

Factsheet



The IET Benevolent Fund

Disabled Facilities Grants and other Housing Grants

This information sheet is intended to give an insight into how the housing grants systems work. This topic can be very complicated, and at times the information we have provided has needed to be quite detailed. The grant system described here applies to England and Wales.

Disabled Facilities Grants

Someone who is having difficulty with access in his or her home, for instance having a bath or getting in and out of the house, may qualify for a Disabled Facilities Grant (DFG). These grants can fund adaptations to help a person to live independently and as comfortably as possible.

DFGs are available from the housing department of the local council and enquiries can be made to either the housing department or the social services department.

The housing department is responsible for the administration of DFGs through stages of initial enquiry (or referral by the social services department) to final approval, including the administration and payment of the grant. There are two types of grant, mandatory and discretionary and these are dealt with in separate sections below.

Who is eligible for a grant?

An applicant must be:

- An owner occupier
- A private, local authority or a housing association tenant
- A landlord with a disabled tenant.

DFG Guidance

The statutory provision for DFGs is part of the Local Government and Housing Act 1989 (section 114) and detailed guidance has been issued jointly by the Departments of Health and the Environment.

Mandatory Grants

The guidance states that:

A local housing department shall not approve an application for a DFG unless they are satisfied that:

- the relevant works are necessary and appropriate to meet the needs of the disabled occupant.
- it is reasonable and practicable to carry out the works, having regard to the age and condition of the dwelling or building.

A housing department shall approve an application for a DFG if the relevant works are for any one or more of the following purposes:

- Facilitating a disabled occupants' access to and from the dwelling.
- Making the dwelling safe for the disabled occupant and others residing with him or her.
- Facilitating the disabled occupant's access to a room used (or usable) as the principal family room.
- Facilitating the disabled occupant's access to (or providing) a room in which there is a lavatory, bath or shower and wash basin, or facilitating the use of any of these.
- Facilitating the preparation and cooking of food by the disabled occupant. (see note 1)
- Improving the heating system in the dwelling to meet the needs of the disabled occupant or, if there is not an existing heating system in such a dwelling, or any such system is unsuitable for

- use by the disabled occupant, providing a heating system suitable to meet his or her needs. (see note 2)
- Facilitating the disabled occupant's use of a source of power, light or heat by altering the position of one or more means of access or control of that source, or by providing additional means of control.
 - Facilitating access and movement by the disabled occupant round the dwelling in order for him or her to care for a person who is normally resident in the dwelling and is in need of care. (see note 3)

Kitchens - in cases where the disabled person would not normally carry out the preparation and cooking of food, it may not be appropriate to carry out adaptations to the kitchen. However, in some cases it may be necessary for the disabled person to make drinks or light meals even where someone else does most of the cooking and preparation.

People with limited mobility who remain in one room for long periods of time usually need greater warmth than mobile able-bodied people. In some cases, the condition a person has may mean certain types of heating are unsuitable, i.e. solid fuel, which has to be carried by the disabled person from outside. The Department of Environment's view is that DFGs should not be used to adapt or install heating in rooms which are not normally used by the disabled person and the installation of heating or the replacement of one type of central heating by another should only be considered where the health of a disabled person would otherwise be adversely affected. A letter of support from a GP is usually required.

Certain works may be required to enable the disabled person to care for another person usually resident in the dwelling, for example a young child, and this extends to those other than relatives. Most of the points mentioned above concern access to someone's home in its present state. However, the provision of facilities does allow for the extension of a property, for example an extension to a bathroom or bedroom (but not a living room).

Applying for a Mandatory DFG

Although the housing department deals with the formal application, the initial approach should be made to the social services department.

In London boroughs, metropolitan and unitary councils, the social services and housing departments will be part of the same council; in other places the social services department may be part of the county council.

An application form should be available from the housing department and arrangements will be made for an Occupational Therapist to visit the person's home to discuss his or her needs.

The application must be supported by a certificate which states that the disabled person will live in the property for at least five years after the work has been completed, or a shorter period if there are health or other considerations.

The joint responsibility of the social services and housing departments often causes confusion and delays. There can be lengthy delays due to limited funds and there may be also long waiting lists for OT assessments. With regard to the latter, the social services department has a duty to carry out a needs led assessment within a reasonable time frame. It is important to note that a financial test of resources cannot be carried out before this assessment takes place.

With regard to funding, the law says that someone should not have to wait more than six months after they apply for a grant to hear whether they will get one.

It is important to ensure that an application is made to the local housing authority as soon as possible. The Council may try to delay the application (perhaps by using an informal enquiry system) until after the OT assessment has been carried out, as this will be the official start date for the application, but it cannot refuse someone permission to make a formal application if he or she requests this.

The law also states that a person should not have to wait more than 12 months from the date of application until the grant is paid, providing the works have been carried out. This power to defer payment is a new provision of the Housing Grants, Construction and Regeneration Act 1996, and there is some uncertainty as to how it will be used. Government guidance states that payment should only be delayed in 'exceptional circumstances' and also that it should not be delayed in urgent cases.

The Assessment - What is "Necessary and Appropriate"

Although the Act requires housing departments to consult with social services over whether the proposed works are necessary and appropriate, at the end of the day it is up to the housing department to decide whether or not to approve a grant. They are not bound to follow the social service department's advice.

The housing department has the duty of deciding whether the works are "reasonable and practicable", taking into account the age and state of the property. Works must also be regarded as "necessary and appropriate" and this must take into consideration adaptations or improvements to enable a care plan to be put in place or a disabled occupant to remain in his or her own home, retaining or regaining as great a degree of independence as can reasonably be achieved. The guidance (issued by the Departments of Health and the Environment as LAC (90) 7/DoE Circular states:

'it is neither appropriate nor practical to impose strict boundaries on what works may be regarded as necessary and appropriate to meet the assessed needs: much will depend on the circumstances of each individual case and on the judgment of the professional advisers concerned.'

The Department of Environment also takes the view that authorities should seek to differentiate between what is desirable - what may be perfectly legitimate aspirations on the part of the client - and what is actually needed and for which support the public purse is justified.

With regard to appropriateness,

'the proposed works would normally be expected actually to meet, in so far as possible to determine, the assessed needs of the individual and should take into account both medical and physical needs. This may mean providing facilities other than those requested.'

For example if the request is for ground floor facilities to assist an individual with a heart problem or breathing difficulties, the social services department may decide that a through-floor lift is best on the basis that this would not only provide access to the existing upstairs toilet/bathroom but also reduce difficulties and physical stress managing the stairs.

Impact on Families and Carers

The Department of Environment considers that there may also be times when the psychological needs of both a disabled person and his or her carer will need special consideration. For instance, when the relationship within a house is fragile, and the proposed works can assist in ensuring that these relationships are not further strained resulting in a breakdown in the caring arrangements. Provision for privacy of the disabled person or carer, for example, might be an important consideration. Where helpers or carers are also involved in fulfilling the disabled person's care plan the adaptation would usually be expected to result in the task of care being eased.

Guidelines are open to interpretation. Here are five important factors which should be kept in mind when a someone is discussing their needs with their Occupational Therapist.

1) The need for space.

In a survey carried out by the Muscular Dystrophy Group one in four respondents had underestimated the amount of space they needed and did not have sufficient space after adaptations had been carried out. Account should be taken of:

circulation space - bear in mind that powered wheelchairs are less maneuverable than self-propelled models. The size of an average chair is 685mm (27") in width and 1090mm (43") in length.

wall length - there should be enough room for essential fittings. For example, in the bedroom:

- Electric Bed- the length of the standard model is 2155mm (7'1"), and is longer than the standard bed. There must be 600mm (24") of space at the foot of the bed to allow for a carer to attend the disabled person's feet.
- Ceiling Hoist
- Number of Doors, i.e. bedroom door, door to garden, bathroom door. Three doors require additional wall space.
- Storage Space- e.g. a fitted wardrobe or drawers for clothing.

2) The need for a dining room.

A DFG cannot be given for a dining room. However, someone cannot be expected to use an existing dining room as a ground floor bedroom. It is not practical to propose that all meals should be eaten off a tray and although many people do this on some occasions, this is not a viable alternative to using a table. A wheelchair tray is not always a suitable solution and it is important to raise the point that there must

be good access under a table so that the person is able to eat off a surface large enough to support his or her forearms. Where a dining room adjoins a living room then it may make sense to knock through to increase circulation space and provide a family room, or similarly a kitchen and dining room may be made into one room.

3) The need for a disabled child to have a separate bedroom

Disabled children may need attention during the night and if another child shares the room it is not fair to constantly disturb them.

4) The need to retain a spare room/carer's room

It may be appropriate to retain a spare room for the partner if the disabled person becomes very restless at night, as this provides a place where he or she can occasionally get a good night's rest. It is also important to be able to accommodate a carer either on a temporary or permanent basis and with increasing use of direct payments, more disabled people are employing paid carers who need a room within which they can sleep. It does not make sense to carry out expensive adaptations if plans are short-sighted as further adaptations may need to be carried out in future.

5) The need to retain a room for a temple or a room to be used for prayer

This need is becoming easier to establish as cultural needs are being taken into account more readily by local authorities and are recognised as being important. Similarly it is important to respect the Asian tradition of having separate living rooms for men and women.

Test of Resources

The means test used within the DFG system has come under much criticism as it takes into account income but not outgoings. A change under the 1996 Act now means that the only person who is subject to the test is the person with the disability (and their partner if they have one).

If the applicant is the owner of a property but not the disabled person, the means test takes into account the disabled person's income. An example is where a disabled woman lives with her brother who owns the property. The brother can apply for the DFG for the benefit of his sister, but the test of resources will only be applied to her.

People on Income Support should receive full funding, and not have to contribute themselves.

Ineligibility for a DFG

Social services departments provide funding for certain works but these tend to be for minor adaptations and equipment rather than structural works. Most councils operate an agreed policy when deciding which works social services department should be responsible for. Sometimes the social services departments may assess a need for a grant but the housing department decides that it is unable or unwilling to make a grant. This may be because the works fall within the discretionary rather than the mandatory scheme or where the proposed works are not considered reasonable or practicable. In cases such as this it must be remembered that the social services department still has a responsibility, under section 2 of the Chronically Sick and Disabled Persons Act 1970 to arrange for the provision of adaptations someone is assessed as needing. Under this Act a council has a duty to provide services to disabled people including:

- the provision of practical assistance within the home
- the provision of disability aids and equipment
- assistance with adaptations to the home

The social services department should therefore examine alternative options with the applicant or disabled person. A possible option may be financial assistance from the authority in the form of a grant or loan. Social services departments may be able to help with the cost of work not covered by the DFG. The amount of help varies between local authorities. They may be able to provide top up funding if someone is not able to meet his or her assessed contribution. They may also be able to provide top-up for works which cost over the £25,000 limit (£30,000 in Wales) on DFGs.

Discretionary grants

Even if the required adaptations do not fall within the mandatory grant criteria, they may be eligible for a discretionary grant. Such works can include providing or adapting an existing room to enable someone to work from home. There is no obligation to award such grants and a

department may have a general policy of not awarding them. However, such a policy must be sufficiently flexible to allow awards in exceptional circumstances. Authorities that do not incorporate such flexibility may be subject to judicial review as they have 'fettered their discretion'.

Provision of adaptations for housing association and council tenants

Housing association and council tenants are eligible to apply for DFGs, however some councils and housing associations will instead use their own budgets to pay for adaptations. If this is the case, works should be carried out on the same terms as if a DFG had been awarded.

If a housing association or council funds the works then an individual will not need to apply for a DFG but if the housing association or council takes a long time to do the adaptations itself or, if they refuse to carry out any adaptations needed, then the person does have the right to make his or her own application for a DFG. If someone is entitled to a DFG, the council cannot refuse to give one just because the person is a council or housing association tenant. He or she must be assessed for needs in the same way as private owners and tenants. The person will have to get the agreement of the landlord (i.e. the council or housing association) to any major alterations to the home. They should not refuse permission unreasonably.

Complaints

If someone wishes to make a complaint about the assessment the social services complaints procedure can be used and a copy of this should be available from your SSD.

If initial attempts at sorting out a complaint do not work, the Local Government Ombudsman can be appealed to.

Home repair assistance

Home repair assistance is a discretionary grant to help meet the cost of smaller scale repairs, improvements and adaptations. Local authorities each have their own priorities for home repair assistance and an application form and details of these should be available from the housing department. There is no restriction on the type of repair,

improvement or adaptation that can be undertaken and assistance can be by way of a cash grant, materials or combination of both.

Who is eligible?

- aged 18 or over;
- live in the dwelling as his or her only or main residence, or be applying for a grant for the benefit of a person who is 60 years old or more, or disabled or considered to be infirm;
- be an owner-occupier or a private tenant, or have a right of exclusive occupation of the property for at least five years;
- have a power of duty to carry out the works;
- be in receipt of income support, income based jobseeker's allowance, housing benefit, council tax benefit, working families' tax credit or disabled person's tax credit;
- be aged 60 years or more, or disabled, or infirm;
- or the application is for adaptations to enable someone who is aged 60 or more or disabled or infirm to be cared for.

Home repair assistance is also available to some occupiers of house boats and mobile homes. If someone has difficulty getting help with home adaptations then they may be able to get advice from RADAR (see 'Useful Addresses' section).

Warm Front Grant

The Warm Front Grant (previously the Home Energy Efficiency Scheme) is managed by the Eaga Partnership www.eaga.co.uk - see Useful Addresses section - and helps towards improvements in insulation, room heating and water heating. The grants are particularly aimed at owner-occupiers and people who rent their homes from private tenants. Grants for council tenants and housing association tenants are subject to funding - check with advisers. This grant scheme is for England only. Wales, Scotland and Northern Ireland have their own grant schemes - contact the relevant Eaga Partnership for further details - see overleaf.

Who is eligible?

You are eligible for a Warm Front Grant if you are in one of these two groups:

You have a child under 16 and are receiving income support, housing benefit, council tax benefit or income-based jobseeker's allowance.

You get one or more of the following benefits:

- Working Tax Credit
- Child Tax Credit

- Income Support
(which must include a disability premium).
- Housing Benefit
(which must include a disability premium).
- Council Tax Benefit
(which must include a disability premium).
- Attendance Allowance
- Disability Living Allowance
- Industrial Injuries Disablement Benefit
(which must include Constant Attendance Allowance).
- War Disablement Pension
(which must include the mobility supplement or Constant Attendance Allowance).

You are eligible for a Warm Front Plus Grant if you are aged 60 or over and receive income support, council tax benefit, income-based jobseeker's allowance or housing benefit.

A Warm Front Grant Information sheet is available and application forms can be completed over the telephone or on-line from the EAGA. If you think you could be eligible for assistance under the Warm Front Scheme, please feel free to [apply on-line](#) and your application will be processed.

Also, you can find out more about the Warm Front Scheme by filling out our [Information Request Form](#) and one of our staff will contact you for further details. Alternatively, check the [Warm Front Grant Leaflet](#) for further details.

Home Improvement Agencies

The local authority giving a grant may commission the work and supervise it, perhaps together with a housing association. However there are a number of home improvement agencies throughout England and Wales that can give advice, help decide what work needs to be done (in consultation with the local authority), organise work, sort out finances, find a surveyor, architect or builder and monitor progress. There may be a fee but this can sometimes be waived. Some agencies only work with older people. The agencies are co-ordinated by Care and Repair, the national body for home improvement agencies.

Other relevant assistance

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 gives councils greater powers to provide discretionary assistance. This may take the form of low cost loans and equity release as well as grants to private homeowners and others to help them to renovate, repair or adapt their home. The Order also enables councils to provide other sorts of assistance, for example helping someone move to more suitable living accommodation if it is satisfied that this would provide a similar benefit to improving or adapting the existing accommodation. Councils may give discretionary assistance in addition to mandatory disabled facilities grants. Any assistance given must be in accordance with the council's published policy. For further information, contact the Environmental Health of the Housing Department of your local council.

The previous prescriptive legislation governing Renovation, Houses in multiple occupation (HMO), Common parts grant and Home Repair Assistance has now been repealed. However, it will remain extant for grants already approved under the system.

Useful Addresses

Care and Repair –

charity set up to improve the housing and living conditions of older people and disabled people.

Care and Repair England,

3rd Floor, Bridgford House,
Pavilion Road, West Bridgford,
Nottingham, NG2 5GJ

Phone: 0115 982 1527

Fax: 0115 982 1529

Mon - Weds 8.30am - 4.30pm

Thurs - Fri 8.30am - 3.30pm

Closed daily for lunch 12.00 - 1pm

www.careandrepair-england.org.uk

Care and Repair Cymru

Phone: 029 2057 6286

Fax: 029 2057 6283

Monday - Friday 9am - 5pm

Anchor Staying Put

Burnbank House
Balliol Business Park
Benton Lane
Longbenton
Newcastle-upon-Tyne
NE12 8EW

Alternatively contact a Staying Put agency near you, using the [Agency Locator](#).

Phone: 0191 270 6069

<http://www.stayingput.org.uk>

RADAR (The Royal Association for Disability and Rehabilitation) -
National disability campaigning and information service

12 City Forum, 250 City Road,
London EC1V 8AF.

Phone: 020 7250 3222
(weekdays 8am - 4pm)
Fax: 020 7250 4119
Minicom: 020 7250 4119
E-mail: radar@radar.org.uk
www.radar.org.uk

Eaga Partnership

EAGA Ltd, FREEPOST, PO Box
130, Newcastle-upon-Tyne,
NE99 2RP.

Freephone: 0800 316 6011 (for
Warm Front Grants in England)
Minicom: 0800 072 0156
Monday to Friday 8am to 8pm
www.eaga.co.uk

Eaga Wales :0800 316 2815
Eaga Scotland: 0800 072 0150
Eaga N. Ireland: 0800 181 667
Freephone numbers
Monday to Friday 9am - 5pm.

IET Connect, the IET Benevolent Fund, gives advice and support to IET members and former IEE members, and their families.

For further information contact IET Connect Helpline 0845 685 0685.

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This information is intended as a guide only. For advice on your specific situation, please phone our helpline. We will then put you in touch with our legal helpline which can provide individual advice on your particular situation.