in excess of the disabled person's assessed contribution, subject to a mandatory grant limit of £30,000. The Council may also use its discretion and fund other works over and above the mandatory limit, but this will be subject to conditions.

- 14.5 Any approved DFG will have a local land charge applied where the cost of the work exceeds £5,000. There will be a requirement to repay the grant up to a maximum of £10,000 when the house is sold or if the disabled person and their household ceases to live there, or any other agreed conditions. However, if repayment of the grant would cause undue hardship, then the council may waive the repayment conditions. Each case would be considered on its own merits at the time the repayment condition is activated. The charge is removed upon the 10<sup>th</sup> anniversary of the completion of the works. This is prescribed in the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of grant) General Consent 2008. Local land charges are not applied to housing association or privately rented properties.
- 14.6 An Owner's Certificate must accompany any application stating that the applicant intends to remain in the dwelling after completion of works for a period of five years, or as long as their circumstances allow.
- 14.7 Where the existing home of a disabled person is unsuitable for adaptation, or the costs of adaptation cannot be met by the grant and any contributions, the Council will consider providing financial assistance, in lieu of grant, to help that person relocate to a more suitable property. The relocation costs covered would include estate agent's fees, solicitor fees (not including stamp duty) and removal costs and, if the new property is located within the Folkestone and Hythe District, the costs of reasonable adaptations to the new property would be included up to the total maximum grant allowance of £30,000. (i.e. relocation and adaptation expenses covered in one grant allowance). An assessment of need carried out by the Occupational Therapist will confirm the suitability of any new property to be adapted.
- 14.8 The Council will use its discretion to decide on a case-by-case basis, whether certain works can be covered under DFG. For example, the repair of a boiler if rooms to be adapted cannot be heated by other means or rewiring parts of the electrical installation to accommodate the safe installation of a stair lift. These decisions will be made day to day by the Private Sector Housing Manager or Housing Strategy Manager.
- 14.9 Any works under the value of £1000 will not be considered for DFG. This is because funding can either be obtained from social care or through the Home Enablement Scheme (if it meets the criteria).
- 14.10 The council will consider a discretionary top up grant of no more than £20,000 where the cost of the adaptation works exceed the £30,000 mandatory limit. This will be subject to means testing but no additional local land charge will be added to the property. The discretionary grant will

only be considered where the full cost of the works can be covered, whether this be a combination of mandatory and discretionary grants and/or client contribution. If all means of funding available (i.e. grants/loans/independent funding/client contribution) cannot cover the total cost of work, this grant top up will not be offered.

- 14.11 The applicant or homeowner must give assurances that their contribution towards the works is secured and they will be asked to use their contribution to pay the first interim payments to the building contractor before any grant monies are paid.

## **15.0 DISCRETIONARY DFG TOP UP LOAN FOR HOMEOWNERS**

- 15.1 A discretionary loan of up to £20,000 will be made available to fund the cost of eligible works, which exceed the maximum £30,000. This may be used in addition to the discretionary grant top up of £20,000 where applicable. The Council will consult with Kent County Council Occupational Therapists to determine if the works above £30,000 are reasonable. Occasionally a property will require extensive adaptation which far exceeds the mandatory £30,000 limit. Such adaptations usually involve extending the property and/or installation of specialist lifts or highly technical bathing equipment.
- 15.2 Where top up is required because of extensive cost of works and if the DFG has already been subject to a financial test of resources, no further means test will be made. Where no financial test has been undertaken (i.e. in children's cases) then the decision whether to provide a loan will be subject to a financial test of resources to confirm that the home owner is unable to fund the extra works themselves.
- 15.3 The top up loan will be interest free and secured by a legal charge at land registry and will be repayable upon sale or change of ownership of the property.
- 15.4 If the cost of adaptations reaches £30,000 (the mandatory limit) or near to £30,000 and it is the ancillary fees, or charges by the Home Improvement Agency (or other project manager) that tip the approved amount over the £30,000 limit, a discretionary grant of up to £5,000 will be given to top up the overall grant. The standard £10,000 local land charge will still apply, even where a grant is topped up to cover fees. This will not be applied to any subsequent discretionary grant or loan amounts.

## **16.0 THE REVIEWED MEANS TEST AND HELPING MORE DISABLED PEOPLE**

- 16.1 The financial test of resources (means test) prescribed by the government is outdated and sometimes assesses applicants as being able to afford a contribution, when in reality they cannot or even assesses them as having a "nil grant" when in reality they would not be able to afford the works, or would be expected to spend all of their life savings on the work. The Council have in the past had to refuse a grant to applicants because of this, which leaves the applicant struggling to provide or going without the

adaptation. This can put unnecessary pressure on the care system and may affect the person's independence and health if they cannot adapt their home according to their needs.

- 16.2 Whilst the DFG allocation can sustain it, a reviewed means test will be applied to all DFG applicants to disregard the first £15,000 of household income. Household income takes into account any income from savings as well as benefits and wages. In times when the DFG budget is reduced or not able to cope with demand, the Council will revert to the standard government prescribed means test. In the reviewed means test the remaining income after the first £15,000 will be used in the calculation. This method will allow the council to help more applicants on low income, who would otherwise be considered only if they can contribute the determined amount towards the work. Qualifying applicants will be eligible to a maximum of £30,000 grant but any contribution determined whilst using the reviewed means test will have to be paid by the applicant.

## **17.0 EMERGENCY STAIRLIFTS**

- 17.1 A discretionary grant of up to £4,000 can provide an urgent stair lift in a disabled person's home in cases of delayed discharge from hospital or where a person is liable to become disabled following an operation (such as leg amputation) and a stair lift is required before the person can be discharged.
- 17.2 The grant has no conditions, and no means test is applied. The grant can be accessed by owner occupiers and private tenants (with the landlord's permission). The request for a stair lift will be assessed by a suitably qualified person such as an Occupational Therapist. The responsibility for its maintenance and servicing would be with the grant recipient. The council have a right to choose a preferred contractor to supply and install the lift.
- 17.3 Referrals for an emergency stairlift must come from a hospital or community OT.

## **18.0 Parkinson's, Alzheimer's and Dementia assistance**

- 18.1 When DFG allocations allow, the council will fund the provision of specialist items or minor changes to the décor in the home of a person living with Parkinson's, Alzheimer's or Dementia. The referral must be made to the Home Improvement Agency by a health professional who can confirm the client's diagnosis of these conditions.
- 18.2 The HIA will then source the items being requested, purchase them and deliver them to the client, and the council will reimburse the HIA for the cost of these items. Items may include specific colour crockery, cutlery, contrasting colour toilet seats, falls or movement detectors, GPS locator devices (initial first year of any connection contract is covered), door guards and large buttoned telephones or large display clocks. Any item

considered to help the client to remain independent in their own home will be considered.

- 18.3 Where a change in décor is considered to help with associated confusion, loss of vision, distress or challenging behaviour, these will be considered for funding too. The HIA will refer to the Private Sector Housing Manager or Strategic Housing Manager to request funding for the proposed changes to the home. Works may include changing colours or providing colour contrast, removing heavily patterned carpets or curtains and replacing with plain colours, installing a curtain across a door to prevent the door being used without supervision and allowing orientation around the home.

## **19.0 NO USE EMPTY (NUE) & FOLKESTONE AND HYTHE NO USE EMPTY PLUS (NUE+)**

- 19.1 Folkestone and Hythe No Use Empty Plus (NUE+) is a (national award winning) scheme run jointly between Folkestone and Hythe and Kent County Council. The main aim is to provide loans to bring empty properties back into use as quality housing accommodation for either rent or sale.
- 19.2 It was recognised that there was scope to provide extra finance on top of the existing NUE £25,000 per unit (provided by KCC), as some projects take more money to make them viable.
- 19.3 As a result of this Folkestone and Hythe Council provides up to a further £20,000 per unit of accommodation as a "top up" to give a combined £45,000 limit per unit, which has already proved very popular and helped to provide homes where it was thought not previously possible.
- 19.4 As with the existing NUE scheme, the main criteria are for the property to be empty for 6 months or over, with the loan secured by means of a land registry charge. The loan can then be repaid either when the property is sold or after 3 years if it has been available for rental.
- 19.5 This assistance will be targeted at longer-term empty properties (longer than six months) with a degree of dereliction which are blighting the street or area, adversely affecting the living conditions of neighbours and, particularly where they are attracting vandalism, crime and rubbish dumping. Assistance for empty homes will be available throughout the District, but will only be considered where the nature and location of the property makes it a priority to the council at the discretion of the Strategic Housing Manager.
- 19.6 Empty Homes Loans will not attract any interest charges during the term of the loan (3 year period).
- 19.7 In determining the offer of an Empty Homes Loan to a landlord the council will not require a means test; however, a credit check will be carried out. Loans will not be offered in cases where an applicant fails the appropriate credit check or if the landlord is deemed to be not fit and proper.



- 19.8 Eligible works, as specified by the council, may include comprehensive repairs and improvements to the external and internal fabric of the building including replacement roofs (where repair is no longer viable), repairs to chimney stacks, gutters, rainwater pipes, doors, windows, ceilings, walls, floors, and repair or renewal of the electrical installation. Relevant fees to the approved Supervising Officer, or for Building Regulations or Planning approval, or any other agreed professional fees, can be included as part of the Loan calculation.
- 19.9 On completion of the works the property must meet the Decent Homes Standard and be free from category 1 hazards.
- 19.10 The council will not consider applications for financial assistance towards the repair or replacement of garages, conservatories, sheds, outbuildings, porches or commercial premises. External or internal redecoration, central heating installations or double-glazing/window replacement simply to upgrade do not qualify for assistance unless they form part of a refurbishment scheme to bring the property up to the Decent Homes Standard or to alleviate hazards.
- 19.11 The owner will be required to repay the loan in full if the property is sold within the term of the loan, or if the council considers it is not available for letting.
- 19.12 Loan offers are not transferrable, nor are the conditions of the Loan to be transferred to a third party.
- 19.13 Any requests to waive Loan repayment in part or whole or to alter the council's status on the Land Charges Register will not normally be considered except in very exceptional circumstances. This will be determined by the Chief Housing Officer (or subsequent Directors with responsibility for housing improvement activities) in consultation with the council's legal team.
- 19.14 If conditions are broken after approval of council assistance and before completion of works, then payments made in respect of partially completed works shall be repaid to the council in full, together with compound interest.

## **20.0 GENERAL**

- 20.1 Initially, verbal or written enquiries for assistance can be made to the Private Sector Housing Team at the Civic Centre, Castle Hill Avenue, Folkestone, Kent CT20 2QY, telephone 01303 853660, e-mail: [private.sectorhousing@folkestone-hythe.gov.uk](mailto:private.sectorhousing@folkestone-hythe.gov.uk) . Written enquiries should include specific details of the assistance requested and the owner's circumstances, preferably with a contact telephone number. Alternatively, enquiries can be made via the Home Improvement Agency and they will refer to the council – East Kent Home Improvement Agency, (Town & Country), 6 Town Walk, Folkestone, Kent, CT20 2AD.

- 20.2 The council's Private Sector Housing Team is available on the above telephone number to discuss any applicant queries regarding this policy.
- 20.3 Most day to day decisions will be considered by the Strategic Housing Manager and Private Sector Housing Manager. Some decisions will be made in consultation with the Chief Housing Officer and/or Director.
- 20.4 In most cases, the Strategic Housing Manager and Private Sector Housing Manager will discuss and determine the course of action. In others, generally where the situation is exceptional or tends to set a significant precedent, a report will be presented to the Chief Housing Officer and Director, who will then make a decision.
- 20.6 An example of a situation that would be dealt with by the Chief Housing Officer and Director could be considering a request for grant aid to be provided as an exception to general policy, or it could be where emergency, life threatening or other urgent circumstances arise and where no other financial assistance is available.
- 20.7 Where a grant or loan is provided as an exception to the general policy the standard financial assistance conditions will apply. Additional conditions may be attached for individual cases. For more details see Appendix 1 for the Eligibility Criteria and Conditions.
- 20.8 Appeals about how the policy is operated in individual cases, for example, where an enquiry or application for assistance is refused, will be referred through to and dealt with by using the council's complaints procedure.
- 20.9 Appeals must be set out in writing and sent to the Complaints Team, Civic Centre, Castle Hill Avenue, Folkestone, Kent CT20 2QY. [complaints@folkestone-hythe.gov.uk](mailto:complaints@folkestone-hythe.gov.uk). The appeal submission must include the specific grounds on which the appeal is based. Appeals will be considered only on the following grounds:
- That the policy has not been applied correctly to the case in question, for example there has been a mistake; or
  - That the case in question is exceptional in some way that justifies an exception to the general policy.
  - Where an applicant believes that their application for assistance has not been properly considered by the council's officers.
- 20.10 The council welcomes any general queries, complaints or suggestions about this policy. You should set out any comments in writing and send them to the Private Sector Housing Team at the Civic Centre, Castle Hill Avenue, Folkestone, Kent CT20 2QY or [private.sectorhousing@folkestone-hythe.gov.uk](mailto:private.sectorhousing@folkestone-hythe.gov.uk). All comments will be carefully considered, and a written reply will be given. Where appropriate, you will be contacted to discuss the views that you have put forward.

## **APPENDIX 1**

### **ELIGIBILITY CRITERIA AND CONDITIONS**

- 1.1 In accordance with this policy council assistance may be in the form of a grant, loan or other means, as specified by the council from time to time.

### **2. PERSONS APPLYING FOR HOUSING ASSISTANCE**

- 2.1 To qualify for Housing Assistance a person must:
- 2.2 Live in the dwelling as their sole place of residence except for a landlord who intends to make the dwelling available for letting to a vulnerable household.
- 2.3 Have an owner's interest in the dwelling or be a tenant or licensee of the dwelling, alone or jointly with others.
- 2.4 Have a duty or right to undertake the works in question and have the explicit permission in writing from the owner to do so.

### **3. FORM OF APPLICATION**

- 3.1 The application for assistance under this Policy shall be in the form prescribed and approved by the council and may be varied by the council as it considers appropriate. The applicant will be required to provide all or some of the following:
- 3.2 Full details, including approved plans of the works for which assistance is requested.
- 3.3 Detailed estimates from at least two builders of similar standing (unless there is only one provider of specialist equipment or services available) for the works in question. The contractors concerned may not be members of the applicant's immediate family.
- 3.4 Details and receipts for the costs of any professional fees incurred or to be incurred in relation to the application for assistance.
- 3.5 Documented proof that the applicant is the owner, tenant or licensee of the dwelling in question.

- 3.6 Where the applicant is not the owner, written consent from all owners that the applicant may undertake the works in question.
- 3.7 If the applicant is an owner, an undertaking to repay any financial assistance provided for breach of the conditions listed in paragraph 12 below.
- 3.8 If the applicant is a landlord, to enter into an agreement that the dwelling will be made available to a vulnerable household on completion of works.

#### **4. AMOUNT OF ASSISTANCE**

- 4.1 The council will specify a maximum amount or a formula for calculating the maximum amount of assistance which may be paid and may specify different maxima for works of different descriptions.

#### **5. EXCLUSION OF WORKS ALREADY CARRIED OUT**

- 5.1 The council will not generally approve an application for assistance if the works, the subject of the application, have been carried out before the application is approved.
- 5.2 Where the relevant works have begun but have not been completed, the application may be approved if the council is satisfied that there were good reasons for beginning the works before the application was approved.

Any works commenced before the approval of any assistance may not be included within the eligible costs.

#### **6. DECISION AND NOTIFICATION**

- 6.1 The council will notify an applicant in writing whether the application for assistance is approved or refused. The notification will be provided as soon as reasonably practicable and, in any event, not later than eight weeks after the date of the completed application concerned.
- 6.2 When an application is approved the notification will specify the works which are eligible for assistance, the value of the assistance and the form that the assistance will take.
- 6.3 In the case of a refusal the council will explain in writing the reasons for the refusal and the procedure for appealing against the decision.
- 6.4 If the council is satisfied that, owing to circumstances beyond the control of the applicant, the cost of the assisted works has increased or decreased, it may re-determine the amount of the assistance and notify the applicant accordingly.

#### **7. SUPERVISION OF WORKS**

- 7.1 The contract of employment will be between the applicant and the chosen contractor and **will not** include the council.
- 7.2 The responsibility for supervision of the works rests with the applicant. The council will require the applicant to appoint either the local home improvement agency (HIA) or a suitably qualified supervising officer to project manage any grant/loan application.

## **8. PAYMENT OF ASSISTANCE: CONDITIONS AS TO CARRYING OUT WORKS**

- 8.1 The assistance will be paid only if:
- (a) The assisted works are completed within twelve months from the date of approval, and three months in the case of Home Safe Loans and Winter Warmth Repayable Grants, or such further period as the council may subsequently allow.
  - (b) The assisted works are carried out in accordance with the conditions of approval.
  - (c) The assisted works are carried out by one of the contractors whose estimates accompanied the application.
  - (d) The applicant confirms his/her acceptance of and satisfaction with the completed works and these works have been executed to the satisfaction of the council (In exceptional circumstances or in the case of a dispute, the council has the discretion to make or withhold a payment).
  - (e) The council is provided with an acceptable invoice, demand or receipt for payment for the works and any professional fees and other charges. For this purpose, an invoice, demand or receipt is acceptable if it satisfies the council's audit standards and is not submitted by the applicant or a member of his family.

## **9. PAYMENT OF ASSISTANCE**

- 9.1 The council will normally pay the assistance direct to the contractor either on the completion of the works or by up to four instalments as work proceeds.
- 9.2 Where assistance is payable but the assisted works have not been executed to the satisfaction of the applicant the council may, at the applicant's request and if it considers appropriate to do so, withhold payment to the contractor. If it does so, the council may make the payment to the applicant instead.
- 9.3 Where assistance is in the form of a loan the council will enter into legal agreements with the parties at the appropriate time to ensure that the loan can be recovered. Loans will be registered as a charge at the Land Registry or in the case of a mandatory DFG or Winter Warmth Repayable Grant, the loan element will be registered as a local land charge.

## **10. REPAYMENT WHERE APPLICANT IS NOT ENTITLED TO GRANT**

- 10.1 If an application for assistance is approved but it subsequently appears to the council that the applicant or, in the case of a joint application, any of the applicants, was not at the time the application was approved entitled to assistance, no payment shall be made. In the case where payment has been made by instalment, no further instalment shall be paid and the council may demand that any payments already made be repaid forthwith, together with compound interest.

## **11. CONDITIONS FOR REPAYMENT OF ASSISTANCE**

- 11.1 If the owner of the dwelling to which the application relates ceases to be the owner before the works are completed, he/she shall repay to the council on demand the amount of any assistance that has been paid together with compound interest.
- 11.2 If an owner of the dwelling(s) to which the application relates having undertaken to let the dwelling(s), ceases to let the dwelling(s) in accordance with his/her agreement with the council, he shall repay to the Council on demand the monies in accordance with this policy.
- 11.3 Where the council has the right to demand repayment but there are extenuating circumstances, it may determine not to demand repayment or to demand an amount less than the full amount.
- 11.4 Flexible repayment options exist for repayment of all assistance within this Policy. Please contact the council for details.

## **12. ADDITIONAL CONDITIONS**

- 12.1 Where the council approves an application for assistance it may impose additional conditions with the consent of the applicant.
- 12.2 The additional conditions include, but need not be confined to:
- a) Require the applicant to make contribution towards the assisted work;
  - b) The council having the right to nominate tenants to the living accommodation provided;
  - c) The council having the right to recover specialised equipment when no longer needed;
  - d) Requiring the appointment of managing agents to oversee and manage the letting of the living accommodation provided;
  - e) Requiring the living accommodation provided to be maintained in repair after the assisted works has been completed.
- 12.3 Breach of any of these additional conditions shall give the council the right to demand repayment of the assistance as listed within paragraph 12.2 above.

## **SECURITY FOR ASSISTANCE**

- 12.4 Any condition above that creates a liability to repay the assistance shall be a charge registered at the Land Registry or a local land charge.

- 12.5 The liability to repay any assistance may be discharged at any time by paying to the council a sum equal to the amount of the assistance or such lesser sum as the council may agree.

## **APPENDIX 2**

### **DEFINITION OF A VULNERABLE PERSON**

A vulnerable person is someone who is in receipt of one of the following qualifying benefits

- Income Support
- Universal Credit
- Council Tax Reduction
- Working Tax Credit (with a disability element, maximum income amounts apply)
- Childs Tax Credit (maximum income amounts apply)
- Pension Credit
- Income based Job Seekers Allowance
- Attendance Allowance
- Disability Living Allowance or PIP
- Industrial Injuries Disablement Benefit
- War Disablement Pension
- Income-related Employment and Support Allowance

Note:

Benefit types may change over the period of this policy, however, the criteria is based on eligible means tested benefits.

**List of funding streams for Housing Assistance**

<b>Scheme or Initiative</b>	<b>Funding source</b>	<b>Funded until?</b>
Disabled Facilities Grants	Better Care Fund (DFG allocation)– direct from central government via KCC	Ongoing rolling annual programme – funding allocated in April each year.
Winter Warmth Repayable Grants	Better Care Fund (DFG allocation)	Ongoing as above (part of DFG annual allocation)
Folkestone and Hythe and Dover Home Enablement Scheme	Better Care fund (DFG allocation)	Part of the HIA partnership contract. On going - Funded by DFG allocation.
Handy Person Scheme and HIA services (including administration of grants and loans)	Folkestone and Hythe General Fund and DFG allocation.	Part of the HIA partnership contract. Funded by DFG allocation as allocations allow.
Home Safe loans	Folkestone and Hythe Capital budget (£100,000 p.a.)	Agreed annual budget Recycled loan funds cover this.
Folkestone and Hythe No Use Empty Plus Loans	Approved Folkestone and Hythe budget	Approved Folkestone and Hythe budget £350,000 p.a. since 2015/16 – approved on an annual basis and then subject to members’ approval for using recycled funds in future.
Folkestone and Hythe Health and Housing Coordinator Service (at the William Harvey Hospital in Ashford)	Better Care fund (DFG allocation)	Part of the HIA partnership contract. Funded by DFG allocation as allocations allow.
Hoarding Support Service	Better Care Fund (DFG allocation).	Part of the HIA partnership contract – funded as allocations allow.
Parkinson’s, Alzheimer’s and Dementia Service	Better Care Fund (DFG allocation)	Part of the HIA partnership contract. (funded as allocations allow)



### **Guidance and code of Practice for Advisors/Agents acting on behalf of clients wishing to access a DFG**

### **isors/Agents acting on behalf of clients wishing to access a DFG**

It is the advisor's/agent's role to act on behalf of the client in designing adaptations, obtaining consents and securing services of suitable builders, leading eventually to the satisfactory completion of works. Works are to satisfy the adaptation objective of both the clients and the Occupational therapist and meet the quality standards of an ordinary reasonable person.

It is expected that the advisor/agent would have a collaborative approach with the Local Authority over the delivery of grants. They should acknowledge an understanding of the rationale and practicalities of managing expenditure and the need to demonstrate "fairness" to all applicants.

The Local authority will only pay fees from a grant to advisors/agents who satisfy the criteria below. Inappropriate advisors/agents often necessitate considerable extra input from the Local Authority, which is of dubious benefit either to the client or to the Local Authority. The Local Authority will determine to whom fees will be paid and their decision will be final.

In order for an organisation/person to be considered as an appropriate advisor/agent for disabled facilities grant purposes, they should satisfy the following criteria:

- Ideally be registered as a Home Improvement Agency with Foundations (FindMyHIA)
- Possess experience of designing for the disabled
- Have experience of working with a Local Authority or similar
- Have enhanced DBS checks and a reference from another Local Authority or similar
- Have appropriate insurance
- Have an appropriate customer care charter
- Have an equal opportunities policy
- Have adequate vetting procedures of contractors
- Have appropriate professional registration and comply with appropriate codes of conduct

An advisor/agent should explain to their clients and provide adequate information at the initial visit about the process of obtaining a disabled facilities grant.

Advisors/agents should always treat their clients with respect and dignity, acknowledging the specific needs of the client group.

Contractors should be vetted by the advisor/agent to ensure they have adequate public liability and employee liability insurance and have a health & safety policy and any other legislative policies. Details should be vetted of sub-contractors tax certificate or certificate CIS, and any details on NICEIC, GasSafe, FENSA etc and VAT registration number if applicable.

The vetting and checking of all such certificates and policies should be carried out periodically, not exceeding annually.

Appropriate documentation of the vetting process should be provided to the Local Authority.

The cost of the following work may be included in a disabled facilities grant application. The local authority will determine the maximum amount they consider reasonable to spend on these items

- (a) confirmation, if sought by the local authority, that the applicant has an owner's interest.
- (b) technical and structural surveys,
- (c) design and preparation of plans and drawings,
- (d) preparation of schedules of relevant works,
- (e) assistance in completing forms,
- (f) advice on financing the costs of the relevant works which are not met by grant.
- (g) applications for building regulations approval (including application fee and preparation of related documents) but only where these have been obtained prior to DFG application. The council have an internal agreement to waive such fees where DFG is approved,
- (h) applications for planning permission (including application fee and preparation of related documents) but only where these have been obtained prior to DFG application. The council have an internal agreement to waive such fees where DFG is approved,
- (i) applications for listed building consent (including application fee and preparation of related documents),
- (j) applications for conservation area consent (including application fee and preparation of related documents),
- (k) obtaining of estimates,
- (l) advice on contracts,
- (m) consideration of tenders,
- (n) supervision of the relevant works,
- (o) disconnection and reconnection of electricity, gas, water or drainage utilities where this is necessitated by the relevant works, and
- (p) payment of contractors.

Folkestone and Hythe District Council will not normally allow a fee in excess of 15% of the cost of works for the whole of the above.