

Taunton Deane Borough Council

Executive – 6 October 2016

Amendments to the Private Sector Renewal Policy – Disabled Facilities Grants and Repairs Assistance

This matter is the responsibility of Executive Councillor Terry Beale

Report Author: Christian Trevelyan – Partnership Manager

1 Executive Summary / Purpose of the Report

- 1.1 The report seeks Member approval for an amendment to the Somerset West Private Sector Housing Renewal Policy to include new prevention grant and equipment provisions to assist applicants applying for disabled adaptations and to assist with essential modifications to housing or repairs for owner occupiers and tenants with repairing obligations in order to prevent accidents or ill-health.
- 1.2 The Council will essentially be offering vulnerable owner occupiers of properties with Category One hazards up to £4,000 grant to make their properties safe. They have to be on a means tested benefit and not be eligible for a loan from the Councils preferred loans provider Wessex Resolutions.
- 1.3 The Council will also be offering discretionary grants for people with housing conditions likely to lead to a health impact to assist with minor adaptations or modifications to their home. The grant is up to £1,000 and is non means tested. A discretionary grant will also be available for applicants who have applied for a Disabled Facilities Grant and the cost of the works exceed the mandatory grant limit of £30,000. Access to the discretionary top up is subject to approval by the Strategic Housing Manager and Housing Portfolio Holder.
- 1.4 The funding for the above grants / loans is from the Better Care Fund from the Department of Health which is distributed via Somerset County Council.
- 1.5 All grants and loans will be a land charge on the property so that the funding can be reclaimed in the event of sale of the property within 20 years and the funds recycled.
- 1.6 This is a joint document which covers Sedgemoor District Council, Taunton Deane Borough Council and West Somerset Council providing a consistent approach to grant delivery.

2 Recommendation

Members of the Executive are recommended to approve the amendments to the Somerset West Private Sector Housing Renewal Policy.

3 Risk Assessment (if appropriate)

Risk Matrix

Description	Likelihood	Impact	Overall
Lack of take up of either the grant or loan products which leaves an increasing number of properties non-decent.	2	4	8
Mitigation - The grants have been developed to plug a gap for owner occupiers who cannot afford the loan. Loan take up may also increase with the additional grant subsidy to support the loan.	1	4	4
The Policy is not adopted by the one of the partner Councils which leads to a post code lottery of products.	2	4	8
Mitigation - The three Councils have sufficient Better Care Funding to offer all of the products. All three requested the type of assistance being offered.	1	4	4
Agencies such as GP's are not aware of the products and/or how to refer clients. Clients who are in need of the service would not be referred	3	4	12
Mitigation - Consultation has already taken place with key Members and stakeholders. Small working group to be set up to develop, support and encourage referral routes.	1	4	4
There is over demand for the funding and services. A Decision would need to be made as to which grants/products would need to be dropped	2	4	8
Mitigation - Careful monitoring of demand and expenditure so that commitment does not exceed demand.	1	4	4
There is the risk of fraud from applicants who do not declare the correct information on their application.	4	4	16
Mitigation – The applicants have to sign a fraud declaration. There is also an interdepartmental communication statement which the applicant has to sign which confirms they understand that there will verification to confirm applications. There is also credit checks by Wessex Resolutions.	1	4	4

Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
			Impact				

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

4 Background and Full details of the Report

- 4.1 The Somerset West Private Sector Housing Partnership (partnership) is a partnership between Sedgemoor District Council, Taunton Deane Borough Council and West Somerset Council to deliver private sector housing services. The local authorities work closely together to ensure consistency across the three Districts and to deliver financial and other benefits to those who live and/or work in the Somerset West area.
- 4.2 Having warm, decent and affordable housing is a major element of a person's wellbeing. As in most parts of the country, Somerset faces the challenge posed by an expanding population, particularly at the older end of the age spectrum. There are also an increasing number of households with at least one family member having some form of disability, sometimes with complex medical and health needs particularly in children and young adults.
- 4.3 The Somerset Strategic Housing Framework recognises the importance of ensuring that accommodation is of sufficient quality and comfort to enable safe and healthy independent living. Priority 2 is to make best use of the of sub-region's existing housing stock, and Priority 3 is to meet the housing and accommodation related support needs of Somerset's most vulnerable and least resilient residents.

- 4.4 The numbers of non-decent homes in the private sector continues to increase. There are several reasons for this:-
- An ageing stock. A large percentage of the stock in the county is predominately pre 1945. For example the urban areas of Taunton Deane and Sedgemoor (Taunton and Bridgwater) have a considerable number of Victorian terraces.
 - The population is ageing. As owners age, they are less able to maintain their homes. Many of the older population and infirm live in older stock which is deteriorating at a faster rate. With low incomes, it becomes difficult to maintain the fabric.
- 4.5 According to the Census, the proportion of Somerset households with no central heating decreased from 9.1% in 2001 to 3.5% in 2011. However, almost 8,000 homes remain without central heating. It is estimated that 10.7% of households in Taunton Deane are in fuel poverty. The more rural areas are not only less likely to have central heating but also more likely to have oil rather than gas or electric heating.
- 4.6 The South West has the highest proportion of energy-inefficient dwellings in England. In Somerset, one in six properties has a Category 1 Excess Cold Hazard, below the regional average but above the national average of 12%.
- Private sector dwellings in Somerset are much more likely than the national average to have a low Energy Performance Rating (EPC) rating (F or G)
 - One in seven dwellings in Somerset has a Category 1 hazard, again above the England average.
- 4.7 Housing with poor energy efficiency can have a considerable negative impact on residents' health and wellbeing in various ways. For example, children living in cold homes are more than twice as likely as those living in warm homes to suffer from a variety of respiratory problems, including asthma. Mental health is also negatively affected by fuel poverty and cold housing for all age groups and existing conditions such as arthritis can be exacerbated.
- 4.8 The Chartered Institute of Environmental Health (CIEH) produced a paper '[Health Costs of Cold Dwellings](#)' (2011) outlining the link between poor energy efficiency and Excess Cold Hazard which in turn affects the health of residents. It also examines the potential costs to the NHS of not improving Energy Efficiency Ratings (EER) of homes with Standard Assessment Process (SAP) ratings F and G.
- 4.9 There is a clear link between poor energy efficiency, fuel poverty and poor health. This is explored in more detail by the Marmot Review team's 2011 paper '[The Health Impacts of Cold Homes and Fuel Poverty](#)'. A positive relationship between low thermal efficiency of housing and excess winter deaths exists. A considerable number of excess winter deaths are attributable to cardio-vascular disease and respiratory diseases. A series of maps indicating local levels of excess winter deaths within each Somerset district are available [here](#).
- 4.10 The aim of social care teams is to actively promote independence and choice. The

service helps people to live in their own homes for as long as possible, and when this is no longer possible, to choose a suitable care home. Disabled adaptations play a crucial part in assisting with independence.

- 4.11 **Current demands on provision of care** - During 2013/2014 Somerset County Council received over 60,000 telephone calls during the year relating to Adult Social Care. Adult Social Care supported over 30,000 people with social care and housing issues and of these over 18,000 people received social care services at some point during the year, such as home care, residential care, day services or equipment. Over 9,000 people received support and services for a short time that supported them to maximise their independence so that they could stay in their homes for longer.
- 4.12 **Anticipated future demands on provision of care** - The following are anticipated demands due to changing population demographics, declining County Council budgets, and the requirements of the Care Act 2014:
- More demand for information and signposting to local sources of support.
 - Fewer people to choose residential care homes.
 - More people needing independent financial advice in the light of the cap on care costs from 2015.
 - More disabled / frail people wanting sustainable housing that is safe and free from hazards which could cause slips trips or falls, and supports their independence in their local community.
 - More people choosing to take up Direct Payments so that they have more choice and flexibility in how to get their needs met.
 - More people wanting flexible care and support at home services to live independently.
- 4.13 There is a strong correlation between unsatisfactory housing conditions and households in economic and social disadvantage. Elderly and vulnerable private sector households are over-represented in non-decent housing. There are limited resources available for private sector housing renewal but increasing dependency levels in the private rented sector and among vulnerable owner-occupiers who may be capital rich but revenue poor.
- 4.14. **Position** - The Somerset West Private Sector Housing Renewal Policy is the document which sets out the types of financial assistance that the Council can offer owner occupiers and landlords to carry out essential repairs on their property, and to bring empty properties back into use. The policy would need to be amended in order to be able to offer the types of grants and assistance which the Council would need in order to assist the most vulnerable in society.
- 4.15 The funding for the grants and loans would come from an increased capital allocation through the Better Care Fund. The programme is over two years. Taunton Deane have been awarded £657,557 for each of the financial years 2016/17 and 2017/18. It is the intention that through the increased funding, Councils can maximise the services they can offer through low level interventions which in turn reduces the prospect of a person being admitted to hospital and the costs which this incurs.

- 4.16 At the same time, it is an ideal opportunity to review and simplify the access points for people when they need the equipment services such as a ramp or stairlift. The grants and loan will be advertised through the local newspapers, partners such as Doctors surgery's and partnership newsletters.
- 4.17 The Partnership would look wherever possible for applicants to approach the Somerset Building Control Partnership should they require Building Regulations as part of their application.
- 4.18 Expenditure would be monitored through the Councils corporate financial mechanisms, SAP and the mechanisms of Somerset County Council.

5. Links to Corporate Aims / Priorities

- 5.1 Key Theme 1: Work with partners in both the private and public sector to develop a range of additional housing types suitable in particular for single person households, young people in rural communities and elderly people – The Policy is designed to assist owners of empty properties to bring them back into use using grants and loans, designing them to suit the type of housing which will accommodate the household type and composition nominated to the owner/landlord.
- 5.2 Work with others to support the wellbeing of an older population and our most vulnerable residents – The policy is instrumental in improving the current stock to the decent homes standard and improving the life chances for the most vulnerable in society through essential adaptations.

6. Finance / Resource Implications

- 6.1 Disabled Facilities Grants (DFGs) are funded through the Better Care Fund, a Government grant which is distributed through Somerset County Council.
- 6.2 These proposals would continue to be funded only from the Better Care Fund monies and no additional funding from Taunton Deane is requested. As stated in the report the funding from the DFG element of the Better Care Fund has increased in 2016/17 and so it is not envisaged that anyone requiring an adaptation under the current guidelines would be unable to do so because of these changes.
- 6.3 The proposals would increase the number of people able to access the funding, and also include some elements which would be loaned rather than granted. Therefore when the funds are returned this can be recycled and given out as an additional loan or grant thereby further increasing the number of people helped by the scheme.

7. Legal Implications

- 7.1 The Council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised,

having regard to a combination of economy, efficiency and effectiveness and has the necessary statutory powers to make the proposed grants.

7.2 It is imperative that the Council operates a fair and transparent procedure for applying for a grant. Requests for grants should ordinarily be assessed against a predetermined and published set of criteria which must themselves be fair, open and transparent so that applicants are aware of the criteria on which any application will be assessed and on which decisions will be based.

8. Environmental Impact Implications

8.1 Improvements to the private sector stock can lead to energy efficiency improvements such as loft insulation, more efficient heating systems and boilers both of which can lead to a reduction in the impact on the environment from carbon emissions and greenhouse gases. Properties can be brought into use which encourage more sustainable transport by discouraging car use.

9. Safeguarding and/or Community Safety Implications

9.1 A property in poor repair in a community can signify to a potential burglar that the property is occupied by a vulnerable person. Equally a non-decent home may contain serious Category One hazards which could be detrimental to the occupant's health. Lack of access to facilities in and around the home of a non-adapted property will cause potential safety, and care issues having a significant effect on a disabled person's health. Some of the most vulnerable households the Policy is designed to target are at an increased risk with safeguarding issues. SWPSHP staff have received Safeguarding training and understand how to identify and report safeguarding issues.

10. Equality and Diversity Implications (if any)

10.1 Summary. Main Equalities Impact Assessment is contained in the Appendix.

Analysis undertaken for:	<i>Private Sector Housing Renewal Policy</i>	Date undertaken: 19-05-2016
Scope	The policy aims to fulfil the Council's strategic and statutory housing role in providing and facilitating assistance to those most in need. The Policy sets out the various tools available to the Council to enable this to happen, such as informal advice, financial assistance in the form of grants and low interest loans.	
Evidence used	Evidence and Data used for assessment <ul style="list-style-type: none"> • Private Sector housing staff performance data • Joint Strategic Needs Assessment 2013/14 • ONS data 2015. • One month's consultation to key stakeholders. 	

Key findings and impacts	The Policy is primarily aimed at those who are most vulnerable regardless of tenure. A potential applicant could be anyone of the protected groups defined by: Age; Disability. Gender Reassignment; Pregnancy and Maternity; Race; Religion or belief; Sex; Sexual Orientation; Marriage and civil partnership. Several of the proposed products remove some of the restrictions for eligibility and remove discriminatory elements of the original policy such as access to the installation of ramps and stairlifts. In the main a positive impact. The Policy has to be delivered in a transparent and consistent way.
Conclusion drawn	The EIA was drafted prior to the Policy being put together. The conclusions of the EIA have been incorporated into the Policy changes with checks and balances put in place to mitigate any potential discrimination.
Actions	Steps to ensure consistency and transparency when making decisions as to grant/loan eligibility. The financial assistance on offer through the partnership will be marketed through a press release and an online presence through the partnership website. Partners who represent various equalities groups will also promote the loans and assistance through their websites and their own leaflets and the partnerships. The information can be provided in various languages and formats on request.

11. Social Value Implications

- 11.1 The works will be carried out by Aster Living, who are the provider of the Home Improvement Agency (handyperson) service, responsible for installing works provided by (e.g.) Disabled Facilities Grants. This is a County Council led contract. Aster is required to introduce innovative ideas to promote social value over the term of the Contract which may be based on social, environmental or economic sustainability.
- 11.2 The social value priority areas for Somerset are:
- Developing employment, skills and training opportunities
 - Improving the health and wellbeing of local residents, employees and reducing health inequalities
 - Helping build community capacity and playing an active role in the local community
 - Creating opportunities for micro-providers / small and medium enterprises to be part of supply chains
- 11.3 Aster have agreed to undertake several measurable projects such as introducing the Fixed Price Quoting Framework which ensures the use of local contractors and builders merchants.
- 11.4 Other partners which also add social value include Wessex Resolutions who are the Councils preferred loan provider.

12. Partnership Implications

- 12.1 The NHS within Somerset (and nationally) is currently facing a crisis with significant numbers of patients not being able to be released from hospital due to the conditions at home (cold, poor accessibility etc.). The implementation of the policy will help, and this (together with other initiatives) will be a matter of ongoing debate at the Health & Wellbeing Board between key partners such as district councils, the Clinical Commissioning Group, Adult Social Care and Public Health.
- 12.2 Collaborative working between the three districts that comprise SWPSHP enable the maximisation of limited resources, and ensure there is equity throughout the districts avoiding a postcode lottery.

13. Health and Wellbeing Implications

- 13.1 The Health and Wellbeing Strategy currently has five priority work-streams, one of which states:

To identify and address the impacts of housing on health and wellbeing

- 13.2 A supporting 'action' is to *'drive improvements between health providers and the district housing function where housing standards are affecting health'*
- 13.3 Our own Corporate Strategy contains similar priorities. The amended policy, facilitated by additional funding through the Better Care Fund, will directly support such ambitions.

14. Asset Management Implications

- 14.1 There will be asset implications to Council properties and non-Council as they will have modifications undertaken as part of the adaptation work or repairs. However, permission is sought and consultation takes place with the Asset Team and the owner of the property before any works proceed.

15. Consultation Implications

- 15.1 The policy consultation was undertaken through various stakeholder partners who were representative of all of the stakeholders who will access the service. All of the partners responded and their feedback used to influence the draft and final version.
- 15.2 The Policy amendments were commended by the Community Scrutiny on the 27 September 2016.

16. Scrutiny Comments

16.1 This matter was considered by the Community Scrutiny Committee at its meeting on the 27 September 2016. Members were supportive of the proposed amendments to the Private Sector Renewal Policy and suggested no changes to the wording of the amendments.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – Yes**
- **Cabinet/Executive – Yes**
- **Full Council – No**

Reporting Frequency : Once only

List of Appendices (delete if not applicable)

Appendix A	Amendment v1 – Private Sector Renewal Policy
Appendix B	Equality Impact Assessment
Appendix C	

Contact Officers

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Amendments to the Private Sector Renewal Policy

The Private Sector Housing Renewal Policy aims to assist across all tenures within the partnership area. This includes services relating to Disabled Facilities Grants, essential repairs and modifications to the homes of vulnerable owner occupiers, empty properties, housing standards and the Voluntary Landlord Accreditation Scheme.

There is increasing demand for all housing types and tenures across the partnership area. Some of the pressure is being created by the proposed new Hinkley nuclear project as workers will be looking for accommodation in the private rented sector. Already there has been a marked increase in property purchases and enquiries to convert them into rented accommodation or Houses in Multiple Occupation.

Meanwhile the existing stock is ageing and a considerable percentage is owned by vulnerable and elderly households who do not have the ability to pay for essential repairs or the adjustments required to help them to continue to live in their home independently and safely. Increased pressure on hospital beds places demands on other statutory agencies and the local authority to assist with rapid discharge from hospital by providing minor aids, adaptations and repairs to their property so that they can return home. A considerable number cannot afford to undertake the repairs, adaptations or have the ability to arrange them.

With property prices remaining unaffordable for a number of households, it is becoming increasingly difficult for families with disabled children to move to properties more suitable to meet their growing needs; those needs sometimes becoming quite complex. This results in a need to build extensions to their existing properties. Most extensions cost more than the mandatory limit of £30,000. The family are then in the difficult position of trying to source additional funding to cover the excess. Without the funding, a child is left with less of a chance to develop independence and dignity.

For the majority of households, it is a complicated process to navigate through the various forms of support and help which can be provided for someone who is disabled. The policy proposes to simplify the process offering clearer, easier pathways, making assistance more readily available, and so reducing the burden on households so that they can focus on their family's needs, jobs and caring duties.

Besides simpler processes, the policy also addresses the need for some form of assistance to assist with repairs and modifications in the form of grants and mechanisms to improve loan take-up through the Council's preferred loan provider Wessex Resolutions.

a) Advice

The partnership will continue to provide support and advice to households on how to undertake essential repairs and where to seek assistance to finance the work. There is a section in the current policy which sufficiently covers this.

b) Disabled Adaptations – Discretionary Grants

- i) **Top up's** – The partnership will offer a discretionary top up of up to £10,000 where the cost of the eligible works exceed the mandatory grant award limit of £30,000 for a Disabled Facilities Grant. The decision to award the top up will be made by the appropriately appointed Manager in the District Council along with the Portfolio Holder for Housing. The decision will be based upon a recommendation by the Partnership Manager. Any further shortfall would have to be found by the applicant.
- ii) **Minor adaptations** – Up to £1,000, non means tested. Designed to assist a vulnerable person with minor adaptations and/or adjustments to their home to assist with hospital discharge or generally maintaining independent living. The grant is available to owner occupiers, tenants of social housing, Council properties, and private rented accommodation. The grant does not cover modifications or adaptations to common parts of rented accommodation such as shared stairs and access. Eligibility is based upon an assessment and Recommendation by an Occupational Therapist from Somerset County Council or from the hospital. The referral for assistance would be coordinated via a duly appointed officer at Somerset County Council.

c) Disabled equipment

- i) **Ramps** - It is no longer a policy of the partnership to automatically accept Recommendations from Occupational Therapists for concrete ramps. In the first instance modular ramping is the preferred method. All ramping requests have to be agreed by the duly appointed officer and Quality Assurance Officers at Somerset County Council. Concrete ramps will only be considered where it is not practicable to install modular ramps. The partnership have provided adequate funding to conjointly procure modular ramping with Somerset County Council as part of the Community Equipment Service. The partnership will fund up to £1,500 towards the ramp.
- ii) **Stairlifts** – It will be a policy of the partnership that any urgent request for a straight run stairlift via an Occupational Therapist will be sourced

from the recycled stock. Failing that, a new one will be subject to tenders from two stairlift companies. All stairlifts will be subject to a landcharge to ensure that the equipment is recovered when it is no longer required. The longer term plan is to simplify the stairlift process by procuring a stairlift company to offer a 'stairlift lending' service to clients. So removing the majority of stairlifts from the Disabled Facilities Grant process, ensuring that recycled stairlifts are regularly serviced and maintained.

d) **Repair Grants**

The partnership is able to offer grants to assist vulnerable owner occupiers or tenants with repairing obligations to undertake essential repairs. The grants are up to a maximum of £4,000 excluding any architectural/ancillary fees. In order to be eligible, the applicant has to be on a means tested benefit and not eligible for a loan from the Council's preferred loan provider Wessex Resolutions. The property has to have Category One hazards or a number of Category Two hazards which collectively pose a significant risk to the household (defined in the Housing Act 2004) or be significantly non-decent as identified by a qualified officer from the partnership. Examples of works which could be eligible are; a heating system to replace one which is beyond repair, or inefficient, overhaul of the electrical installation, roof and structural repairs. When making decisions on non-decency the Council will make reference to the Partnerships Decent Homes Policy. The applicant can seek the assistance of an architect or the partnerships preferred Home Improvement Agency Aster Living. Fees can be charged up to a maximum of 12% (exclusive of VAT) of the cost of the eligible works (ceiling cost of the eligible works being restricted to the maximum grant of £4,000).

e) **Discretionary funding to Wessex Resolutions**

The partnerships preferred provider Wessex Resolutions will receive a proportion of the Better Care Fund to increase the ability for some applicants to be able to afford repayments on loan packages who otherwise would not be eligible. There is a considerable proportion of recyclable capital with Wessex and the intention is to unlock the funding and assist more people.

f) **Land Charges**

All grants and loans will be placed as a land charge on the property. This is to ensure that the Council can recover the funds and/or equipment in the event that the property is sold. The recovered funds can be recycled to assist other applicants over a longer period should the Better Care Fund end. The funds will be recovered in the following proportions;

- i) Major Disabled Adaptations which include the discretionary top up; The Council will register a local land charge on properties in relation to applications for a Disabled Facilities Grant.
 - The charge will only apply to any home owner receiving a Disabled Facilities Grant of more than £5,000.
 - The charge will be the amount of grant received over £5,000 up to a maximum charge of £10,000.
 - The charge will be registered for 10 years.
 - Subject to particular exceptions the charge would have to be repaid if the property is disposed of within the 10 year period.
 - If the grant is less than £5,000 then there is no charge.
 - The Council will recover 100% of any top up grant awarded.
- ii) Equipment such as ramps, stairlifts and through floor lifts; Will be recovered by the Council
- iii) For all repair grants; 100% of the funding will be recovered including any ancillary fees/charges. This will be a 20 year land charge.
- iv) All loans through Wessex Resolutions are subject to a charge placed by them.
- v) Land charges - exceptional circumstances for Disabled Facilities Grants
 - When a property is disposed of, repayment of the land charge may be exempt in the following circumstances:
 - If a client moves to another property within the ten year period that does not require adaptations to be carried out; the new property is more appropriate to their needs (as confirmed by an occupational therapist) repayment will be waived.
 - If the client is moving into an enhanced or extra care accommodation.
 - If the client's death results in a child inheriting the whole of the property whose financial position is such that they could not raise a mortgage or a loan to repay the charge. This is intended to be a safeguard for children who have a mental impairment or who have acted as a carer for their parent.

Taunton Deane Borough Council and West Somerset Council
Equality Impact Assessment Form and Action Plan

Expand boxes as required. Guidance notes are stored - TDBC link:

<http://portal/sites/policyPerf/strategyandpartnerships/equality/Equality%20Impact%20Assessment%20GuidanceTemplate/Forms/AllItems.aspx> WSC 'W' drive: W:\Equalities\EIA TEMPLATE

<i>"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is more than having a cursory glance at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is proportionate in the circumstances, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be considered rigorously and with an open mind."</i> ¹			
Officer completing EIA form:	Job Title:	Team/Service:	
Christian Trevelyan	Partnership Manager	Somerset West Private Sector Housing Partnership	
Why are you completing the impact assessment? Please ✓ as appropriate			
Proposed new policy or service	Change to policy or service	New or Change to Budget	Service review
	✓		
1 Description of policy, service or decision being impact assessed:			
<i>The strategic objectives of private sector housing work are to: improve the health and wellbeing of vulnerable people; reduce fuel poverty; bring empty properties back into use; increase the supply and affordability of good quality private rented accommodation; reduce the number of households with preventable ill health and housing inequalities; improve housing conditions; deal with inadequate energy efficiency and carbon emissions ratings; and ensure local people have sufficient choices of housing to meet their needs, at a standard and price they can afford, where they want to live. The Private Sector Renewal Policy provides the framework for the types of financial assistance that the Council can offer owner occupiers, tenants of privately and socially rented accommodation and landlords to carry out essential repairs on their property, disabled adaptations and bringing empty properties back into use. The policy would need to be amended in order to be able to offer the types of grants and assistance which the Council would need in order to assist the most vulnerable in society.</i>			
2 People who could be affected, with particular regard to the legally defined protected characteristics ² :			

¹ Baroness Thornton, March 2010

² For protected characteristics, please visit:

<http://www.equalityhumanrights.com/private-and-public-sector-guidance/guidance-all/protected-characteristics>

Taunton Deane Borough Council and West Somerset Council
Equality Impact Assessment Form and Action Plan

Expand boxes as required. Guidance notes are stored - TDBC link:

<http://portal/sites/policyPerf/strategyandpartnerships/equality/Equality%20Impact%20Assessment%20GuidanceTemplate/Forms/AllItems.aspx> WSC 'W' drive: W:\Equalities\EIA TEMPLATE

The 2016/17 private sector housing capital budget is designed to support and meet the needs of a wide customer base, and is targeted at all the protected groups including: Age; Disability. Gender Reassignment; Pregnancy and Maternity; Race; Religion or belief; Sex; Sexual Orientation; Marriage and civil partnership.

3 People and Service Area who are delivering the policy/service/decision:

Private Sector Housing Team

Taunton Deane Borough Council and West Somerset Council
Equality Impact Assessment Form and Action Plan

Expand boxes as required. Guidance notes are stored - TDBC link:

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4 Evidence used to assess impact: *Please attached documents where appropriate.*

Evidence and Data used for assessment

- *Private Sector housing staff performance data*
- *Joint Strategic Needs Assessment 2013/14*
- *Older Persons Evidence 2012 ongoing*
- *Housing Market Assessment 2009*
- *ONS data 2014.*

The Joint Strategic Needs Assessment (JSNA) was updated for Somerset in 2014. The JSNA sets out the needs of disabled persons and an aging population.

Data suggests that there are approximately 111,660 people aged over 65 resident in Somerset. This is 21% of the County's population. 29.1% are in the West Somerset area and 20% in Taunton Deane, larger than the regional and national average for both districts. 47.3% of residents living in Minehead are over 65 and 34.6% of the population in Taunton are aged over 65. The number of older people in the Housing Market Area is expected to increase by 41.1% in the next 20 years in Taunton and by 36% in West Somerset. The Sustainable Community Strategy underlines the housing and support needs of Taunton's older population. It states that Taunton Deane has a higher than average dependency ratio due to there being proportionately more pensioners, and fewer 15 - 44 year olds. The dependency ratio is a measure of the proportion of a population who are too young or too old to work. A rising dependency ratio is a concern in Taunton Deane and West Somerset both facing an ageing population, since it becomes difficult for pension and social security systems to provide for a significantly older, non-working population. In West Somerset the ratio of older people to younger persons is proportionally higher than the national average.

Estimates suggest that, by 2030, the number of people over 65 with mobility problems and a limiting long term illness will also increase by over 40% across the County. More than a quarter of these older households in 2010 reported a 'support need', most commonly for a physical disability. For households who would prefer to stay in their homes, 40% of those who needed adaptations did not have them. It is important to promote the service as inequalities are generated in pockets of rural outposts. The most commonly required adaptations are a downstairs toilet and handrails. Many older person households with support needs required further adaptations such as a low level shower and stair lift. This all points to a need to support adaptations funding in 2016/17 through the Better Care Fund, in response to these changing demographics and demands

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5 Conclusions on impact of proposed decision or new policy/service change:

All Groups:

If resources were limited for private sector housing activities then this would mean some groups or communities could be disadvantaged: not being able to respond to requests for adaptations will long term result in a marked deterioration of people's health, an increase in hospital admissions, and bed-blocking. An inability to tackle one of the key determinants of health and wellbeing, namely improving people's health. Inability to adapt people's homes will increase applications from the older population for social housing and potentially towards expensive accommodation based supported housing services. This is at a time when relevant partner organisations are also facing extensive cuts and may not be able to provide the more costly housing support that would otherwise have been met through a simple low cost low level intervention such as a disabled adaptation.

The proposed changes to the policy are designed to achieve positive outcomes for more vulnerable people in this sector who rely on us to help them improve their living conditions, and bring their homes up to an adapted standard which allows the resident to access facilities in and around their home. If we do not do this it will leave us with a legacy of people with deteriorating health conditions for the future which will have the potential to outstrip the health budgets. This will also have major and costly implications by increasing the demand for social housing.

People who apply for housing, if they are unable to remain in their current homes, may be forced to seek homelessness assistance from the Council. If found vulnerable under the terms of the Homelessness Act, the Council will have a duty to house applicants if the property in which they live is not suitable.

The previous Home Finder Lettings Review has seen that priority awarded to those with medical conditions has increased, resulting in more people being able to qualify for a 'gold band' status, alongside other vulnerable applicants who are unable to remain in their homes. The Localism Act 2011 also allows the council to house vulnerable people (such as homeless applicants) into the private rented sector with one offer of accommodation. If adequate funding is not provided to improve private sector housing standards to meet at least decent homes levels, legal challenges to the council on homelessness housing suitability grounds will almost certainly increase. Cuts elsewhere to housing support funding will also significantly affect vulnerable adults via reductions in floating support services. Combined with housing and benefit changes, financial hardship in this sector is likely to increase the number of vulnerable applicants applying to the council for housing assistance and advice.

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User groups have been consulted such as tenants in social housing and through customer surveys and agencies who access the service on behalf of their clients. The anticipated main impacts on specific groups are:

Age:

Central Government recognise that a reduction in capital funding to help vulnerable private sector housing residents would have an adverse impact on the independence, health and well-being of older people which would, in turn, increase their need for care and support services. Improvements to private sector housing properties to facilitate independent living, energy efficiency, better housing conditions, and housing functionality, will allow older people to live more meaningful lives in their own homes for longer – and thus for housing standards in this sector to move closer to those in the social housing sector, leading to a more balanced housing market.

Understanding older people's position in the housing market is important: around 75% of older people in both districts live in private sector housing and more than 25% of these reported a "support need," most commonly for a physical disability, yet 40% of older person households did not already have an existing adaptation in their home. Health and social care policy encourages older people to remain living at home, but their living costs are under extreme pressure from fuel and food price inflation, and declining pension values in real terms.

Central Government are mindful of these factors and with an increasingly elderly population, Central Government have increased the funding for DFG's.

Disability:

Disabled households benefit greatly in increased mobility and independence from disabled facilities grants. Increasing the capital budget will reduce customer waiting times for adaptations and therefore reduce discomfort and distress to disabled people, fulfilling the LA's duty to assist disadvantages faced by this group. It is an ideal opportunity for promoting equality and more equal outcomes for disabled people in all tenures. The work of the County Council Independent Living Teams in assessing needs earlier and putting in place early measures has resulted in a reduction in demand for DFGs, however there is a fear that these measures provide temporary alleviation and simply delay the need for more permanent measures paid for from disabled facilities grants.

We estimate that West Somerset Council receives between 30 and 40 and in Taunton Deane 60 – 70 DFG recommendations a year from Somerset County Council Occupational therapists. This takes into account historical data and the trends toward an aging population. The future budget required to address this annual demand is estimated at £280k for West Somerset and £650k for

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Taunton Deane including the fee payable to Aster Home Living. (This is regardless of tenure) The Better Care Fund with uplift should meet the estimated demand. The current legislation around DFGs requires the District Council to provide a DFG where the need has been identified by an Occupational Therapist. There is no requirement about the length of time before an application process is commenced by the Local Authority, however once started then it has to be completed within 12 months unless there are mitigating factors that complicate the process. In practice unreasonable delays can be challenged through an ombudsman and there is case history of councils being challenged about unreasonable delays and losing under the Humans Right Act. If the Council found that unacceptable waiting lists were accruing then it could revisit the capital allocation to DFGs in future years.

Race:

It is important to be culturally sensitive when providing private sector housing services, and statutory and/or enforcement interventions are not always the not appropriate in achieving equitable equality outcomes, particularly for households living in this sector for whom English is not their first language. For example, our statutory responsibility to inspect houses occupied by multiple households could inadvertently discriminate against monitory ethnic groups in private rented sector housing where Black and Minority Ethnic (BME) households have a much higher proportionate presence than in other housing sector and tenures in the two districts.

Sex:

No obvious direct impact identified although it is recognised that women generally have longer life expectancy than men and may therefore be a group which benefit most from the interventions outlined above and any reduction in funding for these interventions could disproportionately impact more female than males.

6 Recommendation based on findings. These need to be outlined in the attached action plan.

The Policy has the relevant amendments which provide additional financial assistance options for clients and additional safeguards have been put in place to enhance the protection to all groups through transparency and consistency.

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Equality Impact Assessment Action Plan					
Group Affected	Action required	Expected outcome of action	Person to undertake action	Service Plan - for monitoring	Expected Completion date
Age	<i>Raise awareness of characteristics of all these protected groups in relation to local housing market. Close monitoring of waiting lists for DFGs and impact and ensure councillors are kept apprised of any impact</i>	<i>Easily understood and accessible data and information on protected groups and specific characteristics in private housing</i>	<i>Joint Housing Group</i>	<i>Scrutiny and information reports, staff briefings and housing briefings</i>	<i>September 2016</i>
Disability					
Gender Re-assignment					
Marriage and Civil Partnership					
Pregnancy and Maternity	<i>Induction process for all new staff (including any temporary/agency staff); clear written procedures; effective staff supervision; and regularly reviewing all customer satisfaction returns and comments</i>	<i>Private sector housing residents receive the same level and quality of advice and assistance, irrespective of who they are, where they live, and who they deal with</i>	<i>Partnership Manager</i>	<i>Quarterly Housing Partnership Board reports</i>	<i>April 2016 and ongoing from then</i>
Race ³					
Religion and Belief					
Sex					
Sexual Orientation	<i>Critically assessing affordability, choices of housing, the varied housing needs of local residents, and housing conditions, in</i>	<i>A greater understanding and shaping of the local housing market .</i>	<i>Joint Housing Group</i>	<i>Executive, Scrutiny and Partnership Board reports</i>	<i>April 2016 and ongoing from then</i>
Rurality					

³ Including ethnicity, national origin, colour, nationality, gypsies and travellers.

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Group Affected	Action required	Expected outcome of action	Person to undertake action	Service Plan - for monitoring	Expected Completion date
	<p><i>the context of changing housing market conditions, public funding, and national housing policy</i></p> <p><i>Regular meetings with relevant partner organisations; a common understanding of priorities and pressures; initiatives to utilise complimentary work skills and experience; joint awareness and information exchange sessions</i></p> <p><i>Evaluation of housing needs and choices for older people beyond the traditional adaptations and small repairs at home approach</i></p>	<p><i>More effective joint working and focus on priorities, better use of limited resources and consensual, co-operative approach to challenges in private sector housing</i></p> <p><i>Explore measures and potential housing options for older home owners who are equity rich but struggling with limited income and poorer quality of life</i></p>	<p><i>Partnership Manager</i></p> <p><i>Strategic Housing Officer's Group</i></p>	<p><i>Partnership Board</i></p> <p><i>Executive, Scrutiny and Partnership Board reports</i></p>	<p><i>June 2016 and ongoing from then</i></p> <p><i>August 2016</i></p>

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Equality Impact Assessment Action Plan							
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Author's Signature:			Ref/Report Title:	<i>Amendment to the Private Sector Renewal Policy</i>	Date:	<i>Reviewed 19/05/16</i>	EIA Version: V1
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