

Adapting a Property (*ref 03*)

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Introduction

If you own your home but need to make some changes to make it easier to live in you may be able to get help with adaptations or aids. This is what this *factsheet* tells you about. It applies to Shared Ownership as well as outright ownership.

Local Authority Grants

Three grants are administered by the Local Housing Authority (District Council/Borough). They are available to shared owners, outright owners, landlords and tenants.

1. *Renovation Grant* For large scale repairs and improvements to older properties. This is unlikely to be of relevance to many learning disabled people and is not discussed further
2. *Home Repair Assistance* For smaller repairs and adaptations
3. *Disabled Facilities Grant* To adapt property

Home Repair Assistance

Any work could be eligible. This includes:

- adaptations such as adding a downstairs toilet
- improving energy efficiency
- improving security - adding a door entry system

Each grant is up to a total of £5,000.

Home repair assistance is discretionary - the authority is not obliged to give a grant. There is no formal means test but this does not stop an authority introducing its own way of rationing resources to help ensure those most in need get assistance. This grant is primarily aimed at helping older people stay put in their own home rather than move.

Disabled Facilities Grant

Grants up to £30,000 are available to provide facilities and adaptations to help a disabled person to live as independently and in as much comfort as possible. In order to qualify you must be disabled under the terms of the *Housing Grants, Construction and Regeneration Act 1996*. A person is disabled if:

- their sight, hearing or speech is substantially impaired
- they have a mental disorder or impairment of any kind
- they are physically substantially disabled by illness, injury, impairment present since birth, or otherwise

You will also be eligible for a disabled facilities grant if you are registered disabled under the terms of the *National Assistance Act 1948*.

The disabled facilities grant is a mandatory grant in specific circumstances. It must be given if you are disabled and do not have access to your home and to the basic amenities within it, provided that you qualify on income grounds. The council will also have to agree that the works are reasonable, practicable and the works are necessary and appropriate for the disabled person. These are key words in the regulations.

Examples of the types of work covered by a mandatory grant include:

- making it easier for you to get into and out of your home
- making access easier to the living room, bedroom, kitchen and bathroom
- providing suitable bathroom and kitchen facilities that you can use independently
- making your home safe for you and people living with you
- adapting heating or lighting controls to make them easier for you to use
- improving the heating system in your home

Discretionary grants can be given for a wide range of other work to make a home suitable for a disabled person for example to enable them to get employment.

The Housing Authority is responsible for deciding whether you will get a grant. They will consult with the Social Services department to decide what adaptations are 'necessary and appropriate'. This will normally mean an assessment by an Occupational Therapist from Social Services.

Local Authority housing budgets are limited and these grants can be substantial, as a result there can be lengthy delays in getting a disabled facilities grant. You do have certain rights to assistance which mean that you should not have to wait an unreasonable amount of time. The law says that you should not have to wait more than six months after you apply for a grant to hear whether you will get one. Although the council may try to delay your application until after an assessment by Social Services (usually as explained in practice by an Occupational Therapist), they are not allowed to refuse you permission to make a formal application if you request this.

After it is approved the council may delay payment of a disabled facilities grant for up to 12 months at most unless there are 'exceptional circumstances'.

Social Services departments have a duty to provide certain services to disabled people. This duty is a result of the *Chronically Sick and Disabled Persons (CSDP) Act 1970*. A council has to provide services to meet the needs of disabled people, including:

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

This means that if you need adaptations and are having difficulty getting a disabled facilities grant, the Social Services department may still have a duty to assist you. They may do this by funding the work or 'topping' up whatever grant is provided to a disabled person who cannot afford their part of the work the means test says they should meet.

Loans for Repairs and Improvements

Anyone seeking to adapt a property will normally use one of the other sources of financial aid available described in this part of the report. In the event that all else fails it may be useful to know that in some circumstances Income Support can meet the interest on loans for repairs and improvement.

The loan must be for work 'to maintain the fitness of the dwelling for human habitation' and be for a defined list of purposes. This list includes 'provision of separate sleeping accommodation for children of different sexes aged 10 or over who are part of the same family as the claimant', and adapting a home 'for the special needs of a disabled person'. This can encompass adapting a property to house a carer or support tenant.

Social Fund - Community Care Grants

The Social Fund is the only way to get help from Social Security for one off lump sum expenses. The Social Fund is administered by the Benefits Agency who have a Social Fund Officer. Awards are discretionary but a key purpose of the Social Fund is to make Community Care Grants and Social Fund Loans. Amongst other things they are meant to:

- help people re-establish themselves in the community on leaving residential care - this is considered a priority need
- help people remain in the community rather than go into residential care
- improve living conditions for people with disabilities

To be eligible the person must be entitled to Income Support. Availability of grants varies because local offices of the Benefits Agency are given a fixed amount to spend under this heading and may simply run out of money part way through the year or keep grants quite small to spread the available cash further. Less than £1,000 is common though there is no standard amount. If you have savings of more than £500 (£1,000 if you are over 60) the excess must be put toward the costs.

Things which have been paid for from the Social Fund include:

- removal expenses
- furniture
- equipment like a washing machine or cooker

The Social Fund can also provide loans of up to £1,000 to help spread the cost of buying large items. The loan has to be repaid by a deduction from benefits within 18 months.

Apply for a grant or loan by getting form *SF300* from the local Benefits Agency Office.

Aids and Adaptations from Social Services

Social Services are the normal source for minor aids and equipment. To get expensive, permanent alterations, people are referred to the Housing Authority. As mentioned Social Services Occupational Therapists play a crucial role in:

- providing advice on aids and adaptations
- assessing needs
- supporting applications for Disabled Facilities Grant

The Local Authority may make a charge for the provision of aids and equipment - authorities practices differ.

The role of Social Services is to supply aids. If fitting is required, for example of a grab rail, then Social Services may pay for this to be done by a local contractor. The items commonly provided by Social Services include:

- fixing grab rails, stair rails, bath rails and toilet frames
- wooden ramps and steps, bed and chair raisers
- simple door entry systems and telephone extensions

The ultimate legal duty to provide equipment and adaptations which disabled people are assessed as needing lie with the Social Services (*Section 2 of the Chronically Sick and Disabled Persons Act*). Social Services may therefore be approached for help with any kind of aid or adaptation where this is not provided by the Housing Authority for some reason. The most likely circumstances are:

- where adaptations cost more than £20,000 (the ceiling for DFG and the Local Authority will not use its discretion to meet additional costs)
- where the family cannot meet their share of the cost of adaptations

Social Services and Children

Social Services obligations to adults are specified in the *Chronically Sick and Disabled Persons Act 1970*. Social Services obligations to children appear in a number of *Acts* but central is the *1989 Children's Act*. Research suggests Social Services seldom use their powers under this Act to fund adaptations for children and their families therefore the provisions are outlined here.

Section 17 of the Children's Act places 'a duty on every Local Authority (i.e. Social Services) to safeguard and promote the welfare of children in need and promote the upbringing of such children by their families'.

A child is someone under the age of 18 and is in need if 'he is disabled'. This *Act* says someone is disabled if 'he is blind, deaf, dumb or suffers from a mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity .'

The *Act* requires Local Authorities to offer services, which give disabled children 'the opportunity to lead lives which are as normal as possible'. Services can be provided to the family or any member of the family if the purpose is to safeguard or promote the child's welfare. Services can include (exceptionally) giving cash.

Help from Social Services may be means tested but no charge can be levied on a family in receipt of Income Support or Family Credit.

More Information

The Local Authority housing or social services departments should be able to give detailed advice on the main grants available for adaptations.

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www.communities.gov.uk

If you require further information or have other queries contact Housing Options.

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