Disabled Facilities Grants for home adaptations

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Summary

This note provides an overview of the disabled facilities grants (DFGS) system and other help available to secure disabled adaptations in residential premises. The note focuses on the system in England, but DFGs in Wales are issued under the same governing legislation. DFGs are also available from the Northern Ireland Housing Executive but Scotland operates a different scheme of assistance.

Mandatory DFGs are available from local authorities in England and Wales and the Housing Executive in Northern Ireland. They are issued subject to a means test and are available for essential adaptations to give disabled people better freedom of movement into and around their homes, and to give access to essential facilities within the home.

Funding for DFGs in England is now channelled into the Better Care Fund (BCF) which consists of pooled resources from a number of sources, including NHS England. One of the aims of the BCF is to achieve improved integration of care and support services. Central government funding for DFGs in England was £468 million in 2018-19; this has increased from £220 million in 2015-16. At the 2015 Spending Review, the Government committed to increase funding for DFGs to £500 million in 2019-20.

Research into DFGs has highlighted pressures around funding compared to levels of need for adaptation works. A contributing factor to growing demand for adaptations is identified as the lack of a requirement to build new homes to Lifetime Home standards. Research carried out by the London School of Economics on behalf of Habinteg Housing and Papworth Trust, No Place Like an Accessible Home (July 2016), contained a ‘cautious’ estimate of at least 1 in 6 households with an identified need who did not have all the accessibility features they needed (300,000 households, including 140,000 working age households). The benefits of having accessible housing are identified as “making all the difference in terms of feeling in control, safer, having a social life, and health and wellbeing.”

DCLG (now the Ministry of Housing, Communities and Local Government MHCLG) commissioned the Building Research Establishment (BRE) to carry out detailed work on the DFG allocation process and means testing. This research (published in February 2011) estimated that that the total amount required to cover grants for all of those who were, theoretically, eligible was £1.9 billion at 2005 prices, representing more than ten times the total amount of DFG funding allocated in England in 2009/10 (£157m). Subsequent studies have identified a shortage of DFG funding which manifests in customers having to wait for long periods before adaptation works are carried out.

Various suggestions for change have been made, including the provision of DFGs and other aids and equipment through one body by an integrated team; funding adaptations through equity loans rather than grants with some safety net provision; and increased use of discretionary spending on DFGs.

In May 2018, the Equality and Human Rights Committee published the report of an inquiry into housing for disabled people. The report noted the increased funding for DFGs but highlighted several issues, including “unacceptable bureaucracy and delay” in getting adaptations approved and installed. It also noted that disabled people in the private rented sector face problems, with landlords often reluctant to allow adaptations. The Housing, Communities and Local Government Select Committee has called on the Government to review the DFG system.
1. DFG eligibility

**Mandatory** disabled facilities grants (DFGs) are available from local authorities in England and Wales and the Housing Executive in Northern Ireland, subject to a means test, for essential adaptations to give disabled people better freedom of movement into and around their homes and to give access to essential facilities within the home.¹ The legislation governing DFGs in England and Wales is the Housing Grants, Construction and Regeneration Act 1996.² Discretionary DFGs were abolished with effect from July 2003.³

The types of work that mandatory DFGs can cover includes:

- making it easier to get into and out of the dwelling by, for example, widening doors and installing ramps;
- ensuring the safety of the disabled person and other occupants by, for example, providing a specially adapted room in which it would be safe to leave a disabled person unattended or improved lighting to ensure better visibility;
- making access easier to the living room;
- providing or improving access to the bedroom, and kitchen toilet, washbasin and bath (and/or shower) facilities; for example, by installing a stair lift or providing a downstairs bathroom;
- improving or providing a heating system in the home which is suitable to the needs of the disabled person;
- adapting heating or lighting controls to make them easier to use; and
- improving access and movement around the home to enable the disabled person to care for another person who lives in the property, such as a spouse, child or another person for whom the disabled person cares.

On 22 May 2008 access to a garden was brought within the scope of a DFG where the work facilitates access to and from a garden by a disabled occupant, or makes access to a garden safe for a disabled occupant.⁴

Before issuing a DFG a local housing authority must satisfy itself that the works are necessary and appropriate to meet the needs of the disabled person, and are reasonable and practicable depending on

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¹ Scotland operates a different grant system to that in England and Wales. Although grant assistance may be available for disabled adaptations it is not issued in the form of a DFG.
² The powers of the Secretary of State contained within the 1996 Act, so far as they are exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. No. 1999/672) and have been transferred to Welsh Ministers by virtue of section 162 and paragraph 30 of Schedule 11 to the Government of Wales Act 2006.
³ The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002
the age and condition of the property. In reaching a decision, the authority will consider 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;
- 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 is desirable and possible legitimate aspirations of the disabled person, and what is actually needed and for which grant support is fully justified.

Section 24(3) of the 1996 Act imposes a duty on local housing authorities to consult social services authorities in coming to a view on whether the proposed works are ‘necessary and appropriate’, although housing authorities themselves must decide whether the works are ‘reasonable and practicable.’

Local authorities are required to issue a decision on a properly completed DFG application **within six months of its receipt**. When giving evidence to the Joint Committee on Human Rights (25 November 2011) the then Minister, Grant Shapps, said that he had asked the Housing Adaptations Consortium to produce an updated good practice guide on DFGs. The guidance, *Home Adaptations for Disabled People – a detailed guide to related legislation, guidance and good practice* was published in 2013.

In *Responding to the need for adaptation: an overview* (2006) the Department for Communities and Local Government (DCLG) made it clear that eligibility for DFGs is **tenure neutral**:

Access to assistance in the provision of adaptations should not depend upon the tenure of the disabled person. A local authority may determine that it will fund adaptations to council-owned property other than through the DFG mechanism. However, this should not result in a worse service to the occupants than that received by applicants who live in other tenures. This applies both to the level of support received and the time taken to provide a service.

Where the local authority believes that Registered Social Landlords (RSLs) should make a contribution to the costs of adaptations in their own properties this should be negotiated and established through formal agreement. Whilst there is no specific obligation on the landlord to fund such work, and the Housing Corporation has no statutory duty to subsidise the costs involved, it may be considered good practice for a responsible social landlord to respond to the needs of its disabled tenants. Good practice for RSLs in identifying need, liaising with statutory authorities and carrying out works of adaptation is set out in guidance from the Housing Corporation.

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5 This assessment is usually carried out by an occupational therapist.

6 The consortium is made up of a broad spectrum of national organisations working together to champion quality provision of home adaptations for disabled people.

7 Now the Homes and Communities Agency (HCA).
In the case of stock transfers from local authorities to housing associations, the new RSL tenants will remain eligible to apply to the housing authority for a DFG, and they will be assessed for needs on the same basis as private owners and tenants. As part of their contractual negotiations, the authority and the new landlord should therefore agree how the management of the needs of disabled tenants will be addressed and reflect this in clear public and management guidance.

It is not lawful for persons in any tenure to be obstructed in making an application for assistance through a DFG.\(^8\)

Section 1.1 (below) provides more information on how local authorities in England deal with tenants’ requests for adaptations.

Gov.uk carries basic information and guidance for people interested in applying for a DFG in England.

### 1.1 Funding adaptations in local authority housing

Although the DFG framework and mandatory aspect of the grant apply across all tenures (i.e. local authority tenants can apply for a DFG), local authorities cannot use their DFG budget to fund adaptations to local authority properties.

As part of a review of council housing finance in July 2009, DCLG considered the issue of unmet demand for disabled adaptations in local authority housing stock, which were provided by local authorities through their Housing Revenue Account allowances. The consultation proposed to allow local authorities to retain 100% of capital receipts raised from the sale of housing stock under the Right to Buy (RTB) to allow more funding to be allocated for the adaptation of council housing stock:

> We suggest above a policy on local authority retention of capital receipts. This would be split 25 per cent and 75 per cent between receipts that could go to the general fund (the status quo) and those ring fenced for the HRA. Such an arrangement would not disturb the income currently used as a source of funds for disabled adaptations in the private sector (including RSLs) and would give additional scope to local authorities to use some of their Right to Buy receipts in the HRA to meet rising demand for disabled adaptations in the LA sector.\(^9\)

The Coalition Government announced its intention to continue with the reform of council housing finance and, as part of the 2010 Spending Review, said “reform of the council housing finance system will build in the resources needed to carry out future disabled housing adaptations required in the council housing stock.”\(^10\) Provisions were included in the Localism Act 2011 to reform the council house finance system with effect from April 2012, but the settlement reached in respect of capital receipts is rather different to that proposed by the Labour administration.

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\(^8\) DCLG, Responding to the need for adaptation: an overview, 2006

\(^9\) CLG, The reform of council housing finance, July 2009

\(^10\) Cm 7942 para 2.32
On 13 December 2010 Grant Shapps advised that 75% of net receipts from any RTB sales would continue to be returned to the Exchequer. He went on to explain that estimates of the loss of income from these sales would be built into the valuation of each council’s housing business, while receipts from other disposals would continue to be held locally to spend on affordable housing or regeneration. The Minister went on to say that the self-financing settlement for local authorities would include £116 million of extra funding each year for councils to pay for disabled adaptations to their stock.

The final HRA self-financing determinations were published on 1 February 2012\(^\text{11}\) and self-financing came into effect in April 2012.

\(^{11}\) DCLG, Housing Revenue Account Self-financing Determinations
2. The amount of grant: test of resources

Once the necessary conditions are fulfilled, DFGs are mandatory, subject to a means test and an upper grant limit.

The test of resources for grant applicants is set out in the Housing Renewal Grants Regulations 1996 (SI 1996/2890, as amended).\textsuperscript{12} The test largely mirrors the system of calculating entitlement to Housing Benefit. Grant applicants may receive a full grant or may be required to make a contribution towards the cost of the works.

The maximum grant limit in England is £30,000, having been increased from £25,000 from 22 May 2008.\textsuperscript{13} In Wales, the maximum DFG grant is £36,000\textsuperscript{14} while in Northern Ireland it is £25,000.\textsuperscript{15} Research published by the Building Research Establishment (BRE) in 2011 identified four stages within the means testing process:

- **Assess how much the household needs to live on.** 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.

- **Compare this with their actual income to see if they have any ‘surplus’ income they could use to pay off a loan.** A ‘tariff’ income is added on for any savings over £6,000. If the household is 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.

- **For those not in receipt of means tested benefits, calculate how big a loan they could afford to pay off using their ‘surplus’ income.** 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’.

- **Compare the size of the loan they could afford with the cost of the work needed to see whether they qualify for a grant.** If the calculated loan amount is the same or greater than the cost of the adaptations, they do not get any grant. If the loan amount is less than the cost of works, the amount of grant is...

\textsuperscript{12} The regulations have been amended by The Housing Renewal Grants (Amendment) (England) Regulations 2009 (SI 2009/1807) and The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (SI 2013/388) – regulation 18 takes account of changes made by the Welfare Reform Act 2012.


\textsuperscript{14} The maximum amount in Wales has always been higher than that set in England due to the age and nature of the housing stock in Wales and the country’s topography.

\textsuperscript{15} Indirect [accessed on 28 December 2016]
calculated as the total cost of works minus the calculated loan amount.\(^{16}\)

With effect from 31 December 2008 the then Government made changes to the means test to assist ex-service personnel applying for a Disabled Facilities Grant.\(^{17}\) Certain payments to the most seriously disabled service personnel are now disregarded for the purposes of assessing eligibility.

### 2.1 DFGs for disabled children

The Department for Social Development in Northern Ireland announced its intention to abolish the DFG means test for parents of children with disabilities in December 2003. Wales followed with its own announcement on 27 April 2005.

On 27 October 2005, the then Minster for Housing and Planning, Yvette Cooper, announced that the means test in respect of DFG applications from families with a disabled child in England would be removed “as soon as the necessary secondary legislation can be made.”

*The Housing Renewal Grants (Amendment) (England) Regulations 2005 (SI 2005/3323)* came into force on 31 December 2005. Regulation 6 amended the 1996 Regulations with the effect that the means test no longer applies where an application for grant is made by the parent or guardian of a disabled child or young person. This provision has applied to applications received by local authorities since 31 December 2005.

In May 2009 the Joseph Rowntree Foundation published an overview of information about housing for disabled children and their families, and ideas for improving their circumstances: *Housing for disabled children and their families: an information resource.*

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\(^{16}\) BRE, *Disabled Facilities Grant allocation methodology and means test: Final report*, 2011

\(^{17}\) *The Housing Renewal Grants (Amendment) (No. 2) (England) Regulations 2008 (SI 2008/3104)*
3. Funding DFGs (England)

Since their introduction, core funding for DFGs comes from central government, although local authorities have made additional contributions. 18

Until 2008/09 DCLG was obliged to meet 60% of whatever local authorities spent on DFGs. Expenditure above these allocations had to be met from other local authority resources. The 60:40 DFG funding split ended in April 2008. The aim of this change was to give authorities increased flexibility to design services that fitted with local delivery arrangements and the needs of individuals.

From 2010/11 to 2014/15 funding for DFGs was paid to local authorities as a non-ring-fenced payment as part of the Single Capital Pot, through a determination under section 31 of the Local Government Act 2003. This meant that funding for several programmes could be pooled together.

3.1 The Better Care Fund

In 2013 the Government announced the creation of the Better Care Fund (BCF), formerly proposed as the Integration Transformation Fund, from April 2015. This is a pooled fund for Clinical Commissioning Groups (CCGs) and Local Authorities (LAs) to jointly commission health and social care services. In 2017-18 the BCF was planned to be worth £5.1 billion, including £431 million of DFG (but see section 3.2 below). In 2018-19, the BCF will be worth £5.6 billion, including a DFG of £468 million. 19

Concerns have been expressed by Age UK that the incorporation of DFGs into the BCF could ration funds to higher need categories rather than those with lower needs for whom the grant could play a key preventative role. 20 Age UK was supportive of the opportunity to use funding for integrated care and support needs, but made the point that only a small proportion of older people who need a DFG actually receive one and that the system involved lengthy delays. 21

The setup of the BCF means that funding is paid directly to the county council; previously, for two-tier councils, the DFG was paid direct by central government to the district council, as the council with housing responsibility. As the charity Care and Repair England has noted, the new arrangement requires a different approach:

This is important because:

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20 Age UK, Housing in later life, July 2014, p7.
21 Ibid
i) It presents an opportunity to consider how to integrate provision of help with home adaptations across housing, health and social care systems to achieve better health and wellbeing outcomes.

ii) In two tier areas the housing authority and the social care authority will have to establish new working relationships to manage the DFG funding because the legal responsibility for provision of DFG (a mandatory grant) remains with the housing authority [ie. Districts/Boroughs], whilst the DFG funding payment from national government is made to the top tier local authority.

iii) In order to meet a range of performance outcomes and to manage local needs, a budget for provision of DFG will usually require contributions from housing, social care and health. The allocation from national to local government is intended to contribute towards meeting local need, but is not expected to meet all local needs.  

In response to a parliamentary question in April 2017, the Minister, Marcus Jones, said that DCLG had included a condition in the 2017-18 DFGs Determination letter stipulating that “upper tier authorities must pass funding for adaptations down to their lower tier authorities promptly, and in full, unless the lower tier authorities have expressly agreed that a portion of the funding can be used for wider social care capital projects.”

3.2 DFG allocations 2009-10 to 2019-20

Funding from central government for DFGs increased from £157 million in 2009-10 to £473 million in 2017-18. Between 2015-16 and 2016/17, funding increased by 79%, and between 2016-17 and 2017-18 it increased by a further 20%. The 2015 Spending Review included a commitment to increase funding for DFGs to £500m in 2019-20, which, it said, will fund around 85,000 home adaptations in that year. It added that the Government expected that the funding will prevent 8,500 people from needing to move into a care home in 2019-20.

The funding for DFGs in 2017-18 includes an additional £42 million that was announced at Autumn Budget 2017. The following councils were allocated the largest share of the additional funding:

- Birmingham (£1,007,785)
- Manchester (£675,147)
- Leeds (£649,541)

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Source: PQ 124901, 2 February 2018; PQ 27551, 29 February 2016.

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22 Care and Repair England, Disabled Facilities Grant Funding via Better Care Funds – An Opportunity to Improve Outcomes, April 2015, p2
23 PQ 71194, 24 April 2017.
24 Autumn Statement 2015, para 1.109
• Liverpool (£590,796)
• Cornwall (£527,533)\textsuperscript{26}

Information on the number of DFGs completed and the average amount per grant for the years 2009/10 to 2014/15 was provided by the then Housing Minister, Brandon Lewis, in response to a parliamentary question in February 2016. The data is provided by local housing authorities in their annual returns but is not audited by MHCLG).\textsuperscript{27}

In its 2018 report on housing adaptations (see section 5.10 below), the Equality and Human Rights Commission cited research from 2016 stating that the average DFG in England and Wales was £7,000, but that 58\% of grants are less than £5,000. It added that only 7\% of grants go to tenants in the private rented sector.\textsuperscript{28}

\begin{table}[h]
\centering
\begin{tabular}{lcccccc}
\hline
\hline
Number of grants completed & 44,102   & 45,383   & 43,986   & 36,874   & 42,586   & 33,922   \\
Average grants awarded      & £3,356   & £3,724   & £4,547   & £5,966   & £4,227   & £5,453   \\
\hline
\end{tabular}
\caption{Disabled Facilities Grants in England, 2009-10 to 2014-15}
\label{tab:dfg}
\end{table}

Source: PQ 27522, 29 February 2016.

\textsuperscript{26} Housing funding boost to make more homes accessible for elderly and disabled people across England, Ministry of Housing, Communities and Local Government, 24 January 2018.

\textsuperscript{27} Disabled Facilities Grants: Written question – 27552, 29 February 2016

\textsuperscript{28} Equality and Human Rights Commission, Housing and disabled people: Britain’s hidden crisis, May 2018, p46.
4. Other sources of assistance

4.1 Chronically Sick and Disabled Persons Act 1970 (CSDP)

In certain circumstances, DFG applicants who are required to make a contribution to all or part of the cost of the works may qualify for financial assistance under the Chronically Sick and Disabled Persons Act 1970 (CSDP). Section 2 of the CSDP places a duty on local authorities to "make arrangements" for all or any of the matters specified in paragraphs (a) to (h) in the case of any disabled person who is ordinarily resident in their area where they are satisfied that this is necessary to meet the needs of that person. Paragraph (e) covers "the provision of assistance for that person in arranging for the carrying out of any works of adaptation in his home or the provision of any additional facilities designed to secure his greater safety, comfort or convenience".

Department of the Environment (DOE) Circular 10/90\(^{29}\) made it clear in paragraph 17 that councils may be under a duty to provide financial assistance under section 2(e) to help with an applicant’s contribution towards adaptation works following a means test. The Circular suggested that, in considering the question of financial assistance, the welfare authority (social services), should not carry out a separate means test, but may consider whether meeting the full cost of the contribution would cause the applicant hardship. Councils have discretionary powers under the Health and Social Services and Social Security Adjudications Act 1983 (s.17) to recover the full cost of any assistance given where the client is deemed able to afford to repay.

4.2 The Regulatory Reform (Housing Assistance)(England and Wales) Order 2002

Local authorities were given extended powers to issue loans and other forms of assistance to DFG applicants under The Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 which came into force on 18 July 2002. Local housing authorities cannot use these discretionary powers unless they have published a policy setting out how they intend to use them.

4.3 Home Improvement Agencies (HIAs)

HIAs advise people on improvements and adaptations to their homes and assist them in applying for local authority grants or loans to carry out the required work. They also help to identify reputable local contractors, helping vulnerable people to avoid ‘cowboy’ builders. They then oversee the work to ensure that their clients are completely satisfied. They are small, locally based not-for-profit organisations,

\(^{29}\) Department of Environment, House Adaptations for People with Disabilities, Circular 10/90, 18 June 1990
although some are part of larger housing and support service organisations or local authorities.

HIAs receive most of their revenue funding from local government through Supporting People (SP) and general housing funds. Under SP, funding decisions are made by local authorities rather than by central government.

Chapter 5 of *Lifetime Homes, Lifetime Neighbourhoods* (February 2008) provided information on work to enhance the role of HIAs in delivering adaptations. Foundations published its report on the future HIA, *Supporting choice and maintaining independence*, in September 2008. The key messages in this report included:

- For over 20 years, HIAs have been successful in meeting older and vulnerable people’s needs, but must adapt to meet the aspirations of CLG’s Strategy for Housing in an Ageing Society, *Lifetime Homes, Lifetime Neighbourhoods*, and develop new markets for their services.
- HIAs will become more diverse as they respond to local needs and priorities. Two ingredients will continue to define the HIA: client-centred support for people to exercise choice over their home environment, and expertise in making changes to the physical fabric of the home.
- Government support will continue for HIAs and their commissioners through the new National Body contract, investment in the Future HIA project, and £33m extra funding for the development of handyperson services and information and advice services.

The Coalition Government provided funding for FirstStop agency which provides advice on housing options for older people and for Home Improvement Agencies:

- Government has also invested £1.5 million in the FirstStop information and advice service which aims to help older and vulnerable people make informed decisions about their housing, care and support options and to help them maintain independent living in later life. In addition, the Government provided £51 million funding for Handypersons schemes over the spending review period to deliver small home repairs and adaptations.

In the July 2012 White Paper, *Caring for our future: reforming care and support*, the Government made a commitment to extend the work of HIAs:

- We have heard that many Home Improvement Agencies rely on referrals from local authorities or Disabled Facilities Grant applications, and do not do enough to reach out to their whole populations. The Government will work with Foundations, the national body for Home Improvement Agencies, to extend their service to more people who fund their own

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31 HC Deb 23 March 2012 78-9WS
32 HM Government, *Caring for our future: reforming care and support*, Cm 8378, July 2012
adaptations and ensure that people obtain timely support in securing appropriate home modifications.33

4.4 Registers of accessible housing

In Lifetime Homes, Lifetime Neighbourhoods the then Government emphasised the need to make the best use of existing adapted housing:

A number of authorities have taken steps to address this situation by developing registers of accessible housing. Such registers contain detailed information about the specific access features of individual properties. This enables an authority precisely to quantify its existing stock of accessible housing and enable more accurate matching with the specific requirements of disabled people. Such registers can achieve significant savings for the public purse. In Cardiff, for example, a register was established, successfully re-housing three hundred disabled people between 2002 and 2005, saving an estimated one million pounds from the disabled facilities grant.

We want local authorities to adopt lettings approaches which give existing and aspiring social housing tenants more choice and control over where they live. So-called choice based lettings (CBL) schemes allow people to apply for vacancies which are openly advertised, for example, in local press or on a website. Ninety-five per cent of authorities in England have already implemented CBL, or plan to do so by our target date of 2010. Where accessible properties are advertised, it is vital that they are properly labelled as to the type and level of access features, so that those with disabilities can select housing which is appropriate to their needs. CBL offers a key opportunity, therefore, to improve information about available accessible housing.

Some CBL schemes already incorporate an Accessible Housing Register. This number is set to increase, both for single local authority CBL schemes, and the growing number of larger CBL schemes which bring together a number of local authority and housing association partners. So, for example, a London-wide Accessible Housing Register is being developed alongside a pan-London choice and mobility scheme. Communities and Local Government has provided £168k to assist London boroughs and RSLs to implement the AHR.

Communities and Local Government will continue to encourage the adoption of Accessible Housing Registers through, for example, the statutory guidance on CBL which is due to be published in early 2008; and will support the dissemination of good practice models, such as the London-wide AHR.

Guidance on choice-based letting schemes was issued in August 2008 and contained a section on providing choice for disabled people with access needs. The Coalition Government issued new guidance on housing allocations for local authorities in England in June 2012: Allocation of accommodation: Guidance for local housing authorities in England. This replaced all previous guidance and, aside from advising that disabled people with access needs should be afforded “reasonable preference” when allocating social housing, it is silent on this issue.

33 Ibid., p28
4.5 The Care Act 2014

The Draft Care and Support Bill 2012 had proposed consolidating existing legislation, including the CSDP, into “a single, clear statute, supported by new regulations and a single bank of statutory guidance” 34

The July 2012 White Paper, Caring for our future: reforming care and support, 35 did not contain proposals to reform the DFG system but said that the Bill would “set out new duties to be placed on local authorities to ensure that adult social care and housing departments work together” with a view to ensuring that adaptations and home repair services join up better with people’s care and support. 36

The Care Act 2014 obtained Royal Assent in May 2014. Section 3(1) of the Act places a duty on local authorities to carry out their care and support services with the aim of integrating those services with local NHS and other health services. During the Act’s progress through Parliament, amendments were tabled by the shadow Health Minister, Jamie Reed, to promote the integration of care and support into the area of housing. These amendments were subsequently withdrawn. 37

Section 6(1) of the Act requires local authorities and their relevant partners to co-operate in exercising their respective care and support functions. Section 7(1) supplements this general duty with a duty to co-operate in specific cases where an individual has care and support needs.

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34 Draft Care and Support Bill, Cm 8386, July 2012, p5
35 HM Government, Caring for our future: reforming care and support, Cm 8378, July 2012
36 Ibid., p27
37 Care Bill [HL] Committee Stage Report, 4 March 2014, p12
5. Are DFGs meeting the need for adaptations?

Research into DFGs has highlighted pressures around funding compared to levels of need for adaptation works. A contributing factor to growing demand for adaptations is identified as the lack of a requirement to build new homes to Lifetime Home standards.³⁸ Currently, local authorities have discretion to require that new housing is built to minimum accessibility standards:

Stephen Lloyd: To ask the Secretary of State for Communities and Local Government, whether his Department plans to meet the target that all new homes should be built to meet the lifetime homes standard by 2030.

Alok Sharma: In October 2015, the Government introduced new requirements to the Building Regulations allowing local authorities to apply a new minimum standard to new housing developments if they feel this is necessary, justified by need, and does not compromise the viability of the development.³⁹

The following sections summarise a selection of studies into the performance of the DFG system and funding levels.

5.1 Building Research Establishment findings (2011)

After the publication of the Labour Government’s interdepartmental review of Disabled Facilities Grants in 2008,⁴⁰ and the implementation of a number of the review’s recommendations, it was recognised that some of the major issues highlighted had not been resolved. These issues related to inequalities; cumbersome processes; long delays; and the overall level of DFG funding.

DCLG commissioned the BRE to assess the allocation process and means testing in more detail. The BRE’s findings were published in February 2011: Disabled Facilities Grant allocation methodology and means test: Final report. It estimated that £1.9 billion (at 2005 rates) would have been needed to provide for those theoretically eligible. This represented more than ten times the available total allocated to England in 2009/10 at £157 million.⁴¹

The BRE’s conclusions are detailed below:

- There is a very large demand for adaptations with the English house condition survey estimating that some 720,000 households living in the private sector or renting from housing associations require some adaptations. Around half of these (367,000) would

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³⁸ Leonard Cheshire Disability, Number of people waiting for disabled-friendly homes increased by 17% in last five years, 23 December 2015
³⁹ Housing Construction: Written question – 118621, 19 December 2017
⁴⁰ DCLG, Disabled Facilities Grant: The Package of Changes to Modernise the Programme, 2008
⁴¹ DCLG, Disabled Facilities Grant allocation methodology and means test, February 2011, p7
18 Disabled Facilities Grants for home adaptations

be eligible for a grant of at least £1,000 under the current means test.

- There is very little information available to assess the need for adaptations to common areas of flats to improve their accessibility for both residents and visitors.

- There is no reliable data to estimate the need for grants for young people aged under 20 or ex-Service personnel for individual local authorities.

- The current allocations model has been widely criticised for its complexity and lack of transparency. It has also resulted in large fluctuations in allocations for a number of authorities from year to year.

- The current system is complex and costly to administer. It has also been criticised for penalising those with higher housing costs and creating work disincentives.42

The report went on to make several recommendations:

- There needs to be further informed debate about whether there should be separate ‘top slicing’ at national or regional level for children and ex-service personnel.

- Need to address the lack of useful information on the configuration and accessibility of flats to help frame a strategy for improving the accessibility of common areas and shared facilities.

- The definition of income needs to be widened to encompass equity. Resources are limited and they need to be targeted towards those who do not have the current income or asset wealth to fund work. Placing charges on properties with large amounts of equity will not affect the current income of the person concerned, nor their entitlement to state benefits and allowances.

- Whilst it is important that there is a fair and transparent processes for distributing disabled facilities grant, English house condition survey analysis has illustrated that there is a very large backlog of need that has not been either recognised or addressed by the current system.

- Need to compile compelling evidence to demonstrate how money spent on adaptations will save money on health and care costs.

- Need to look to ‘smarter’ ways of using the available funds through re-use of equipment like hoists and stairlifts and making more use of removable prefabricated units to provide extra rooms rather than building permanent extensions.43

5.2 Astral Advisory (2013)

The District Councils’ Network (DCN) and the Society of District Council Treasurers (SDTC) commissioned Astral Advisory to carry out research into DFGs. The findings were published in 2013: Disabled Facilities

42 Ibid., pp74-76

43 DCLG, Disabled Facilities Grant allocation methodology and means test, February 2011, pp77-78
Grants in England: a research report. Over 50% of English councils engaged with this work.

Astral concluded that the DFG delivery system was ‘not working well’ and that resources were ‘not deployed as efficiently as they could be.’ These conclusions were based on evidence of customers waiting a long time before receiving approval, and the financial strain placed on district councils with low capital reserves. Astral recommended a shift from an ‘outdated’ system to one in which customers are given more choice about housing options. Specifically, Astral recommended:

- The delivery of DFGs and other aids and equipment by an integrated team with an independent client advocacy role. Potential was identified for the transfer of the role to one organisation to enable better resource planning.
- Local partnerships to develop an adaptations strategy to include information about local funding.
- Improved advice for all applicants, including information about other housing options. There is reference to the development of a national network of independent living centres to allow people to self-serve.
- Adaptations for home-owners to be funded through equity in their homes with a safety net of grants for those with no equity. The Government could establish a national equity loan scheme for DFGs with nationally approved providers.
- Housing associations should fund adaptations in their rented stock.
- Clinical commissioning groups should provide revenue support for housing related preventative work to delay or avoid hospital admissions.

5.3 Leonard Cheshire Disability Charity (2015)

The Leonard Cheshire Disability Charity, in The Long Wait for a Home (2015), found:

- 62% of councils failed to fund agreed adaptations within the one year deadline;
- 44% of councils had people waiting over two years for a grant while eight recorded waits of over four years;
- every year almost 2,500 disabled people wait over a year for adaptations to make their homes accessible;
- demand for DFGs is growing faster than councils’ ability to meet it. Applications have risen by 6% since 2011/12 but the number of adaptations funded has only risen by 3% over the period.

The charity went on to recommend that councils should:

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45 Ibid.
46 Leonard Cheshire Disability Charity, The Long Wait for a Home, April 2015, p2
ensure no disabled person waits longer than 18 months for essential adaptations to their home;

increase their spending on DFGs to ensure that all eligible disabled people receive grants within the legal time limit. This will also reduce the pressure on social care budgets;

prioritise disabled-friendly homes and adaptations when making Better Care Fund plans; and

ensure that all new homes are built to Lifetime Homes standards and 10% of new homes are built to full wheelchair accessible standards.47

The Charity called on the Government to increase funding for DFGs by 5% every year to address growing demand.48

In separate research by the Leonard Cheshire Disability Charity, it found that in 2014 about 300,000 disabled people were ‘stuck’ on housing waiting lists across the UK and forced to ‘make do’ in accommodation that did not meet their needs.49 Freedom of Information requests submitted to 325 local authorities in England elicited 311 responses and showed that, between 2010 and 2015, the number of disabled people on housing waiting lists in England increased by over 17%. Over the same period the total number of people waiting for a home fell by 21%.50 The Charity concluded that “We have found thousands of disabled and older people are trapped in unsuitable homes, unable to move around freely.”51

5.4 Muscular Dystrophy UK (2015)

Muscular Dystrophy UK has warned that local authorities are failing to act in providing accessible housing for people with muscle-wasting conditions, which is, in turn, leading to ‘a mounting housing crisis’.52 This lack of wheelchair-accessible housing has, according to research published in 2015, led to some households accruing substantial debts and spending their savings on adapting their homes. Over a third of those surveyed faced “serious financial hardship” as a result of trying to adapt their homes.53 Others were left in properties in which they could not use essential facilities e.g. bathrooms and kitchens.

The report recommended that:

- DCLG and local authorities act immediately to increase the building of accessible properties. For example, one local council (Harlow) had 166 people on their waiting list needing wheelchair accessible housing, and no available properties.

47 Leonard Cheshire Disability Charity, The Long Wait for a Home, April 2015, p4
48 Ibid.
49 Leonard Cheshire Disability Charity, No Place like Home, 1 December 2014
50 Leonard Cheshire Disability, Number of people waiting for disabled-friendly homes increased by 17% in last five years, 23 December 2015
51 Ibid.
52 Muscular Dystrophy UK, Breaking point: the crisis in accessible housing and adaptations, September 2015
53 Ibid.
• Government to increase the statutory maximum grant available for DFGs, and ensure that this figure moves up in line with inflation. The maximum DFG grant was last raised in 2008, from £25,000 to £30,000. This means that whilst the costs of adaptations have gone up during that time, the money available from councils to fund them has stayed the same.

• Local authorities to make more use of ‘discretionary payments’ for DFGs, and for all local authorities to have a policy to consider requests for these payments. Local authorities have the power to top up a DFG through a ‘discretionary payment’. However, in reality, very few of these requests are approved and discretionary funding is notoriously difficult to access. Over a third of local authorities had awarded no discretionary payments for DFGs, and many had a policy not to offer discretionary payments at all.

• Local authorities to apply criteria on ‘minimum residency periods’ with greater flexibility.

• All local authorities to hold a register of accessible properties.\(^{54}\)

5.5 Communities and Local Government Select Committee (2017)

As part of the Committee’s inquiry into Adult Social Care over 2016-17 the role of DFGs was considered. The Committee recommended a review of the operation of DFGs, citing evidence suggesting “that beneficiaries found the process slow and cumbersome, had little say in the adaptations and doubted that it was always good value for money.”\(^{55}\)

The Government’s response said:

The Department for Communities and Local Government, and the Department of Health, keep the operation of the Disabled Facilities Grant under regular review. We will carefully consider the Committee’s recommendation as part of this ongoing work.\(^{56}\)

5.6 Local Government Ombudsman (2016)

In a report issued in March 2016 the Local Government Ombudsman said “People with disabilities are being left for too long in unsuitable homes because of problems with councils’ Disabled Facilities Grants processes.”\(^{57}\) Making a house a home: Local authorities and disabled adaptations outlines some common problems that applicants experience with the DFG process and good practice guidance for local authorities.

5.7 Cerebra and Leeds University School of Law (June 2017)

In June 2017, Cerebra, a charity set up to improve the lives of children with neurological condition, and the Leeds University School of Law

\(^{54}\) Muscular Dystrophy UK, Breaking point: The crisis in accessible housing and adaptations, September 2015, pp6-7

\(^{55}\) Adult Social Care, HC 1103, March 2017, para 124.

\(^{56}\) CM9501, October 2017, para 62.
published the report of a small-scale pilot study “of the economic and well-being impact of building adaptations to family homes to accommodate the needs of young people with Autistic Spectrum Disorder.

The report highlighted the positive impacts that adaptations can have in terms of building resilience in disabled people and empowering them to live more independently, thereby reducing stress and improving mental health. It noted that, while legal entitlement to support is ‘impairment neutral’, research suggests that local authorities are reluctant to agree funding where there is no physical disability.

The report acknowledged the increased funding from central government for DFGs but stated that it was unclear whether all of the DFG allocation within the Better Care Fund was being used by local authorities for housing adaptations. It also noted that local authority contributions to DFGs have decreased since 2010.57

Regarding the adaptations included within the pilot study, the report stated:

- The adaptations had avoided the need for the young people to become Looked After Children (LAC); the study suggested that possibly 14 years of LAC funding had been avoided.
- The most commonly mentioned well-being benefit of the adaptations for the young person was that the young person had space to relax and be safe. The most commonly cited benefit for parents was that they felt under less pressure and healthier. The “most compelling” well-being findings concerned the disabled children’s siblings, who had been enabled to have safe space for themselves.
- All families stressed the importance of an independent advice and support agency to help with the process of applying for a home adaptation.
- Problems exist for local authority staff trying to facilitate adaptations, as the work is generally funded from housing budgets but the consequent savings are evident in social services and NHS budgets.58

5.8 Centre for Ageing Better (November 2017)

In November 2017, the Centre for Ageing Better published Room to Improve, a review of the published literature, providing analysis of the evidence on the importance and effectiveness of home adaptations:

In summary, we found that both minor and major home adaptations can improve a range of outcomes for people in later life, including improved performance of everyday activities, improved mental health and prevention of falls and injuries,

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58 Ibid, p3.
especially when done in combination with any necessary repairs, delivered in a timely manner and in line with people’s personal goals.\textsuperscript{59}

5.9 Housing, Communities and Local Government Select Committee (February 2018)

The Committee launched an inquiry into housing for older people in September 2017. The report of the inquiry was published in February 2018 and included reference to the previous Committee’s work over 2016-17 (see section 5.5). The Committee again heard evidence about long waiting times and a “clunky process” – there was also concern that the maximum grant limit of £30,000 is insufficient to cover substantial adaptation work. The Committee recommended:

The DFG has a very important role to play in making older people’s homes accessible and enabling them to maintain their independence. We welcome the Department’s commitment to review the operation of the DFG and recommend the review should also look specifically at:

- Ensuring that adaptations are implemented within a reasonable period of time;
- How to encourage local authorities to innovate in their approach to implementation; and
- The level at which the cap is set.\textsuperscript{60}

Noting the particular difficulties that people living in private rented housing face in securing landlords’ agreement to adaptations the Committee also recommended:

We recommend that the review of the DFG should consider how to ensure that older tenants in the private rented sector secure the adaptations they need. In particular, it should consider the case for allocating government funding to local authorities to make discretionary payments to landlords for the costs of reinstatement or removal of the adaptation once the tenancy has ended.\textsuperscript{61}

5.10 Equality and Human Rights Commission formal inquiry (2016-2018)

On 14 December 2016 the Equality and Human Rights Commission (EHRC) \textit{launched a formal inquiry} into housing for disabled people. The inquiry covered England, Scotland and Wales. The report of the inquiry, \textit{Housing and disabled people: Britain’s hidden crisis}, was published in May 2018.\textsuperscript{62}

The report highlighted the increased funding for DFGs as “an important step”, but stated that installing home adaptations “involves

\textsuperscript{59} Centre for Ageing Better, \textit{Room to Improve}, November 2017
\textsuperscript{60} \textit{Housing for Older People}, HC 307, February 2018, para 43.
\textsuperscript{61} Ibid., para 45
\textsuperscript{62} \textit{EHRC}, 14 December 2016
unacceptable bureaucracy and delay”. Disabled people, it said, “are often left waiting for long periods of time, even for minor adaptations.”

A survey conducted as part of the inquiry found that the average time between application and installation of a home adaptation was 22 weeks, but that some local authorities had waiting times of over a year. Disabled people, the report said, also “face particular problems in the private rented sector”, with reports of private sector landlords being reluctant to allow adaptations.\textsuperscript{63}

The report called on local authorities in England, Wales and Scotland to “urgently address the bureaucratic hurdles and delays that exist within adaptations systems, to ensure that low-cost, minor adaptations can be installed quickly and easily.” It also called on governments in all three countries to provide additional funding to disabled people’s organisations and advice agencies to increase the supply of independent advice, with a particular focus on the private rented sector.

The report additionally stated that:

- There are concerns that the £30,000 limit for a DFG in England insufficient and causes delays, as disabled people have to find additional funding for major adaptations.
- There is a reluctance among disabled people to ask private landlords for adaptations. Reasons for this include a lack of knowledge about the funding available.
- Much of the new housing being built in England is built for private rent and is generally built to a lower accessibility standard. This is “storing up problems for the future, as this housing will likely be impossible to adapt cheaply.”
- Many buy-to-let mortgages specify a 12-month maximum tenancy, meaning that private landlords cannot agree to the three year requirements of a DFG.\textsuperscript{64}

**Box 1: Approval rates for applications for home adaptations**

The EHRC’s survey showed that in 2015/16 the average local authority in Britain received 194 applications to provide adaptations to homes. The trend in the number of applications has been broadly flat since 2013/14. Regarding acceptance and refusal rates, the report stated:

- In England, local authorities approve 75% of applications for DFGs; in Wales the figure is 90%.
- The average local authority in England rejects around 4% of applications, compared with less than 1% in Wales. However, about 6% of authorities in England reject more than a quarter of applications.
- In Scotland, 36% of applicants are awarded grants at 100% of the cost, and 59% are awarded grants at 80% of the value of the adaptation. 1% of applications are refused.

- Challenges in making timely adaptations identified by local authorities included:
  - Difficulty in finding reliable sub-contractors


\textsuperscript{64} For a DFG, the owner of a property must agree to the adaptations being carried out, and the tenant must confirm their intention to live in the property as their only or main residence for at least three years.
Internal capacity limitations
Disabled people finding it hard to navigate the system
The ‘arbitrary nature’ of the means test
Difficulties in persuading landlords to allow adaptations
A shortage of occupational therapists, creating a bottleneck

• Only allowing a DFG application every five years as currently means that people often have to wait until their full range of needs have been identified. This prevents them from getting basic adaptations done quickly to allow them to return home and avoid getting ‘stuck’ in hospital.

• Disabled people report that requests for adaptations to common parts were sometimes refused ‘unreasonably’, even when there was no cost to the other people living in the premises.65

5.11 Centre for Ageing Better (2018)

Homes that Help (July 2018) “summarises the findings of a primary research project exploring the lived experiences of individuals who use home adaptations, and practitioners who work alongside them.” The authors concluded:

We found that people delay making vital changes to their homes because of the clinical appearance of adaptations and their association with vulnerability and loss of independence. Once the decision is made to adapt the home, people are largely unaware of how to access home adaptations, and the process is so complex that even professionals struggle to navigate it easily.

While there has been an increase in funding, local authorities are experiencing delays due to a lack of staff or contractor resources to support the process. Despite these delays and complexities in the process, the majority of participants experienced positive outcomes having made vital changes to their home, including fewer falls, ‘getting back to normal’ and reclaiming their home and garden.

There has been a noticeable shift and increase in interest at local and national policy level on the benefits of adapting the home. This includes plans to reform social care, a review of the Disabled Facilities Grant and the Communities and Local Government Committee’s call for a national strategy on housing for our ageing population. The Industrial Strategy Grand challenge on healthy ageing includes a stated ambition from Government to support more people to stay happy, healthy and independent in their own homes for longer. This includes a focus on innovative products and services, housing and funding models to support this goal.

Government is starting to listen and generate change, but there is much more to do to continue to make the case for the role of home adaptations and their positive, often life-changing, impact.66

The Local Government Association responded to the publication of the Centre’s report:

66 Centre for Ageing Better, Homes that Help, July 2018, p17.
Councils are working hard to provide housing adaptations and mobility aids which are vital to help keep people safe and independent in their homes and prevent avoidable admissions to hospital and care homes.

To help address requests for home adaptations the Disabled Facilities Grant needs to be fully funded to keep pace with demand. Government also needs to plug the £3.5 billion funding gap facing adult social care by 2025 and reverse the £600 million in reductions to councils’ public health grants between 2015/16 and 2019/20.

There is a shortage of homes suitable for older and disabled people and people in vulnerable circumstances. To help address this councils need to be given greater planning powers and resources to hold developers to account, ensuring that they build the right homes in the right places needed by different groups within the local community.

Government needs to work with councils and housing associations to provide a sustainable funding framework through which to offer the certainty and clarity to invest in the future development of housing for people with a range of needs.

The housing borrowing cap should be also lifted so all councils can be allowed to borrow to build as this will help address the growing number of people, including those with disabilities, living longer with increasingly complex needs.67

67 LGA Press Notice, 5 July 2018
6. DFGs in Wales

As noted earlier, the DFG system in Wales is the same as that in England although the maximum grant is higher at £36,000. Expenditure on DFGs in Wales is around £35 million a year. There is also annual Welsh Government funding of around £8 million on Physical Adaptations Grants (PAG) for social tenants.68

The Research Service of the Welsh Assembly has produced a factsheet for constituents seeking assistance with adaptations.

The Welsh Government commissioned Shelter Cymru to undertake a review of the provision of independent living adaptations within Wales in 2014. A Review of Independent Living Adaptations was published in 2015. The review identified similar issues to those in England, for example:

- The system is complex and fragmented with different funding streams for different tenures.
- The means test is time-consuming and inequitable.
- There is a lack of information for service users.
- Applicants can experience delays in receiving a DFG.69

Shelter Cymru concluded that:

…a ‘one system’ approach to adaptations should be a guiding principle for policy development and moving towards a staged adoption of universal provision of adaptations (Minor adaptations up to £1,000 all tenures; Mid-level adaptations between £1,000 and £5-7,000 (precise level to be negotiated with local government); and Major adaptations above £5-7,000), without means testing in the long term.70

Previous reviews of the home adaptation service had also recommended changes; for example, the Assembly’s Equality and Human Rights Committee identified the following themes in a 2009 report:

- Inequality across Wales and across housing tenure.
- Workforce issues, skills mix and cross sector working.
- Performance Management Data.
- Resources.
- Bureaucracy.
- Identification and sharing of good practice.71

The Wales Audit Office published Housing Adaptations in February 2018 in which it concluded:

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68 Shelter Cymru, A Review of Independent Living Adaptations, 2015
69 Ibid.
70 Ibid.
71 Still Waiting: Home Maintenance and Adaptations Services for Older People in Wales, 2009
…that user satisfaction with housing adaptations masks a hugely complicated, reactive and inequitable system that is not delivering for all those who may need it.\textsuperscript{72}

In response to this report, the Chair of the National Assembly’s Public Accounts Committee, Nick Ramsay AM, issued the following statement:

Housing adaptations are important in helping older and disabled people maintain their independence, but today’s report shows that due to the complexity of the current delivery system, people get very different standards of service because of where they live and not what they need.

The report’s findings highlight a range of weaknesses and highlights that the Welsh Government, local authorities, housing associations and their partners need to improve how they deliver services to some of the most vulnerable people in society.

It is critical that action is taken now to ensure public money is spent wisely and vulnerable people are provided with the help they need.

The recommendations in today’s report will help the Welsh Government and public bodies to address the long-standing weaknesses identified in the Auditor General’s review and follow on from the recent work of the Public Accounts Committee on housing associations.\textsuperscript{73}

\textsuperscript{72} Wales Audit Office, \textit{Housing Adaptations}, 22 February 2018
\textsuperscript{73} National Assembly for Wales, 22 February 2018
7. Scotland

Scotland operates a different scheme of assistance to that in England, Wales and Northern Ireland.

Financial assistance is available for homeowners where the adaptation is deemed to be essential. A non-means tested grant will cover 80% of the cost of the works. In some cases, e.g. where the applicant is in receipt of certain benefits, the grant will cover 100% of the cost of the works. There is no upper limit to the cost of the works but the local authority will check that the proposed cost is reasonable.

The Scottish Government has published a series of guides on the assistance available to residents in different tenures:

- [Funding Adaptations to the Home: A Guide for Homeowners](#)
- [Funding Adaptations to the Home: A Guide for Local Authority Tenants](#)
- [Funding Adaptations to the Home: A Guide for Housing Association Tenants](#)
- [Funding Adaptations to the Home: A Guide for Private Tenants](#)
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