

# Lincolnshire Discretionary Housing Financial Assistance Policy

## Policy overview

Discretionary Housing Financial Assistance (DHFA) may be awarded to assist people to live independently in their homes and communities where a person's needs cannot be met through a mandatory grant, as the assistance required is not within its scope or where extenuating circumstances necessitate.

The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 allows Local Housing Authorities to directly or indirectly provide assistance, provided a policy is adopted and published setting out how it intends to use this general power to give assistance.

### Policy Document Control

<b>Title</b>	<b>Lincolnshire Discretionary Housing Financial Assistance Policy</b>
<b>Version</b>	1.0
<b>Attachment</b>	1. Lincolnshire Discretionary Housing Financial Assistance Policy Explanatory Notes
<b>Review date</b>	1 April 2025

## Policy Approval and Version Control

<b>Policy:</b>	<b>Draft v.7.4</b>		
<b>Attachment:</b>	<b>Draft v.1.5</b>		
<b>District</b>	<b>Body</b>	<b>Decision date</b>	<b>Decision</b>
ELDC	Executive	29 November 2023	Approved for adoption from 1 April 2024
WLDC	Prosperous Communities Committee	5 December 2023	Adopted. Awarding of new discretionary assistance under this policy suspended based on the triggers outlined in section 3.4 of the published report
BBC	Cabinet	13 December 2023	Approved for adoption from 1 April 2024
NKDC	Executive	11 January 2024	Approved for adoption from 1 April 2024
SHDC	Cabinet	17 January 2024	Approved for adoption from 1 April 2024
SKDC	Cabinet	12 March 2024	Policy approval decision pending
CoLC	Executive	TBC	Policy approval decision pending

<b>Version</b>		<b>Amendment / Variation</b>
<b>Policy:</b>	<b>v.1.0</b>	Paragraph 4.3.4 minor amendment to include reference to Armed Forced Duty Covenant
<b>Attachment:</b>	<b>v.1.0</b>	Section 6: Delegated authority update
<b>Approval</b>		
<b>District</b>	<b>Approver</b>	<b>Approval date</b>
ELDC	Assistant Director – Wellbeing and Community Leadership	TBC
WLDC	Director of Planning, Regeneration	TBC
NKDC	Assistant Director of Housing and Property Services	TBC
BBC	Assistant Director – Wellbeing and Community Leadership	TBC
SHDC	Assistant Director – Wellbeing and Community Leadership	TBC
SKDC	TBC	TBC
CoLC	TBC	TBC

# Lincolnshire Discretionary Housing Financial Assistance Policy

## 1. Introduction

- 1.1. This policy takes into account relevant legislation relating to administering grants to improve housing standards. It also considers the duties imposed on the public sector relating to equalities, ensuring that each case is considered on individual circumstances and needs.
- 1.2. The policy has been developed to ensure that the council is working towards the health and wellbeing priorities identified within its own corporate plans and strategies as well as those supported across Lincolnshire. These include the Joint Health and Wellbeing Strategy and the Lincolnshire Homes for Independence Blueprint, with actions being delivered through the Housing, Health and Care Delivery Group and its subgroups.
- 1.3. The Joint Strategic Needs Assessment (JSNA) for Lincolnshire, which assesses the current and future health, care and wellbeing needs of the local community to inform local decision making, has two topics that are particularly relevant for this policy – ‘Unsuitable Homes’ and ‘Poor Condition Housing’.
- 1.4. Amongst other information, these identify:
  - Lincolnshire has a population that is ageing above the national average and areas that are in the top 10% of the most deprived in the country.
  - Across Lincolnshire, the total population aged 65 and over with a limiting long-term illness whose day-to-day activities are limited is projected to increase from an estimated 87,539 in 2019 to an estimated 120,655 in 2035.
  - 18% of private sector stock in the county is estimated to have a serious (Category 1) hazard under the Housing Health and Safety Rating System (HHSRS).
  - 17% of the private sector stock in the county is estimated to be occupied by low-income households.

## 2. Policy objective

- 2.1. To assist people who are unable to help themselves to live independently in their homes and communities for as long as possible.
- 2.2. Where a person’s needs cannot be met through a mandatory Disabled Facilities Grant (DFG), as the assistance required is not within its scope or where extenuating circumstances necessitate, Discretionary Housing Financial Assistance (DHFA) may be awarded. The assistance will be subject to eligibility and provided for a range of purposes that support the national Better Care Agenda and reduces hospital admissions.
- 2.3. The range of purposes includes, but is not limited to:
  - helping an applicant to move to a suitable home (relocation)
  - topping up mandatory Disabled Facilities Grants

- helping reduce delayed transfers of care (DTOC), e.g. priority works needed to facilitate hospital discharge
  - helping people stay safe, warm and well
  - provide aids and adaptations for people with specific conditions e.g. dementia, learning disabilities, neurodiversity and sensory impairments
  - Assisting with an applicant's contribution to a mandatory grant
- 2.4. For the purpose of improving living conditions in their area, in accordance with the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, the Local Housing Authority may also directly or indirectly provide assistance in any form to acquire, adapt, repair, improve, demolish or construct housing accommodation subject to the appropriate approvals.

### 3. Council awards and allocations

- 3.1. Councils are under no obligation to award Discretionary Housing Financial Assistance, however, subject to the availability of funding Local Housing Authorities may award assistance on a case by case basis with authorised officers able to approve up to £15,000.
- 3.2. Assistance over this value may be awarded in accordance with the Councils agreed panel approach or in line with their appropriate scheme of delegation as set out in the attached 'Discretionary Housing Financial Assistance Policy - Explanatory Notes (**Explanatory Notes**)'. The availability of other potential funding streams will be taken into account as part of this process.
- 3.3. The capital resources available for discretionary housing financial assistance will vary depending on the amount of funding allocated to the district councils from the Better Care Fund - a pooled budget between Lincolnshire County Council and the NHS Lincolnshire Integrated Care Board, received from the Department of Health and Social Care, and the Department for Levelling Up, Housing and Communities.
- 3.4. The amount passed to each district council by Lincolnshire County Council varies and is set by national government using a prescribed allocation methodology. Each district council will then internally budget for anticipated mandatory DFGs before considering discretionary housing assistance.

### 4. Eligibility

- 4.1. **Person** - To be eligible for assistance an application must be supported in writing by one of the following:
- Occupational Therapist or Community Care Officer
  - GP or medical professional e.g. Practice Nurse
  - Local Authority Officer e.g. Housing or Environmental Health Officer, Wellbeing Lincs
  - Professional from another appropriate organisation (see Explanatory Notes)
- 4.1.1. The referral must set out the type and details of housing assistance they believe the person requires and the reasons they consider the assistance is required.

- 4.2. **Property** - To qualify for assistance the following must apply in relation to the property (except for assistance towards relocation costs, when not all will be applicable):
- The property must be, or is going to be, the primary or sole residence of the eligible person and, depending on the nature of the works, they must intend to reside in it for as long as reasonably practicable. The exception to this is where a parent has legally agreed periods of custody over a disabled child.
  - The owner of the property must give their consent for the required works. Assistance for works to rented properties will only be undertaken where the responsibility for the work does not rest with the landlord e.g. DTOC
  - The property must be reasonably and practicably capable of being adapted or improved to meet the needs of the person, having regard to the age and condition of the dwelling.
  - The property must be located within the council area where the application is being made.

- 4.3. **Financial** - To be eligible for Discretionary Housing Financial Assistance, the following criteria will be applied:

If you or your partner are in receipt of any of the following benefits, subject to meeting the other eligibility criteria, you are eligible for DHFA without further financial assessment:

- Universal Credit
- Income Support
- Income- Related Employment and support allowance (not contribution based)
- Income related Job seekers allowance (not contribution based)
- Guarantee Pension Credit
- Working Tax Credit and/or Child Tax Credit (where your annual income for the purposes of the tax credit assessment is below £15,050)
- Housing Benefit

- 4.3.1. If you are not in receipt of any of the above benefits, and depending on any local Council variations to this policy (see Explanatory Notes) a financial assessment (based on the mandatory DFG means test) will determine if you are eligible for DHFA, or if you need to make a financial contribution towards the cost of the required works. For the avoidance of doubt, this includes applications relating to disabled facilities for children.
- 4.3.2. The allowances within the financial assessment may be adjusted to take into account inflation depending on the applicant's circumstances i.e. amount of savings and or income, at the discretion of the council.
- 4.3.3. In exceptional circumstances (such as cases of end of life care), subject to the provision of appropriate supporting evidence (see Explanatory notes), the Local Authority may waive the financial assessment in order to expedite works up to the value of £8,000.
- 4.3.4. Special considerations for veterans may be justified in some circumstances. In these cases, the statutory Armed Forces Covenant Duty is likely to apply.

## 5. Financial assessment

- 5.1. The income and savings of couples, whether married or not will be included in the financial assessment, along with that of all other adults residing in the property (if applicable). However, if there is clear evidence that other household members such as adult children or the applicant's parents, are already contributing appropriately to the household finances e.g. paying board and lodgings, this may be taken into account as income. Each case will be considered on its circumstances.
- 5.2. Any equity in the property you own and live in will be discounted along with a standard £6,000 in savings. Second homes will be included as capital or income depending on the circumstances. Households with an individual or combined income over £30,000 will not qualify for Discretionary Housing Financial Assistance unless evidence of exceptional circumstances is provided sufficient to satisfy a council's panel decision or applicable scheme of delegation. Households assessed as being able to make a contribution may, depending on the specific circumstances, be assisted by any appropriate means in accordance with the Regulatory Reform (Housing Assistance) Order 2002 e.g. payment scheme or discretionary interest free loan, in order to meet that contribution.

## 6. Local Land Charges

- 6.1. Where the council provides Discretionary Housing Financial Assistance of more than £1000 and the works are considered likely to increase the value of the property (see Explanatory Notes), a Local Land Charge will be registered to recover the funding when the property is sold or otherwise transferred. However, where the DHFA is linked to the top up of a mandatory DFG, the **full value** of the DHFA (excluding any amount awarded under the mandatory DFG) will be registered and recoverable as a Local Land Charge.

## 7. Warranties

- 7.1. The council is not responsible for any ongoing maintenance or repair relating to grant funded works, although there is normally an initial defects liability period, which is the responsibility of the contractor who undertook the works. Unless it has been agreed that it is included in the grant, it is the applicants responsibility to ensure that any extended / manufacturers warranties are applied for.

## 8. Other important information

- 8.1. Only one discretionary grant can be applied for in each financial year unless exceptional circumstances can be evidenced to the satisfaction of the councils agreed panel approach. Further details can be found within the attached Explanatory Notes.
- 8.2. While there are no statutory or regulatory timescales that apply, professional recommendations relating to urgency will be considered alongside the specific circumstances of the case and the council will use its best endeavours to make decisions on discretionary assistance as quickly as possible when provided with all the necessary information. Discretionary assistance works by their nature can be

complex and time consuming, however we will strive to ensure that works are undertaken and completed as soon as practicable.

- 8.3. Works undertaken with Discretionary Housing Financial Assistance may affect any application for housing to the relevant councils Housing Register.
- 8.4. If applicants are dissatisfied with the service they receive or do not believe all relevant information has been taken into account, and are unable to resolve directly with the departmental service, they may use the complaints process for the council they are applying to for assistance.

## **9. General Conditions of Assistance**

- 9.1. The term assistance means any form of financial assistance approved for the purpose of housing renewal, maintenance, improvement and adaptation. This may include a grant, an improvement scheme in which people are invited to participate, a loan of other form of financial assistance, whether provided directly or indirectly. Condition means any condition(s) attached to the assistance
- 9.2. Where stated, any financial assistance and any related conditions will be secured as a legal charge against the property (in the case of disabled facilities grants this would not apply to the tenant of a registered housing provider).
- 9.3. Any charge will not be removed until either all the conditions expire or until the assistance is repaid, together with any interest or additional charges apply. A breach of any conditions could also see the Council using existing powers and remedies to enforce the charge and secure payment of any amount due.
- 9.4. A charge against the property is binding on any person who is for the time being an owner of the premises concerned. Where any condition(s) is in force the Council may require the person responsible to provide any information to satisfy the Council that the condition(s) is being complied with. Failure to comply with a request for information within a reasonable time period and in the form required by the Council will be deemed a breach in itself and thus any assistance must be repaid to the Council. It is the responsibility of the person responsible to prove the condition is being complied with to the Council's satisfaction. Failure to do so will be treated as a failure to comply with the condition. The Council does not therefore have the burden of having to prove that any condition is not being complied with.
- 9.5. No applications for financial assistance will be considered where the relevant work has been started or completed. The approval of assistance does not imply or give the Council's approval of any other consents that might be required. E.g. planning permission or building regulations. It is the responsibility of the applicant to obtain any consents that are required.
- 9.6. Conditions will generally be enforced in all cases. Any money repaid or recovered will be recycled into the Council's capital programme for private sector housing renewal.

## 10. Delegations

- 10.1. As with any policy, over time parts of this document may become outdated as a result of amendments to legislation, financial constraint and the influence of other strategic policy documents produced by the Council, Government or other national authorities. Thus it is essential that it is kept under regular review and updated when necessary and appropriate, therefore:
- i. Relevant Senior Managers have delegated authority to make minor and inconsequential changes to the policy in consultation with the Members/Committee with responsibility for Housing if agreed on a countywide basis. Variations will not make changes to the policy that substantively change the purpose of the policy.
  - ii. Relevant Senior Managers have delegated authority to make amendments to the Explanatory Notes in consultation with the relevant Member/Committee with responsibility for Housing. This delegation will not be used to make amendments to the Explanatory Notes that impact other districts, unless agreed on a countywide basis.
  - iii. Chief Executive Officers have delegated authority to suspend the awarding of any discretionary assistance under this policy in consultation with the relevant Senior Housing Manager and Member/Committee with responsibility for Housing.

### How to access the Assistance

Please contact the relevant Local Authority as set out below for further information or an application form.

Authority	Contact (for referrals other than through Mosaic)
Boston Borough Council	<a href="mailto:DFG@boston.gov.uk">DFG@boston.gov.uk</a> Tel: 01205 314563 for enquiries
City of Lincoln Council	<a href="mailto:housing.privatesector@lincoln.gov.uk">housing.privatesector@lincoln.gov.uk</a>
East Lindsey District Council	<a href="mailto:Grants.Admin@e-lindsey.gov.uk">Grants.Admin@e-lindsey.gov.uk</a>
South Holland District Council	<a href="mailto:privatehousing@sholland.gov.uk">privatehousing@sholland.gov.uk</a>
North Kesteven District Council	<a href="mailto:housingrenewal@n-kesteven.gov.uk">housingrenewal@n-kesteven.gov.uk</a>
South Kesteven District Council	<a href="mailto:dfg@southkesteven.gov.uk">dfg@southkesteven.gov.uk</a> Tel: 01476 406080 for enquiries
West Lindsey District Council	<a href="mailto:dfg@west-lindsey.gov.uk">dfg@west-lindsey.gov.uk</a> Tel: 01427 676676 for enquiries

Further advice in relation to housing assistance, including financial advice can be found from:

- The council's website
- Citizens Advice
- Shelter
- Gov.uk



## Attachment 1

# Lincolnshire Discretionary Housing Financial Assistance Policy

## Explanatory Notes

These notes sit alongside the Lincolnshire Discretionary Housing Financial Assistance Policy and provide additional information where considered appropriate, to support all parties to fairly and consistently apply the policy so that it may effectively meet its objectives.

These notes are by no means comprehensive as the intention of the policy is to allow each case to be considered on its own merits depending on the specific circumstances so that assistance may be provided when reasonable and appropriate.

### 1. Range of purposes

Further information is contained within the table below on the range of purposes Discretionary Housing Financial Assistance (DHFA) may, subject to eligibility, be used for. However any justifiable, appropriate and reasonable case will be considered.

Applications must be supported in writing by an appropriate professional (see who can support an application / make a referral ) setting out the type and details of housing assistance they believe the person requires and the reasons they consider the assistance is required.

<b>Purpose</b>	<b>Eligible costs</b>	<b>Who can refer?</b>
Relocation Grant – It may be considered appropriate to assist an eligible DFG applicant to move to a suitable home where: <ul style="list-style-type: none"><li>• their current home is not suitable for adaptation, or</li><li>• their landlord refuses to allow the property to be adapted, or</li><li>• an owner occupier is in financial difficulty and needs to move to a suitable affordable home.</li></ul>	Reasonable legal, estate agents fees and removal costs.	<ul style="list-style-type: none"><li>• Local Housing Authority</li><li>• Occupational Therapist or Community Care Officer</li></ul>
Topping up a mandatory Disabled Facilities Grant	Eligible costs above the mandatory DFG maximum.	<ul style="list-style-type: none"><li>• Local Housing Authority</li></ul>
Helping reduce delayed transfers of care (DTCOC)	The cost of reasonable necessary and appropriate works to the patient's home in order to facilitate their safe discharge from hospital.	<ul style="list-style-type: none"><li>• Occupational Therapist or Community Care Officer</li><li>• GP or medical professional</li><li>• Hospital Housing Link Worker</li></ul>

Helping people stay safe, warm and well	The cost of remedial works to address a Housing Health and Safety Rating System Hazard or other potential risk e.g. hoarding clearance, following assessment by a qualified Local Authority Officer or other appropriate information and evidence	<ul style="list-style-type: none"> <li>• Local Authority Officer</li> <li>• Occupational Therapist or Community Care Officer</li> <li>• GP or medical professional</li> <li>• Professional from another appropriate organisation.</li> </ul>
Providing aids and adaptations to support those with conditions such as dementia, learning difficulties, neurodiversity and sensory impairments to live safely in their homes	The cost of appropriate aids and adaptations in line with national guidance. This may include assistive technology where absolutely necessary and appropriate and no other funding source should be providing.	<ul style="list-style-type: none"> <li>• Occupational Therapist or Community Care Officer</li> <li>• GP or medical professional</li> <li>• Hospital Housing Link Worker</li> <li>• Local Authority Officer</li> <li>• Professional from another appropriate organisation</li> </ul>
Assisting with an applicant's contribution to a mandatory grant	Reasonable assistance to meet calculated contribution amount in some circumstances	<ul style="list-style-type: none"> <li>• Local Housing Authority</li> </ul>

## 2. Professions and organisations who can support an application for DHFA

- Occupational Therapist or Community Care Officer
- GP or other medical professional e.g. Practice Nurse
- Local Authority Officer e.g. Housing or Environmental Health Officer, Wellbeing Lincs
- Professional from another appropriate organisations including but not limited to: Lincolnshire Police, Lincolnshire Fire and Rescue, voluntary sector or third sector organisation e.g. Citizens Advice, Age UK.

Applications must be supported in writing setting out the type and details of housing assistance they believe the person requires and the reasons they consider the financial assistance is required. Contact details of the supporting / referring professional must be provided.

### 3. Panel approach, decision and delegation

Approval of Discretionary Housing Financial Assistance over £15,000 will be made through a panel approach or in accordance with the Councils Scheme of Delegation, details of the approach for each council are:

Authority	Decision and delegation
Boston Borough Council	Approval up to £15,000 may be given by: <ul style="list-style-type: none"> <li>• Team Leader</li> <li>• Service Manager</li> </ul> Approval over £15,000 may be given by: <ul style="list-style-type: none"> <li>• the relevant Assistant Director, Deputy Chief Executive or Chief Executive in consultation with the relevant portfolio holder</li> </ul>
City of Lincoln Council	Panel to be made up of: <ul style="list-style-type: none"> <li>• Private Sector housing Team Leader</li> <li>• Case officer</li> <li>• Referring body</li> </ul>
East Lindsey District Council	Approval up to £15,000 may be given by: <ul style="list-style-type: none"> <li>• Team Leader</li> <li>• Service Manager</li> </ul> Approval over £15,000 may be given by: <ul style="list-style-type: none"> <li>• the relevant Assistant Director, Deputy Chief Executive or Chief Executive in consultation with the relevant portfolio holder</li> </ul>
North Kesteven District Council	Decisions on applications will be made in accordance with the Council's Constitution and Scheme of Delegation.
South Holland District Council	Approval up to £15,000 may be given by: <ul style="list-style-type: none"> <li>• Team Leader</li> <li>• Service Manager</li> </ul> Approval over £15,000 may be given by: <ul style="list-style-type: none"> <li>• the relevant Assistant Director, Deputy Chief Executive or Chief Executive in consultation with the relevant portfolio holder</li> </ul>
South Kesteven District Council	Decisions on applications will be made in accordance with the Council's Financial Regulations as follows: <ul style="list-style-type: none"> <li>• Up to £15,000 - Team Leader</li> <li>• Up to £30,000 - Head of Service</li> <li>• Above £30,000 - Assistant Director</li> </ul>
West Lindsey District Council	Panel to be made up of: <ul style="list-style-type: none"> <li>• Homes, Health and Wellbeing Team Manager Senior Homes, health and Wellbeing Officer</li> <li>• Senior Homelessness Prevention officer</li> <li>• Referring body</li> </ul>

**Only one discretionary housing financial assistance can be applied for once in each financial year unless exceptional circumstances can be evidenced to the satisfaction of the councils agreed panel approach.**

These circumstances may include significant deterioration of the applicants/clients condition or a substantial and unforeseen deterioration in the properties condition e.g. due to a leak.

#### 4. Local variations to the Financial Assessment set out within the policy (if any)

Authority	Detail of local variation
Boston Borough Council	None
City of Lincoln Council	All applicants for a discretionary grant up to the value of £15,000 will not be required to undertake a financial assessment of means. However, when 75% of the Council's Better Care Fund available budget has been committed discretionary grants will not be available until the next years funding has been received. In these instances, the Council does not undertake to maintain a waiting list.
East Lindsey District Council	None
North Kesteven District Council	No applicant is expected to pay the first £1,800.00 of an assessed contribution.
South Holland District Council	None
South Kesteven District Council	A discretionary grant for a stair lift and/or modular access ramp is available to any disabled resident who meets the criteria for a Mandatory Disabled Facilities Grant. The maximum funding available is £7,000 per item. This grant is not subject to a financial assessment or re-payment condition, but the application must be supported by a recommendation for the adaptation from a Lincolnshire County Council Occupational Therapist.
West Lindsey District Council	None

#### 4.1. Waiver of financial assessment

In exceptional circuses (such as end of care), the following supporting evidence should be provided to support the waiver of the financial assessment in order to expedite works up to the value of £8,000:

- Letter from the GP, Consultant or other appropriate medical professional involved in the person's care.

#### 5. Works considered likely to increase the value of a property

Where works are considered likely to increase the value of a property, a Local Land Charge will be registered to recover the funding when the property is sold or otherwise transferred. The following works are considered likely to increase the value of a property:

- Renewal or significant repair or replacement of extensive element/s of a property e.g. roof, electrics, heating system
- Works that would increase the habitable floor space of a property or significantly improve the facilities available e.g. DFG extension, conversion of a part of an existing property.

Where Discretionary Housing Financial Assistance is linked to the top up of a mandatory Disabled Facility Grant, the **full value** of the DHFA will be registered and recoverable as a Local Land Charge.

## 6. Delegations to amend the Policy and Explanatory Notes

As per the delegations set out in section 10 of the Lincolnshire Discretionary Housing Financial Assistance Policy, the Relevant Senior Manager and Members/ Committees with responsibility for Housing are provided below.

<b>Authority</b>	<b>Delegated authority</b>
Boston Borough Council	<ul style="list-style-type: none"> <li>• Assistant Director – Wellbeing and Community Leadership, Communities &amp; Operations</li> <li>• Portfolio Holder with responsibility for housing</li> </ul>
City of Lincoln Council	TBC through policy scrutiny and approval processes
East Lindsey District Council	<ul style="list-style-type: none"> <li>• Assistant Director – Wellbeing and Community Leadership, Communities &amp; Operations</li> <li>• Portfolio Holder with responsibility for housing</li> </ul>
North Kesteven District Council	<ul style="list-style-type: none"> <li>• Assistant Director of Housing and Property Services</li> <li>• Deputy Chief Executive</li> <li>• Member with responsibility for Housing, Property and Wellbeing Services</li> </ul>
South Holland District Council	<ul style="list-style-type: none"> <li>• Assistant Director – Wellbeing and Community Leadership, Communities &amp; Operations</li> <li>• Portfolio Holder with responsibility for housing</li> </ul>
South Kesteven District Council	TBC through policy scrutiny and approval processes
West Lindsey District Council	<ul style="list-style-type: none"> <li>• Director of Planning, Regeneration and Communities in consultation with the Chairman of Prosperous Communities Committee</li> </ul>

### Document Control

Title	<b>Lincolnshire Discretionary Housing Financial Assistance Policy – Explanatory Notes</b>
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