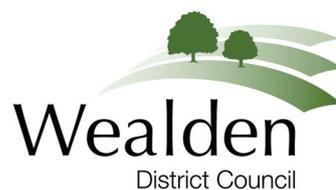


Disabled Facilities Grants in East Sussex



July 2011

Introduction

This following information is about Disabled Facilities Grants in East Sussex. (If you live in Brighton and Hove you should contact Brighton & Hove Council for information about grants in your area.)

It has been written in partnership by:

- East Sussex County Council Adult Social Care
- Eastbourne Borough Council
- Hastings Borough Council
- Lewes District Council
- Rother District Council
- Wealden District Council

It explains:

- what a Disabled Facilities Grant is for;
- who can qualify for a grant;
- the process for getting a grant; and
- who does what in the process.

If you have a disability – or if you have a disabled child – it may help you to have an adaptation to your home. An adaptation may be something quite simple, such as a handrail, or something more major, for example, a fully adapted bathroom. If you need a major adaptation to your home because of your disability, or your child's disability, you may be able to get a Disabled Facilities Grant to help meet the cost.

East Sussex County Council Adult Social Care and Children's Services departments are responsible for providing social care services, sometimes called 'community care'. To decide if you qualify for our services we carry out a 'social care assessment'. The rules we have to apply are called 'eligibility criteria' and we explain more about this in our fact sheet 'Who qualifies for our services. Eligibility criteria explained.' (You can download any of our fact sheets from our website at www.eastsussex.gov.uk, or you can ask for a copy by phoning Social Care Direct on 0345 60 80 191.)

The assessment may show that we can meet your needs by, for example, some special equipment such as a bath seat. However, if it is decided that the most appropriate and cost-effective way to meet your needs is by an adaptation to your home, then we may recommend that you apply for a Disabled Facilities Grant (sometimes just called a DFG).

Even if you do not qualify for help from Adult Social Care or Children's Services, you may still qualify for a Disabled Facilities Grant.

What is a Disabled Facilities Grant for?

Disabled Facilities Grants (DFGs) are provided by local borough and district councils. If you apply for a DFG, the council will look at your income and savings before deciding if you will receive a grant. The grant must be for an adaptation to your home that is:

- necessary and appropriate; and
- reasonable and practicable.

For example, the grant could be to make it easier to:

- get in and out of your home;
- get to your bedroom, bathroom, living room or kitchen;
- use the toilet, bath or shower;
- prepare and cook food;
- get around your home to help you care for another person; or
- use your garden.

It might be used to:

- install a suitable heating system or improve the one you have;
- help you control lighting, power and heating; or
- make your home safe for you and other people who live in it.

Who can qualify for a Disabled Facilities Grant ?

You can apply for a DFG whether you own your home, or rent it, or if you are a landlord. The grant must be for the benefit of someone who is registered as a disabled person, or who would qualify to be registered. Their disability might be caused by physical illness or injury. It could be a major sight, hearing or speech impairment, or it could be a mental-health problem or a learning disability. You can apply if you are a disabled person, the landlord of a disabled person, or if you live with a disabled person in a property that you own.

If you live in council housing or rent your home from a housing association, you may be able to ask your council housing department or the housing association to carry out the adaptation work.

How much money would I get?

The most money you could receive is £30,000.

If the cost of the work (including a surveyor or architect's fees) is more than £30,000, Adult Social Care or Children's Services may be able to help you with the extra cost. This will depend on your individual circumstances. [See 'Funding from Adult Social Care and Children's Services' page 5].

If you are an owner-occupier, and you receive a DFG for more than £5,000, your borough or district council may place a land charge on the property for 10 years. This means that if you sell the property within 10 years, you would have to pay the money back to the borough or district council, up to a maximum of £10,000.

You should discuss this with the borough or district council officer dealing with your application.

What will the grant cover?

As well as the cost of the building work you can apply for the costs of 'reasonable fees', for example, if you employ your own surveyor or architect. However, until you have formal approval for a grant, you are responsible for any fees. This includes any fees that need to be paid 'up front', that is, before any work is done.

You should consult your borough or district council officer before you employ an architect or surveyor, so you can check what level of fees you can claim as part of the DFG.

You should not start any work on adapting your home until you have final approval for the grant. You cannot normally get a grant for work that has already been done.

Will I need to pay any of the cost?

If you are 19 or over, the DFG is means-tested, that is, it will depend on your income and savings. The amount of DFG you could get depends on a 'test of resources', which means looking at your income and savings to decide how much you have to pay towards the cost of the work. This is usually called your 'client contribution'.

If you receive any of the following benefits, then you will not usually have to make a contribution:

- Income Support
- Guaranteed Pension Credit (not Savings Pension Credit)
- Housing Benefit
- Council Tax Benefit

If you are not receiving any of these benefits your borough or district council will carry out an informal 'test of resources' when we first discuss the adaptation with you. That will show you how much you will probably need to pay.

If you then apply for a DFG, they will carry out the official 'test of resources'. If your financial circumstances change between the informal and the official test of resources, the amount of grant you actually get may be different from the first estimate.

If the test of resources shows you must pay the whole cost of the adaptation work yourself, you may still benefit if you apply for what is called a 'nil' grant. This means that if you need to adapt your home again within 10 years (or five years if you are renting your home), your contribution to the previous work can be taken into account. For this to happen, you must have filled in the original grant application correctly, and carried out the work to a satisfactory standard.

If you are under 19, and your parent or carer receives Child Benefit for you, their income and savings will not be taken into account when they apply for a DFG.

Funding from Adult Social Care or Children's Services

If you think you can't afford your contribution

If you have to pay part of the cost of the adaptation, we will normally expect you to make your own arrangements to pay your contribution to whoever is carrying out the work. If you consider that you cannot afford the amount you have been asked to pay, in some circumstances Adult Social Care or Children's Services may be able to help you. However, you would need to clearly show why you cannot reasonably afford your contribution. And, if we do give you financial help, you may have to pay the money back to us within an agreed time.

'Top up' to DFG

If the cost of the adaptation work is more than the £30,000 DFG limit, and you think you cannot afford to pay the difference, Adult Social Care or Children's Services may be able to help you with a 'top up'.

If you are applying to Adult Social Care for help with the cost, you will need to have a financial assessment under the County Council's 'Fairer Contributions' policy. This means we look at your income and savings to see if you qualify for this additional help. The possible outcomes are:

- You receive the full amount of the difference between £30,000 and the actual cost of the work; or
- You receive the full amount of the difference but you have to pay that amount back in weekly instalments; or
- You receive the full amount of the difference but you have to pay part of that amount back in weekly instalments; or
- You do not qualify for any financial help above the £30,000 DFG limit.

If you have to pay a weekly contribution, then this will be based on the information you have given us in your financial assessment. We may be able to come to an agreement with you about the terms of this arrangement.

Land charges

If we, Adult Social Care, give you financial help, either to pay your DFG contribution, or to 'top up' where the total cost of the work is more than £30,000, we will place a land charge on your property. This means that if you sell or lease your property, then we can claim the money back.

If the amount of money is less than £10,000, the land charge will apply for five years, that is, we will claim the money back if you sell or lease your property within five years. If the amount is £10,000 or more, the period will be 10 years. However, in exceptional circumstances it may be possible to extend the period of the land charge.

If you are in any doubt about how a land charge affects you, you should get independent legal advice. (See page 9.)

If you are applying to Children's Services for 'top up' money, you should ask your occupational therapist about what conditions may apply.

Roles and responsibilities – who does what

The person applying

If you are the person applying for a grant, you will need to tell Adult Social Care or Children's Services, and your borough or district council, whether you want to deal with the grant application and building work yourself, or if you want someone else to deal with it for you (an 'agent'). Your occupational therapist, or your local borough or district council officer, can give you advice and information on how to find a suitable agent.

You (or your agent) are responsible for:

- applying for the DFG;
- employing surveyors, architects and any specialist technicians;
- getting cost estimates for the work;
- arranging for the work to go ahead after we approve the grant; and
- arranging to pay for the work.

A grant is an agreement made between you as the applicant, and the council. It is not a contract between the council and the building contractor or agent so we will not be responsible for supervising the work or making sure it is done to the proper standard. You, or your agent, will be responsible for making sure the work is properly carried out.

However, you can if you wish ask us to pay the grant money direct to the contractor or agent on your behalf.

An agent

The main types of agents involved in this work would be surveyors, architects, builders, and providers of specialist disability equipment.

If you use an agent you should check that they are a member of an appropriate professional organisation, such as the Royal Institute of Chartered Surveyors, The British Institute of Architectural Technicians, or the Royal Institute of British Architects.

We recommend that your builders should be on our approved list under the County Council's Buy with Confidence scheme (full details are on our website at www.eastsussex.gov.uk), or on a recognised trade list such as Contractor Call. Contractor Call is a free service from Age Concern, available to householders of all ages. It covers the Eastbourne, Seaford, Hailsham and South Wealden areas. You can call them on 01323 724433.

There is more information about both these schemes at <http://www.eastsussex.gov.uk/community/tradingstandards/advice/approvedtraders/default.htm>

Your agent will do some, or all, of the following on your behalf:

- Give advice on whether the work is technically possible.
- Provide drawings and detailed specifications for the work.
- Get estimates for the work.
- Get all the necessary planning and building permissions.
- Arrange for site visits to check the progress of the work.
- Make sure the work is carried out to a satisfactory standard.
- Advise about guarantees and ongoing maintenance once the work is completed.

You should make sure you have a clear agreement with your agent, setting out in detail what they have agreed to do, and what they will charge.

The Adaptations Support Service (if you live in Hastings and Rother)

East Sussex County Council, Hastings Borough Council and Rother District Council commission the Adaptations Support Service to support you through the process of applying for, and using, a Disabled Facilities Grant. The service covers all aspects of a DFG, from helping you complete the application form to getting estimates for the work. There is a charge for this, but we have agreed with the Adaptations Support Service that this is set at a reasonable level.

Your borough or district council officer

Their job is to:

- assess if your home is suitable for an adaptation and, if necessary, give advice on other kinds of help you could get;
- decide whether the work is 'reasonable and practicable';
- find out from Adult Social Care or Children's Services what work we consider to be necessary and appropriate to meet your needs;
- make sure that the test of resources (looking at your income and savings) is carried out;

- process the grant application, decide the grant amount and let you know how much it will be;
- tell you about any conditions of the grant, for example a land charge (see page 7);
- make sure that the finished work is satisfactory and meets the requirements set for the grant; and
- arrange payment for the work.

Adult Social Care and Children's Services

An occupational therapist, occupational therapy assistant or social care assessor (for people with sight or hearing impairment) will be responsible for assessing your needs and deciding if an adaptation is needed. They are specialists in looking at suitable home environments for people with different kinds of disability.

They will:

- see if you are registered as a person who is 'permanently and substantially disabled' or if you would qualify to be registered;
- assess your needs because of your disability;
- decide if an adaptation is the most appropriate and cost-effective way to meet your needs; (This may involve considering other housing options – see below.)
- let the borough or district council know what work is necessary and appropriate to meet your needs; and
- work with you and/or your agents to ensure that the design of the adaptations is appropriate for your needs. That will include being involved with the drawings, plans, and schedules for the work, and agreeing when the work is satisfactorily completed.

Alternative housing options

Where you live can have a great effect on the quality of your life. If you have a disability, having adaptations to your home is one way of making sure that your home meets your needs. However, it is a long process and can be costly. There is also likely to be some disruption while the work is being carried out. So before you start on the adaptation process it is worth considering all your options carefully. When they carry out your assessment, your occupational therapist will talk this through with you and may offer you the opportunity to get help from the Housing Solutions Service.

The Housing Solutions Service is there to help you make informed choices about your housing options. As well as advice and guidance, the housing solutions worker can provide long-term help until your housing difficulties are resolved. For example, they could support you throughout a move to other accommodation, and help you with setting up the services you need in your new location.

An important note on the law

The information set out here is not a legal document and it does not cover every case. If you are in any doubt about your rights or responsibilities under the law, you should get independent advice from Citizens Advice, East Sussex Disability Association (ESDA) or an independent legal advisor such as a solicitor. Information from Citizens Advice or ESDA is free but a solicitor will normally charge for their advice. You may be able to get help with all or part of the cost of legal advice under the Legal Aid scheme.

Our duties as a council relating to adaptations are set out in the following Acts of Parliament:

- National Assistance Act 1948
- Chronically Sick and Disabled Persons Act 1970
- Disabled Persons (Services, Consultation and Representation) Act 1986
- Children Act 1989
- NHS and Community Care Act 1990
- Carers (Recognition and Services) Act 1995
- Housing Grants, Construction and Regeneration Act 1996
- Regulatory Reform (Housing Assistance) (England and Wales) order 2002
- Disability Discrimination Act 1995

Getting more copies of this leaflet

You can get all our leaflets in large print, easy-read format (simple words and pictures), in Braille, on audio tape or CD, or in other languages if you ask us. Please phone Social Care Direct on 0345 60 80 191 for any of our leaflets or fact sheets. You can also download them from our website at www.eastsussex.gov.uk.

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