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**DISABLED FACILITIES GRANT (DFG)  
POLICY**

**V.1 JANUARY 2018**

**Hertfordshire Home Improvement Agency  
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Stevenage  
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## A. Purpose of this Policy

Adaptations to make homes more accessible are becoming increasingly important as the population ages. The majority of older people in Hertfordshire live in mainstream housing, but that housing often has small room sizes, steep internal stairs, baths rather than showers and steps outside. These become difficult to manage as people get less mobile with age or have to deal with sight loss or other conditions. To remain independent at home older people, their families and carers need effective ways to adapt and modify their homes.

In response to this challenge the Hertfordshire Home Improvement Agency (HHIA) came into being on 1<sup>st</sup> October 2017. It is comprised of the following local authorities and its aim is to facilitate a range of independent living solutions associated with the home:

- Broxbourne Borough Council
- East Herts District Council
- North Herts District Council
- Watford Borough Council
- Hertfordshire County Council

Hertfordshire County Council (HCC) administers this service on behalf of these councils.

The HHIA was established in order to create a streamlined and efficient service for the benefit of service users. Additional local authorities within Hertfordshire may wish to join the partnership in the future; when a new local authority joins the Partnership, this policy will come in to effect for residents within the boundary of that council.

This particular policy, including annexes, sets out how the Hertfordshire Home Improvement Agency will administer Mandatory Disabled Facilities Grants (DFGs) to those residents of Hertfordshire living within the administrative boundaries of the local authorities cited above. The administration of Disabled Facilities Grants includes, but is not limited to, the assessment, processing, approval and payment of these grants.

The Hertfordshire Homes Improvement Agency operates within the following legislative and national policy framework:

- Housing Grants, Construction and Regeneration Act 1996
- Regulatory Reform (Housing Assistance)(England and Wales) Order 2002
- Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008
- The Better Care Fund
- The Care Act 2014

The full policy document will be available online and, upon request, in printed form free of charge.

## **B. The Role of the Hertfordshire Home Improvement Agency**

The application and implementation of Disabled Facilities Grants can be daunting to householders, particularly those that are vulnerable. In order to help disabled householders access DFGs, the Hertfordshire Home Improvement Agency was created – it aims to streamline the way in which applications are made, how they are determined, and how the authorised adaptations are undertaken.

### **What assistance can the HHIA offer DFG applicants ?**

The HHIA will help fill in application forms, prepare detailed Schedules of Work, and establish the costs of adaptation work. Once the grant approval has been issued, the HHIA will arrange for a contractor to carry out the work, oversee the works, ensure works have been completed to a satisfactory standard, and arrange for the grant payment to be made to the appointed contractor(s).

This will see the HHIA helping the applicant with all stages of the process, making DFGs as straightforward and stress-free as possible.

### **Will I have to pay for this service ?**

No. The HHIA will take on the role of Agent on behalf of the applicant for the agreed fee of 15% plus VAT on the gross cost of the works involved. These costs can be included within the grant amount, up to the overall grant maximum.

### **Do I have to use the HHIA's services ?**

The agency function of HIAA is optional. Service users are legally entitled to employ their own Agent to carry out this work, or arrange the application and the works themselves. In these cases, service users can submit their completed applications to the HHIA for processing. In such cases the HHIA will assess any quotations received against known costs for the works involved. The grant will only be approved to cover the cost needed for the work - where householder's own quotations exceed this amount, they will have to fund any difference in costs. Where a family member carries out the relevant works, only the reasonable costs of the materials involved will be included in the grant approval. These measures ensure value for money and that public funds are spent effectively.

### **Will the HHIA's services only relate to the provision of DFGs ?**

As the Hertfordshire Home Improvement Agency develops it is intended that the scope of the service will be expanded to include other forms of assistance. These could include, for example, the following:

- The provision of discretionary grants and/or loans
- The funding of a Handyperson Service
- Fast-tracked services for specific groups (for example those with a learning disability)
- Fast-tracked services for specific conditions (such as those living with Dementia)
- An Agency Service for people funding their own improvement works
- Access to subsidised assistive technology such as telecare

## C. Disabled Facilities Grants (DFGs)

### What is a Disabled Facilities Grant ?

These are grants processed by the HHIA in accordance with the requirements of the Housing Grants, Construction and Regeneration Act 1996, as amended. This Act places a duty on the HHIA to provide grant assistance in appropriate circumstances.

### What adaptations can be funded by a DFG ?

These grants (“Mandatory” DFGs) are available for works to the home of a disabled person to give that person access to, and the use of, rooms and facilities within their home that may otherwise be restricted due to their disability, so improving independence, privacy, confidence, safety and dignity for individuals, and their families.

By way of example, the following works are typically funded by DFGs:

- Level access showers
- Through-floor lifts
- Ramps and handrails
- Specialist toilet or bathing facilities
- Safety glazing or railings
- Improved or re-located heating, lighting or power controls
- Adapted or lower level kitchen fitments
- Widening doorways

See [Annex 1](#) for further details of eligible works.

### Who may be eligible for a DFG ?

Persons who have a permanent disability - [see Annex 2](#) for further details on the eligibility of applicants.

### What is the maximum value of a DFG ?

The maximum grant amount available via a single DFG is £30,000. However, there may be some very exceptional circumstances where Hertfordshire County Council may provide a discretionary loan for the costs of work above this threshold – this is not a function of the HHIA. Each case will be assessed on its merits and subject to a specific assessment process ([see Annex ?](#)).

### Can I make more than one application for a DFG ?

In some cases, a deterioration in someone’s condition or a change in their circumstances can require more than one DFG. Where a previous application has been approved for the same applicant(s), any financial contribution required at that time can be considered for subsequent applications, where they are agreed. This means that if a new application is made within five years (for a tenant) or ten years (for an owner) from the previous application(s) for which works were completed and grant paid, the contribution calculated will be reduced by the amount that was contributed to the previous grant(s).

See [Annex 7](#) for further details.

### **Are DFGs means tested ?**

Works for the benefit of a disabled child are not means tested.

For adult disabled persons, the DFG is subject to the *Test of Resources* - the amount of grant paid depends upon the agreed cost of the eligible works and whether the client is required to make a financial contribution towards the cost of these works. Any contribution is determined by a formal Test of Resources (See Annex 5 for further details of the test of resources and grant calculation) carried out with respect of the disabled person (including any partner) having regard to regulations issued by the Government. If the client receives means-tested benefits already, they will usually be determined as having no contribution to make towards the cost of the works.

A preliminary means test can be carried out in order to give prospective applicants a better idea of how much, if any, they may have to contribute towards the cost of the works. These can be done online: <http://wwwFOUNDATIONS.UK.com/dfg-adaptations/dfg-tools/test-of-resources/>

See **Annex 2** for further details on the DFG Test of Resources assessment.

### **Do you have to be an owner/occupier to be eligible for a DFG ?**

Owner occupiers, private tenants, and social housing tenants (but not council tenants or tenants of public authorities) can apply for a DFG. In addition, occupiers of qualifying houseboats and mobile homes/caravans can also apply for a DFG.

The applicant must intend to live in the property to be adapted as their main home, for a period of at least five years following completion of the works. Applicants will have to sign a certificate confirming that this is their intention. In certain cases, any grant paid, or part of it, may be required to be repaid if any conditions attached to the grant are not complied with.

A landlord can apply for a DFG on behalf of a tenant who has a disability. The process is very similar, but the forms involved, etc., are different. Any landlord intending to apply for a DFG on behalf of a tenant with disabilities should contact the HHIA in the first instance to discuss their proposal(s).

See **Annex 3** for further details on the types of home that may be adapted.

### **What homes can be adapted ?**

Not only traditionally constructed dwellings may be eligible for a Disabled Facilities Grant, but some park homes and houseboats also qualify for assistance - see **Annex 4** for further details on the types of home that may be adapted.

### **How will eligibility for a DFG be determined ?**

For works to be eligible for a Mandatory Disabled Facilities Grant funding they must be agreed to be:

- *Necessary and appropriate* to meet the needs of the client. This is determined by an Occupational Therapist in most cases, usually employed by Herts County Council
- *Reasonable and practical* to carry out the works identified, this will be determined by the HHIA on behalf of the relevant local authority

## **D. Process of Applying for, Approving, and Receiving of Grants**

The HHIA will approve valid applications for DFGs and make the relevant payments upon satisfactory completion of the works. These payments may be made in stages, on behalf of the Partner Authorities. In doing so the HHIA will follow the relevant legislation and good practice, having regard to an agreed Scheme of Delegation (see Appendix 5).

### **Making an application for a DFG**

A valid application includes the completed application form, the relevant certificate of intention to occupy, proof of ownership/tenancy, financial information needed for the 'means-test' and the applicant wishes to manage the adaptations themselves, at least two written quotations for the work. The HHIA can help with filling in the forms and obtaining the quotations for the work, etc. to make the process as smooth as possible for the applicant (see below).

### **How an application will be considered by the HHIA**

A valid application must be approved within six months of the completed application being received by the HHIA. Following assessment, the HHIA will issue a written approval that states the amount of grant that will be paid upon satisfactory completion of the specified works. In some exception cases, the HHIA may specify a date before which the grant will not be paid. This will be no later than 12 months from the date on which the application was made and details will be included in the approval document.

See [Annex ?](#) for further details on how applications will be processed.

### **Post determination changes**

The HHIA can agree variations to the grant amount where additional or unforeseen works are identified, although the extent and cost of the works must be agreed beforehand. Similarly, the HHIA can reduce the amount of grant where the cost or amount of works required is agreed to be less.

### **When agreed works must be completed**

Works must be completed within 12 months of the date of approval. However, the HHIA can, in some circumstances, agree an extension of time for the completion of the works.

### **Payment of the grant**

Payment of the grant will be made upon satisfactory completion of the work and upon receipt of a proper invoice from the agreed contractor(s). No monies will be paid up-front. Interim or part-payments can be made upon satisfactory completion of parts of the work. Again, a proper invoice from the agreed contractor must be provided for the interim payment. The HHIA will determine if sufficient works have been carried in order to make an interim payment. Interim payments will not exceed 90% of the total grant amount. Other than in exceptional or pre-agreed situations, all payments will be made direct to the relevant contractor/supplier.

Once any payment is made, any conditions attached to the grant become binding.

**Can the grant, once awarded, be reduced or be reclaimed by the HHIA ?**

In some limited circumstances, yes. The ability for the Hertfordshire Home Improvement Agency to amend or withdraw approved expenditure is restricted by legislation to the following situations:

- due to a significant change in the circumstances of the applicant/disabled person
- due to actions outside of the rules of the DFG
- due to a disposal of an adapted property within a prescribed period

In these cases the grant may be reduced, repayment of the relevant amount of the DFG may be required. These situations are not expected to happen often, however, in such circumstances, the HHIA will determine the final outcome on a case by case basis.

See [Annex 9](#) for further details on grant repayment conditions.



## **E. Policy Amendments**

The provisions of this policy shall remain in place until such time that it is formally amended, superseded, or deleted. Minor amendments to this policy will be agreed by the Partner Authorities (the HHIA Board) prior to their introduction. Major amendments will be considered by the Partner Authorities (the HHIA Board) prior to their formal consideration and adoption by HCC prior to their introduction.

Any Disabled Facilities Grant conditions flowing from this policy applied at the time of their formal award will remain in force unless specifically changed in writing.

## F. Complaints, Compliments, and Comments

The Hertfordshire Home Improvement Agency is committed to its continuous improvement and the views of its customers provide an essential source of information on which to make decisions on how best to improve the services it provides.

Any complaints, compliments, or comments regarding the operation of this policy, or level of service received from the Hertfordshire Home Improvement Agency, should be directed in the first instance to Head of Service:

Head of Service  
Hertfordshire Home Improvement Agency  
Farnham House  
Six Hills Way  
Stevenage  
SG1 2FQ

If a matter is not resolved to customer's satisfaction Hertfordshire County Council has a well established approach to the management of customer feedback – more details are available on its website:

<https://www.hertfordshire.gov.uk/about-the-council/complain-or-comment/make-a-complaint.aspx>

If after receiving the Hertfordshire County Council's response the customer is still dissatisfied, they can request an investigation by the Local Government Ombudsman: <http://www.lgo.org.uk/>

## Annex 1: Eligible Works

The following is an excerpt from the Housing Grants, Construction and Regeneration Act 1996 that sets out the purposes for which a grant may be paid (Section 23):

- (1) The purposes for which an application for a grant must be approved, subject to the provisions of this Chapter, are the following—
  - (a) facilitating access by the disabled occupant to and from the dwelling, qualifying houseboat or qualifying park home, or
  - (b) making the dwelling, qualifying houseboat or qualifying park home, or the building, safe for the disabled occupant and other persons residing with him;
  - (c) facilitating access by the disabled occupant to a room used or usable as the principal family room;
  - (d) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
  - (e) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
  - (f) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
  - (g) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a washhand basin, or facilitating the use by the disabled occupant of such a facility;
  - (h) facilitating the preparation and cooking of food by the disabled occupant;
  - (i) improving any heating system in the dwelling, qualifying houseboat or qualifying park home to meet the needs of the disabled occupant or, if there is no existing heating system there or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet his needs;
  - (j) facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
  - (k) facilitating access and movement by the disabled occupant around the dwelling, qualifying houseboat or qualifying park home in order to enable him to care for a person who is normally resident there and is in need of such care;
  - (l) such other purposes as may be specified by order of the Secretary of State:
    1. facilitating access to and from a garden by a disabled occupant; or
    2. making access to a garden safe for a disabled occupant.

For this purpose, “garden” means a garden belonging to, or usually enjoyed with, a dwelling, caravan or flat occupied by a disabled occupant and includes—

- a. a balcony adjoining the dwelling of a disabled occupant;
- b. a yard, outhouse or other appurtenance within the boundaries of the land in which the dwelling or caravan of a disabled occupant is situated and belonging to it or usually enjoyed with it;
- c. a yard, outhouse or other appurtenance within the boundaries of the land in which is situated the building in which the dwelling or, as the case may be, flat, of a disabled occupant is situated and belonging to it or usually enjoyed with it; and
- d. the land adjacent to the mooring of a disabled occupant’s qualifying houseboat.

## Annex 2: Eligible Households

The following is an excerpt from the Housing Grants, Construction and Regeneration Act 1996 that sets out who may be eligible for a DFG (Section 100):

### Disabled persons

- (1) For the purposes of this Part a person is disabled if—
  - (a) their sight, hearing or speech is substantially impaired,
  - (b) they have a mental disorder or impairment of any kind, or
  - (c) they are physically substantially disabled by illness, injury, impairment present since birth, or otherwise.
  
- (2) A person aged eighteen or over shall be taken for the purposes of this Part to be disabled if—
  - (a) they are registered in pursuance of any arrangements made under section 29(1) of the National Assistance Act 1948 (disabled persons' welfare), or
  - (b) they are a person for whose welfare arrangements have been made under that provision or, in the opinion of the social services authority, might be made under it.
  
- (3) A person under the age of eighteen shall be taken for the purposes of this Part to be disabled if—
  - (a) they are registered in a register of disabled children maintained under paragraph 2 of Schedule 2 to the Children Act 1989, or
  - (b) they are in the opinion of the social services authority a disabled child as defined for the purposes of Part III of the Children Act 1989 (local authority support for children and their families).
  
- (4) In this Part the "social services authority" means the council which is the local authority for the purposes of the Local Authority Social Services Act 1970 for the area in which the dwelling or building is situated.
  
- (5) Nothing in subsection (1) above shall be construed as affecting the persons who are to be regarded as disabled under section 29(1) of the National Assistance Act 1948 or section 17(11) of the Children Act 1989 (which define disabled persons for the purposes of the statutory provisions mentioned in subsections (2) to (4) above).

## Annex 3: Homes that may be Adapted (Tenure)

### Tenure of Applicant

The Hertfordshire Home Improvement Agency wishes to support all disabled persons wherever they live. However, the legislative framework in which the HHIA operates does differentiate between the following housing tenures and the ways in which assistance can be offered:

Tenure	Description	Application notes
<b>Owner Occupiers</b>	Owner occupiers include freeholders (with or without a mortgage) and leaseholders (with or without a mortgage) with at least five years remaining on their lease at the date of their completed application.	Owner occupiers should contact the HHIA to make an application for a DFG. They will need to provide evidence of their ownership and a signed 'Owner's Certificate' as a part of the application process.
<b>Private Tenants</b>	Private tenants include the following:  (a) a secure tenant, introductory tenant or statutory tenant;  (b) a protected occupier under the Rent (Agriculture) Act 1976 or a person in occupation under an assured agricultural occupancy within the meaning of Part I of the Housing Act 1988;  (c) an employee (whether full-time or part-time) who occupies the home concerned for the better performance of his duties	Private tenants should contact the HHIA to make an application for a DFG. They will have to provide a signed 'Tenant's Certificate' as a part of the application process. In addition, their landlord will also have to sign an 'Owner's Certificate' (this demonstrates that the landlord is aware of, and agrees to, the works being carried out.) Both of these will have to be included within the application.  In exception situations, where the HHIA consider it unreasonable in the circumstances to require one, it may accept a tenant's application without a signed 'Owner's Certificate'.
<b>Social Tenants</b>	Social housing tenants are tenants of registered not-for-profit landlords. These may be known as Registered Social Landlords (RSLs), Private Registered Providers (PRPs) or Housing Associations (HAs); some Arms Length Management Organisations (ALMOs), Tenant Management Organisations (TMOs), almshouses, housing co-operatives, etc., may also fall within this category.  Many of these landlords will have	Tenants should initially contact their landlord regarding the adaptations required. The landlord may assess and carry out the, or they may their tenants to make an for a DFG, in which case you should contact the HHIA. If a social housing tenant applies for a DFG, they will have to provide a signed a 'Tenant's Certificate' as a part of the application process. In addition, the landlord will also have to sign an 'Owner's Certificate' (this demonstrates

	<p>an agreement in place with one of the councils that form the HHIA. These agreements may involve the sharing of adaption costs, or the allocation of a fixed annual budget to meet the needs of their disabled tenants.</p>	<p>that the landlord is aware of, and agrees to, the works being carried out.) Both of these certificates will have to be included within the application.</p> <p>In exception situations, where the HHIA consider it unreasonable in the circumstances to require one, it may accept a tenant's application without a signed 'Owner's Certificate'.</p>
<p><b>Local Authority Tenants</b></p>	<p>Local authority tenants (which includes council tenants and can include police authority, health authority, NHS Trust and other public body tenants) cannot apply for DFGs as they received funding via another route to undertake adaptions for their disabled tenants.</p>	<p>Where council tenants or other excluded public body tenants need an adaptation, they should contact their local council or public authority landlord in the first instance as they should have a procedure in place for assessing need and finding appropriate solutions.</p>

# Annex 4: Homes that may be Adapted (Dwelling Type)

## Type of Dwelling

Typically, Disabled Facilities Grants are used to fund adaptations to dwellings that are of a traditional construction type. However, adaptation work to non-traditional dwellings, such as houseboats or mobile homes, may be eligible for DFG assistance. The applicant will have to provide an ‘Occupier’s Certificate’ as a part of the application process. In addition, relevant land owner, or similar, of the pitch, site or mooring will also have to sign an ‘Consent Certificate’. This demonstrates that they are aware of, and agree to, the works being carried out. Both of these certificates will have to be included within the application.

<p>Type of houseboats eligible for DFG assistance</p>	<p>A qualifying houseboat means a boat or similar structure designed or adapted for use as a place of permanent habitation which—</p> <ul style="list-style-type: none"> <li>(a) has its only or main mooring within the area of a single local housing authority;</li> <li>(b) is moored in pursuance of a right to that mooring; and</li> <li>(c) is a dwelling for the purposes of Part 1 of the Local Government Finance Act 1992 (Council Tax), and includes any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it;</li> </ul>
<p>Type of park homes eligible for DFG assistance</p>	<p>A qualifying park home means a caravan within the meaning of Part 1 of the Caravan Sites and Control of Development Act 1960 (disregarding the amendment made by section 13(2) of the Caravan Sites Act 1968) which—</p> <ul style="list-style-type: none"> <li>(a) is stationed on land forming part of a protected site within the meaning of the Mobile Homes Act 1983;</li> <li>(b) is occupied under an agreement to which that Act applies or under a gratuitous licence; and</li> <li>(c) is a dwelling for the purposes of Part 1 of the Local Government Finance Act 1992 (council tax), and includes any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it.</li> </ul>

## Annex 5: Grant application, assessment, determination, and payment processes

### The Application

The HHIA will provide you with an application form which will set out the further documentation you will need to support your application. An application is only valid if it is made on the HHIA's prescribed form and if it includes all the information required. The HHIA can help with all of the paperwork needed.

An applicant must either be the owner of the dwelling (including qualifying houseboat or park home) or be a tenant (including licensees), and be able to provide an 'Owner's Certificate' or a 'Tenant's Certificate'. This will not necessarily be the disabled person for whom the works are required. In such cases the applicant should make it clear on whose behalf the application is being made.

When applying for a grant the applicant (whether an owner occupier, tenant, or landlord) will be required to submit a certificate stating the intention that throughout the grant condition period of five years (or such shorter period as the disabled person's health and other relevant circumstances permit) the disabled person will occupy the dwelling as his or her only or main residence.

If the applicant wishes to manage the adaptation works themselves, they will have to submit at least two written quotations. The HHIA will assess any quotations received against what it believes are reasonable costs for the works involved. The grant will only be approved to cover the cost assessed to be needed for the work. Should an applicant provide their own quotations and these exceed this assessed amount, they will have to cover any difference in costs. Where a family member carries out the relevant works, only the reasonable costs of the materials involved will be included in the grant approval.

### Assessment

The HHIA is required by the Housing Grants, Construction and Regeneration Act 1996 to be satisfied that the proposed works are both:

- necessary and appropriate to meet the disabled person's needs; and
- reasonable and practicable depending on the age and condition of the property.

In reaching its decision as regards the 'necessary and appropriate' test, the HHIA will consider factors such as:

- whether the works are needed to provide for a Care Plan to be implemented which will enable the disabled occupant to remain living in their existing home as independently as possible; and
- whether the works would meet, as far as possible, the assessed needs of the disabled person taking into account both their medical and physical needs; and

- distinguish between what are desirable and possible legitimate aspirations of the disabled person, and what is actually needed and for which grant support is fully justified.



Factors relevant to the 'reasonable and practicable' test include:

- Architectural and structural characteristics of the home in question
- Space available within the home (rooms and circulation spaces)
- Planning or conservation considerations
- The impact on other occupiers of the home or building

The HHIA needs to be satisfied concerning both tests, and the overall feasibility of the works, in order to legally approve a Disabled Facilities Grant. Accordingly, The HHIA is obliged to refuse a DFG if it believes the scheme is not reasonable and practicable.

The Housing Grants, Construction and Regeneration Act 1996 requires the HHIA to seek the views of Occupational Therapists and housing professionals when considering the above.

When does means testing take place ?

#### **DFG determination**

The HHIA is required by legislation to make a decision on applications within six months of the receipt of a completed and valid application, along with any additional information it may reasonably require.

Should an application be approved, the HHIA will provide written confirmation of this decision. The approval will state the amount of grant that will be paid upon satisfactory completion prescribed works. It will also specify the contractor(s) whose quotations have been used in determining the grant amount, and therefore, who should be used to carry out the works. The approval correspondence will also state any conditions relating to the grant.

In some exception cases, the HHIA may specify a date before which grant is not payable. This will be no later than 12 months from the date on which the application was made and will be included in the approval document.

#### **Payment of the DFG**

The grant will only be paid when the HHIA is satisfied that the work has been completed to its satisfaction and in accordance with the grant approval correspondence and upon production of an acceptable invoice, demand or receipt of payment for the works. The HHIA may, at its discretion, pay the grant in full on completion of the works or by instalments as the works progress.

The HHIA will pay the grant direct to the contractor(s) or provide an instrument of payment in a form made payable to the contractor. This should not affect the grant recipient's right to ensure that the contractor has completed the works to their satisfaction. If the contractor has not, the householder should notify the HHIA so that it can withhold payment pending an investigation.

Where the applicant is assessed to have a contribution towards the cost of the agreed works, this contribution must be paid to the HHIA *before* the contractor(s) can start the work. This amount will then be paid to the contractor(s) by the HHIA at the appropriate time, but before any grant is paid to the contractor(s).

An invoice is not acceptable if it is for work or services provided by the applicant or a member of his or her family. Where the works are carried out by the applicant or a relative, only invoices for materials or services that have been bought in will be acceptable.

Once a grant payment has been made, any conditions relating to the grant become binding. Once the work has been confirmed as being complete by the HHIA (the “Certified Date”) the grant conditions period starts and the conditions remain in force until the relevant grant conditions period has elapsed.

## Annex 6: Test of Resources and Grant Calculation

### Test of Resources

Where an application is subject to a financial assessment, there are four principal stages within the means testing process:

Stage	Description
Stage 1: Calculation of household income requirement	This is referred to as 'allowable income' and is calculated using a set of standard allowances for living costs using basic amounts of income support/pension credit and a flat rate allowance for housing costs. These figures are set by the Government
Stage 2: Assessment of actual household income	The actual income of the applicant's household income is then established. A 'tariff' income is added as regards any savings over £6,000. If the household is already in receipt of any means tested benefits, they are automatically 'passported' through and awarded a 100 per cent grant, even if they have some small surplus income according to this calculation.
Stage 3: Affordability of a loan	For those applicants not in receipt of a means tested benefit, a calculation is undertaken to establish whether there is sufficient 'surplus' household income to afford a loan to fund the agreed adaption works. The calculations assume a loan period of 10 years for owner-occupiers and 5 years for tenants at a standard rate of interest and incorporate 'tapers' (see above).
Stage 4: Calculation of grant value	The final stage of the process is the comparison between the agreed costs of the adaption works and the ability (or otherwise) of the household to finance these via a loan. If the calculated loan amount is the same or greater than the cost of the adaptations, the applicant is not eligible for financial assistance by the HHIA. If the loan amount is less than the cost of works, the amount of grant is calculated as the total cost of works minus the calculated loan amount.

### Notes

- The means test does not apply where an application for grant is made by the parent or guardian of a disabled child, up to and including 16 years of age, or young person under 19 in full time education.
- The cost of the works/adaptations is obtained from the agreed quotations/costs for the eligible work plus any reasonable ancillary costs or expenses incurred solely as a part of the application. These can include, but are not limited to:

- ✓ Agency Service fees
- ✓ Architect or surveyor's fees
- ✓ Solicitor's fees

- If a contribution is required from the relevant person this must be deducted from the amount of grant which would otherwise have been paid. Therefore, if the cost of the works is above the maximum £30,000 limit the grant will be £30,000 less the contribution. If the cost of the works is less than the £30,000, the grant will be the agreed cost of the works less the contribution.

### **Successive Applications**

Where a previous application has been approved for the same applicant(s), any financial contribution required at that time can be considered for subsequent applications, where they are agreed, providing the new application is made within five years (for a tenant) or ten years (for an owner occupier) from the previous application(s) where works were completed and the grant paid. The contribution calculated for the new application will be reduced by the amount that was contributed to the previous grant(s).

For example, where an applicant made a £5,000 contribution to a previous DFG and the test of resources for the subsequent DFG shows the contribution to be £8000, this amount would be reduced to £3,000 due to the previous applicant's contribution.

## **Annex 7: The Legal and Contractual Relationships**

*TEXT TO BE INSERTED REGARDING AGENCY MANAGED WORK*

*TEXT TO BE INSERTED REGARDING SELF MANAGED WORK*

*TEXT TO BE INSERTED REGARDING THIRD PARTY MANAGED WORK*

*TEXT TO BE INSERTED REGARDING CLIENTS THAT DO NOT HAVE THE CAPACITY TO ENTER INTO CONTRACTS FOR FORMAL AGREEMENTS*

# Annex 8: Conditions relating to the repayment of Grant

The Hertfordshire Home Improvement Agency is charged with securing value for money, ensuring that the public funds that it administers are allocated in a lawful, fair, and transparent way. The vast majority of Disabled Facilities Grants are not repayable but there are some circumstances where the HHIA may seek the repayment of part, or all, of the awarded payment:

### Change in circumstances

Where a DFG has been approved (but the approved works have not been certified as complete) and the applicant ceases to be entitled to such a grant, no grant shall be paid or, as the case may be, no further instalments shall be paid, and the HHIA may demand that any instalment of the grant that has been paid, be repaid, together with interest from the date on which it was paid, until the repayment is made.

Where a DFG has been approved, but has not been certified as complete, and:

- (i) the works cease to be necessary or appropriate to meet the needs of the disabled occupant, or
- (ii) the disabled occupant ceases to occupy the home concerned or it ceases to be the intention that they should occupy it, or
- (iii) the disabled occupant dies;

the HHIA may decide:

- (a) that no grant shall be paid or, as the case may be, no further instalments shall be paid, or
- (b) that the relevant works, or some of them, should be completed and the grant, or an appropriate proportion of it, be paid, or
- (c) that the application should be re-determined in the light of the new circumstances.

### Disposal of an adapted dwelling

*TEXT TO BE INSERTED*

- Written certified representation
- No more than once relating to a disposal
- The HHIA decision shall be final
- Hardship shall be considered in the context of the JRF minimum income calculator

**Receipt of compensation payment**

Where an applicant's disability is associated with a pending compensation or insurance claim, any Disabled Facilities Grant is awarded on the condition that the applicant takes reasonable steps to pursue any relevant legal and/or insurance claim for damages.

In the event of an insurance settlement and/or the award of damages, the Hertfordshire Home Improvement Agency reserves the right to seek the repayment, in part or full, of a DFG that is associated with that insurance settlement and/or award of damages

These cases will be determined by the HHIA Board on a case by case basis.

## Annex 9: Miscellaneous Provisions

Where the applicant wants additional or upgraded works (above the works agreed by the HHIA) they will need to enter into a private agreement with the agreed contractor and pay the contractor directly for these works. This will be outside of the DFG process and will not involve the HHIA.

Householders will not normally be eligible for and grant funding if works have been commenced before the HHIA has approved an application; any grant will be reduced to take account of the works already completed. .

Once the work is complete, the applicant or the home owner becomes responsible for any future maintenance or up-keep of the adaptations or facilities provided. For some facilities, such as stairlifts, it is possible to obtain extended warranties, etc., in such cases the HHIA can provide guidance on the options available.

The cost of carrying out works for the benefit of a disabled person through a DFG are usually exempt from VAT, providing the applicant signs a certificate for the contractor/supplier confirming that the work/supply was for a disabled person for their own domestic use. The HHIA can help with the paperwork for this.

### **Multiple applications for DFGs**

As a result of this, it means that it may be in the interest of applicants to proceed with an application even where it is clear that their contribution will exceed the costs of the work. Although this will lead to the approval of a `nil grant` applicants are advised that in any subsequent application the contribution will be reduced by an amount equivalent to the approved cost of works of the previous DFG, not the assessed contribution which is likely to have been greater. In order for the HHIA to approve a DFG taking in to account previous contributions it must be satisfied that the works for which the original application was submitted were completed to a satisfactory standard and the new application is within the five or ten-year time periods.