



**COFNOD O BENDERFYNIAD DIRPRWYEDIG Y SWYDDOG HANFODOL  
RECORD OF KEY OFFICER DELEGATED DECISION**

**Penderfyniad Allweddol | Key Decision** ✓

**PWNC | SUBJECT:**

Proposal for RCT to remove the means test on small and medium sized Disabled Facilities Grants.

**DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT:**

To provide details on a proposal for Rhondda Cynon Taf County Borough Council (RCT) to remove the means test on small and medium sized Disabled Facilities Grants (DFGs) from March 2022.

**PENDERFYNIAD WEDI'I DDIRPRWYO | DELEGATED DECISION:**

It is AGREED that:

RCT removes the need to means test on small and medium sized Disabled Facilities Grants (DFGs) from March 2022 and RCT uses its powers under the Regulatory Reform Order 2002 to deliver discretionary non means tested DFGs from March 2022.

**Llofnod y Prif Swyddog**  
Chief Officer Signature

Simon Gale

**Enw (priflythrennau)**  
Name (Print Name)

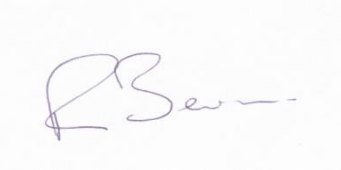
21.3.2022

**Dyddiad**  
Date

**Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.**

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

**YMGYNGHORI | CONSULTATION**



\_\_\_\_\_ 21.03.22 \_\_\_\_\_

**LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET**  
CONSULTEE CABINET MEMBER SIGNATURE

**DYDDIAD | DATE**



\_\_\_\_\_ 21.03.22 \_\_\_\_\_

**LLOFNOD SWYDDOG YMGYNGHOROL**  
CONSULTEE OFFICER SIGNATURE

**DYDDIAD | DATE**

**RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.**

**A YW'R PENDERFYNIAD YN UN BRYD A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:**

**IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:**

**YDY | YES      NAC YDY | NO<sup>v</sup>**

**Rheswm dros fod yn fater brys | Reason for Urgency:**

.....

***Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:***

*If deemed urgent - signature of Presiding Member or Deputy Presiding Member or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:*

.....  
**(Llywydd | Presiding Member)**

.....  
**(Dyddiad | Date)**

**DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.**

**NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.**

**AT DDEFNYDD Y SWYDDFA YN UNIG | FOR OFFICE USE ONLY**

**DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES**

**CYHOEDDI | PUBLICATION**

**Cyhoeddi ar Wefan y Cyngor | Publication on the Councils Website:-** 24.03.22

**DYDDIAD | DATE**

**GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION**

**Nodwch: Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.**

**Note:** This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

**Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar / Subject to Call In the implementation date will be**

30.03.22

**DYDDIAD / DATE**

**WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION :✓**

**Rhagor o wybodaeth | Further Information:**

Cyfadrn   Directorate:	Prosperity and Development
Enw'r Person Cyswllt   Contact Name:	Derek James
Swydd   Designation:	Service Director
Rhif Ffôn   Telephone Number:	01443 281115

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**KEY DELEGATED DECISION**

**REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR OF PROSPERITY  
AND DEVELOPMENT**

**MARCH 2022**

**PROPOSAL FOR RCT TO REMOVE THE MEANS TEST ON SMALL AND  
MEDIUM SIZED DISABLED FACILITIES GRANTS**

**Author: Derek James, Service Director – Prosperity and Development (Tel:  
01443 281115)**

**1.0 PURPOSE OF THE REPORT**

- 1.1 This report provides details on a proposal for Rhondda Cynon Taf County Borough Council (RCT) to remove the means test on small and medium sized Disabled Facilities Grants (DFGs) from March 2022.

**2.0 RECOMMENDATIONS**

It is recommended that:

- 2.1 RCT removes the need to means test on small and medium sized Disabled Facilities Grants (DFGs) from March 2022.
- 2.2 RCT uses its powers under the Regulatory Reform Order 2002 to deliver discretionary non means tested DFGs from March 2022.

**3.0 REASONS FOR RECOMMENDATIONS**

- 3.1 On the 10<sup>th</sup> March 2021, the Minister for Housing and Local Government, Julie James, wrote to every local authority in Wales asking them to consider using their powers under the Regulatory Reform Order 2002 to award grants without applying a means test for all small and medium sized work (Appendix A). This report has been produced in response to this.
- 3.2 Reducing barriers so disabled people can maintain their independence, safety, and good health, allows them to continue to live at home with dignity and it also reduces pressure on our health and social care services. It will be simpler for disabled people to get help with small and medium sized adaptations to their homes by removing the means test from small and medium Disabled Facilities Grants.

## **4.0 BACKGROUND**

- 4.1 Every Council has a duty to consider all applications for DFGs which are administered under the Housing Grants, Construction and Regeneration Act 1996 (as amended) and specific details of the grant are contained within the Act of Parliament and associated guidance.
- 4.2 DFGs are available to adapt a property to suit the particular needs of a disabled person who resides at the property. Assistance is given to; facilitate access, provide suitable facilities, make a building safe for use and make environmental improvements. The grant enables disabled and elderly people to continue to live independently within their own homes.
- 4.3 All applications for assistance are subject to an assessment of need by the Council's Community Occupational Therapist (OT) or an Occupational Therapy Assistant (OTA).
- 4.4 The maximum grant assistance available is £36,000 per property.
- 4.5 An adult application will be subject to a test of the applicant's financial resources (means test) to determine their financial contribution towards the cost of the adaptation. The test is a legal requirement and is carried out in accordance with the Reduction in Grant Regulations.
- 4.6 During 2020/2021, 229 DFGs were approved by the Housing Grants department, this was significantly lower than the previous year as only essential adaptations could be carried out on homes due to the Covid-19 pandemic. This created an initial backlog of cases, however when restrictions were lifted, these works were then able to be carried out during 2021/2022 following government guidelines, such as social distancing and the wearing of facemasks.

## **5.0 PROPOSAL**

- 5.1 On the 10<sup>th</sup> March 2021, the Minister for Housing and Local Government, wrote to every local authority in Wales asking them to consider using their powers under the Regulatory Reform Order 2002 to award grants without applying a means test for all small and medium sized work (Appendix A).
- 5.2 Small adaptations would include work such as grab rails, stair rails, small ramps, key safes, outdoor rails or additional electrical sockets.
- 5.3 Medium adaptations would include work such as: walk in showers, stairlifts, large ramps or a combination of adaptations installed as one job.
- 5.4 Large adaptations would include work such as: new extensions, through floor lifts and significant structural modifications.
- 5.5 Across Wales the most recent data shows that small and medium sized adaptations made up the vast majority of DFG's – 1,507 small and 2,214 medium

adaptations, compared to 269 large adaptations. If the requirement to conduct a means test is removed, independent research calculates the cost to local government in Wales would be an additional £238,000, whilst each local authority could save £6,000 - £10,000 in annual administration costs by not carrying out the means test. However, it is also important to note that whilst there may be administrative savings there is also an expectation that removing the means test will result in an increase in DFG's and therefore an increase to administration, an increase in the number of OT/OTA assessments required and an increased spend on community equipment in cases where equipment can be provided rather than a DFG.

5.6 In order to meet this expected increase, Welsh Government have increased the ENABLE grant to all local authorities from April 2021 by £400,000. Following this announcement, RCT have been awarded £396,500 of ENABLE grant funding for 2021/2022, this figure includes a grant uplift of £79,300. The grant uplift has been provided to compensate local authorities for loss of income by not requiring a contribution from service users for small and medium sized adaptations it provides.

5.7 On the 20<sup>th</sup> December 2021, the Minister for Climate Change agreed the local authority Enable grant indicative allocations for 2022-23 to 2024-25. The indicative allocations for RCT are as follows:

	2022-2023	2023-2024	2024-2025
Baseline Enable grant	£317,200	£317,200	£317,200
Grant uplift 2021 & 2022	£158,552	£158,552	£158,552
<b>Total grant available</b>	<b>£475,752</b>	<b>£475,752</b>	<b>£475,752</b>

5.8 The Minister has agreed a three-year settlement to provide stability and security for authorities and to assist with longer term planning and commissioning of adaptation services. However, the total uplift amount will be subject to RCT adopting policies which ensures that service users are not required to contribute to small and medium sized adaptations provided by the authority.

5.9 Performance monitoring data will need to be submitted to WG using the data collection methodology for 'Housing Adaptations Data Monitoring', which will help evidence progress on delivery of the revised service standards. The data collected through this process will be published on an annual basis.

## **6.0 POTENTIAL IMPACT**

6.1 Removing the means test for small and medium DFG's would improve access to adaptations for disabled people, reducing barriers for them to maintain their independence, safety and good health allowing them to continue to live at home with dignity.



- 6.2 However, this will likely lead to an increase in applications to the Council's Adult Services for DFG assessments, potentially adding to an already significant waiting list. In order to mitigate the potential increase in applications, Adult Services have commissioned Care and Repair, at an additional cost, to carry out small and medium DFG assessments for the next 2 years. This will lead to an increase in community equipment provision and cost. This approach will be reviewed on a quarterly basis throughout 2022/2023 to ensure that the service has the capacity and resources to meet this potential increase in assessments.
- 6.3 Furthermore, there is a potential for an increase in DFG referrals made to the Housing Grants Department, due to the increase in assessments being carried out, resulting in an increase in administrative support and surveying. This will also need to be reviewed on a quarterly basis throughout 2022/2023 to ensure that the service has the capacity and resources to meet this potential increase.
- 6.4 Finally, this new policy has the potential to lead to an increase in adaptation building contracts allocated to local building contractors through the Councils Adaptations Framework, therefore supporting the wider economy. However, this will need to be reviewed on a quarterly basis throughout 2022/2023, to ensure that there are enough quality contractors/builders on the framework to carry out the required adaptations to homes in RCT.

## **7.0 EQUALITY AND DIVERSITY IMPLICATIONS**

- 7.1 An Equality Impact Assessment screening test has been completed and indicated that a full Equality Impact assessment was not required at this time, however this will need to be reviewed.

## **8.0 CONSULTATION**

- 8.1 A consultation exercise is not required.

## **9.0 FINANCIAL IMPLICATIONS**

- 9.1 If the Local Authority receives an increase in the number of DFG referrals as expected, due to the removal of the means test on small and medium grants, then this may have an impact on the current DFG and community equipment budgets. The position will be monitored closely and reported to Cabinet via the quarterly performance reports. Commissioning Care and Repair to support the current assessment waiting list and potential additional requests for assessments is being met through existing resources.
- 9.2 Welsh Government have increased the ENABLE grant funding for 2021/2022 to RCT, the grant amount is £396,500, this figure includes a grant uplift of £79,300. The grant uplift has been provided to compensate RCT for loss of income by not requiring a contribution from service users for small and medium sized adaptations it provides.

9.3 Welsh Government have provided indicative allocation for ENABLE grant funding for 2022/2023 to 2024/2025. The grant for each year is £475,752, which includes a grant uplift of £158,552 each year. Again, the grant uplift has been provided to compensate RCT for loss of income by not requiring a contribution from service users for small and medium sized adaptations it provides.

## **10.0 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

10.1 Discussions have taken place with Legal Services and finance to consider the legal implications and legislation and it is considered that the arrangements and terms and conditions of this funding can be administered under the Council's lawful powers.

## **11.0 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.**

11.1 The Scheme will assist RCT to contribute to the delivery all three of the Council's Corporate Plan priorities of economy, people and place. The Scheme will also assist RCT to contribute to six of the seven wellbeing goals that 'The Well Being of Future Generations (Wales) Act 2015' puts in place as follows:

1. A healthier Wales
2. A prosperous Wales
3. A Wales of cohesive communities
4. A resilient Wales
5. A more equal Wales
6. A globally responsible Wales

## **12.0 CONCLUSION**

12.1 Rhondda Cynon Taf under their statutory duties to provide DFGs to eligible disabled people will not change. The Council will use their powers under the Regulatory Reform Order 2002 to make grants without applying a means test for small and medium sized adaptations.

12.2 Large adaptations will continue to be administered with the application of a means test, as per the guidance set out in the Housing Grants, Construction and Regeneration Act 1996 (as amended)

12.3 The proposed changes if agreed, will need to reviewed throughout 2022/2023 to ensure that RCT has the required resources and capacity to meet the need for adaptations to be made to people's homes through the Disabled Facilities Grant.

**Other Information:-**

***Relevant Scrutiny Committee  
Public Services Delivery, Communities & Prosperity***

***Contact Officer: Derek James Tel: (01443) 281115***

Julie James AS/MS  
Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government



Llywodraeth Cymru  
Welsh Government

Local Authority Leaders and Chief Executives  
cc.WLGA

10 March 2021

Dear Colleagues

### **Removing the means test on small and medium Disabled Facilities Grants (DFG)**

We know that reducing barriers so disabled people can maintain their independence, safety and good health allows them to continue to live at home with dignity, and it also reduces pressures on our health and social care services. From April 2021 it will be simpler for disabled people to get help with small and medium sized adaptations to their homes as we take measures to remove the means test from small and medium Disabled Facilities Grants (DFG).

DFGs are the main source of help for disabled people in the great majority of households in Wales, those which are owner occupied or in the private rented sector. This is the main way in which those disabled people get help with the most common types of adaptations, such as stair lifts, ramps and downstairs toilet and washing facilities. We must do everything we can to remove barriers so disabled people can maintain their independence, safety and good health. This not only allows them to continue to live at home with dignity, it reduces pressures on our health and social care services.

Our most recent data shows us that small and medium sized adaptations made up the vast majority of DFGs – 1,507 small and 2,214 medium adaptations, compared with just 269 large adaptations. If the requirement to conduct a means test is removed, independent research calculates the cost to local government in Wales would be an additional £238,000, whilst each local authority would save £6,000-£10,000 in annual administration costs. This research by the Wales Centre for Public Policy has been published on their website today.

Local authorities are under statutory duties to provide DFGs to eligible disabled people and this will not change. However, they can use of powers under the Regulatory Reform Order 2002 to make grants without applying a means test. For this reason, I am increasing the Enable grant to local authorities from April 2021 by £400,000, to £4.4 million. This additional grant can be used to meet the capital pressures and address any potential bottlenecks as a result of increased demand. I feel confident that working together with local authorities we can continue to improve access to adaptations for those who need them, as well as reduce waiting times.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The adaptations themselves should continue to be funded from the capital the Welsh Government distributes to local government to meet the cost of DFGs.

We will monitor the impact of this policy over an initial three year period. We will need to collect information about the numbers of applications for DFGs, completion rates and waiting times. We will report on progress annually.

It will be a condition of the Enable grant that local authorities do not means test small and medium DFGs. I expect local authorities to comply for the benefit of disabled people who live in their areas. If, in due course, we find we need to, we do have the option of legislating in the next Senedd.

In relation to the small number of large adaptations carried out each year, I wish to highlight the amended the guidance for the Integrated Care Fund (ICF) capital programme for 2021/22 which I issued in January. Large adaptations are usually only required in complex cases, such as families with disabled children and adults with life-limiting diseases. Resolving the financial issues can be very time consuming, leading to significant and unnecessary continuing distress. Under the amended ICF guidance, Regional Partnership Boards are now able to use their discretion to meet the additional costs of adaptations which cost more than £36,000. I will be monitoring how much use is made of this flexibility over the coming year.

Finally, I would like to take this opportunity to thank the members of the Housing Adaptations Steering Group, including local authority housing officials and the WLGA, for their work in bringing us to a point where we can take such an important step to improving the lives of disabled people in Wales.

Yours sincerely



**Julie James AS/MS**

Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government

Attached: revised Housing Adaptations Service Standards