

Aids and Adaptations Policy 2022-2027

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1.0 Foreword by Cllr Elizabeth Kangethe, Cabinet Member and Champion for Disabled People

The London Borough of Barking & Dagenham is committed to ensure that every resident has a fair opportunity to succeed in a rapidly changing world. One of the key themes of the Borough Manifesto, Barking and Dagenham Together, is an emphasis on Barking and Dagenham being a place which supports residents to achieve independent, healthy, safe and fulfilling lives.

The Government's Disabled Facilities Grants (DFGs) makes it mandatory for the Council to provide grants to disabled residents to enable them to make changes to their home. This does, however, depend on a resident's income and savings, and the amount a resident can receive is capped at £30,000, with some resident's having to contribute towards the cost of any works.

Whilst the Council has been delivering mandatory DFGs to its residents, we recognised that many disabled residents may not qualify for a mandatory DFG, and that the limitations of the mandatory DFGs may result in the funding being insufficient or not diverse enough to meet other related costs. The mandatory requirements do not explicitly consider the variety of needs of our residents living in Barking and Dagenham.

As the Champion for Disabled People, I believe it is paramount to have a comprehensive, fair, and attainable local Aids and Adaptations Policy, designed to support all disabled people to continue living safely and independently in their homes with privacy and dignity for as long as possible, or, if this is not possible or practical, to assist them in finding suitable alternative accommodation.

I therefore fully support the implementation of the Council's new Aids and Adaptations Policy, which includes six additional discretionary grants, designed to reach more disabled residents and diverse enough to meet costs that the mandatory DFGs could not cover.

The discretionary grants are subject to the funding allocated to the Council each year and whilst mandatory DFGs must be awarded, the Council is committed to maximise the discretionary use of this funding to support as many of our disabled residents to live safely and independently in their homes as possible. We cannot predict how the Government will allocate future DFG funding; however the objective of this policy is to support as many residents as possible to achieve independent, healthy, safe and fulfilling lives, with the limited funding we have, for as long as it is available.

As a Council we remain resolute in our commitment and duty to address the local needs of Barking and Dagenham residents now and in the future and I truly believe we can achieve this with the new Aids and Adaptations Policy; ensuring that no one is left behind.

2.0 Introduction

This policy sets out how Barking and Dagenham Council (the Council) will offer financial help for adapting homes in the Borough, together with the conditions and eligibility criteria associated with each type of assistance. Its aim is to support residents to improve their health and wellbeing by addressing problems with unsuitable homes that do not meet their needs.

The amount of discretionary assistance to be given each year will be determined by the Council and will be dependent upon the level of resources available.

Assistance delivered through this policy will also help us to achieve the aims and objectives of the Council as set out in several of its strategies and plans; helping to deliver actions and make improved living a reality for residents.

Ensuring that homes are decent, accessible, safe, and secure is not only important for the health and wellbeing of residents but is vital for the sustainability of communities. In a period of increasing pressures on resources it is important to target assistance to meet the needs of the most vulnerable residents in the borough.

This policy and its provisions apply to any residents living in owner-occupied homes, housing association and private rented tenants (referred to as tenants in this policy). Assistance for tenants of Barking and Dagenham Council is defined within a separate policy.

3.0 Legal Context

The **Housing Grants, Construction and Regeneration Act 1996** (the 1996 Act) places a statutory duty on Local Authorities to help qualifying disabled people¹ for home adaptations. These works (called eligible works) must be considered “necessary and appropriate” to meet their needs and “reasonable and practical” regarding the age and condition of the property. These are called Disabled Facilities Grants (DFGs).

As well as these mandatory grants, Local Authorities also have the general power under the **Regulatory Reform (Housing Assistance) (England and Wales) Order 2002** (the RRO) to give assistance for home repairs, improvements, and adaptations for the purpose of improving living conditions in its area.

Funding for this assistance is provided through the Better Care Fund (BCF) which combines money from health and social care budgets to deliver health and care services. Any assistance provided from this fund must only be used for the specific purpose of funding adaptations for disabled people who qualify for a Disabled Facilities Grant made under the 1996 Act or the RRO.

The Care Act 2014 requires local authorities to identify, provide and arrange services, facilities and resources to prevent, delay or reduce the needs of individuals either for care or support. This includes the adaptation of properties.

¹ These are defined as disabled under section 100 of the Housing Grants, Construction and Regeneration Act 1996

Under the **Housing Act 2004**, Local Authorities have a duty to keep housing conditions under review, including having regard to hazards that might be dangerous or prejudicial to health for certain vulnerable groups.

The **Social Care White Paper “People at the Heart of Care²”** outlines several ambitions that the Government intends to introduce in the coming months/years and this policy will need to reflect those changes. However, many of the changes relating to the DFG that are outlined in the paper are subject to public consultation and therefore this policy remains relevant to enable the council to deliver against its corporate priorities and promises to residents. The Paper emphasizes the close links between housing and social care and includes an ambition to make “every decision about care a decision about housing”. This increased emphasis on linking housing with care provides a solid foundation for the aims and ambitions set out in this policy.

4.0 Local Context

Barking and Dagenham has become one of the fastest-changing communities in Britain. The population was estimated to be 224,407 in 2022; an increase of 10% over the last ten years, and 7% over the last five years; GLA statistics projects the population will increase to 319,620 people by 2047.

Barking and Dagenham had the highest overall deprivation score in London and 17th highest in England (IMD 2019; MHCLG). People in the borough die earlier, have poorer health and lower levels of education and skills than across London whilst too many residents are in low paid work and struggle to find suitable homes they can afford. Unemployment remains high and one in five dependent children in the borough live in a lone-parent household.

In 2020/21, there were 2,842 adults accessing long-term care and support in Barking and Dagenham.

Currently it is estimated that the number of those ages 65 or more in B&D is at 18,486; It is forecasted that by 2047 there will be 319,620; this would be a 42% increase in the over 65s and in the over 85s demographics the GLA data suggests that the population of B&D will increase from an estimate of 3,070 population of 85 or more in 2022 to more than double in 2047 to 6,532 in 2047; this highlights the borough’s ageing population.

Older people and carers often experience social isolation in Barking and Dagenham. one in four people between 64 -75 years and half of over 75s live alone in Barking and Dagenham.

There are currently 357 people in the borough with a long-term primary support reason of memory and cognition in receipt of services from Adults’ Care and Support. However, there is a projected growth of dementia of 4% over the next 5-10 years, some of which will be due to earlier diagnosis and some due to increasing life expectancy.

The age of the community is changing with the highest birth rate in London, and a large proportion of young people (31% of the local population estimates) this suggests that Barking and Dagenham has the highest proportion of under 18-year-olds in the London. The borough becomes more diverse each year with 67% of the resident population identified as non-White British, compared to 19% in 2001.

² <https://www.gov.uk/government/publications/people-at-the-heart-of-care-adult-social-care-reform-white-paper>

The borough is also very diverse with 83% of pupils attending schools identifying as black and minority ethnic backgrounds.

Barking and Dagenham is a young borough, with around 63,400 children and young people under the age of 18, 30% of the total population, the highest proportion in the UK. 74% are from ethnic minorities and the proportion of children and young people who speak English as an additional language is more than 2.5 times than the national average. This level of diversity is even more prominent among the younger population, where four in five children are not from a White British background. 23.8% of children under 16 in the borough are living in low-income families, an increasing proportion, and way above England average of 17.1%.

The council strives for the borough to be a place in which residents are supported to achieve independent, healthy, safe, and fulfilling lives. The healthy life expectancy of residents is 60.1 and 62.5 years of age for males and females respectively, this contrasts with the London averages of 64.2 and 64.4 years old for male and females, respectively. Residents of Barking and Dagenham are spending a greater proportion of their lives in ill health and therefore increasing the demand on social care and health services.

The assistance outlined in this policy aims to support people to remain living independently in their homes for as long as they wish to, and it is safe for them to. The assistance also supports the priority of the Better Care Fund Plan for 2021-22 which is for Community Support and Independence and aims "To support people to remain well in the community and maximise their independence and reduce admissions".

5.0 Equality and Diversity

The Council is committed to fulfilling its roles as an employer, service provider, purchaser of goods and services and community leader without discrimination. We will apply this policy fairly and give equal treatment regardless of age, disability, gender, sexual orientation, transgender status/gender reassignment, race and religion/belief. All members, employees and agents of the Council must seek to eliminate discrimination and promote equality and good relations between all groups. The Council's equality information can be found on the council's website - [Equality and diversity | LBBD](#).

We want to improve the lives and well-being of everyone in the Borough. This policy is particularly relevant for anyone who has a disability or long-term condition. Our aim is to ensure that people have a safe and suitable home and immediate surrounding areas so that they can live independently in their current home for as long as is possible.

The Council and its agents will record and monitor data to gain insight on the impact of this policy on diverse customers and help improve operational processes.

6.0 Principles of assistance

The Council recognises that the primary responsibility for repairing and maintaining a property rests with the owner³. However, the Council has certain statutory responsibilities to

³ The owner' is defined as the owner occupier or landlord.

fulfil and must also take steps to protect and assist vulnerable members of the community whilst providing advice to all residents to help them maintain their own homes and utilise government funding where appropriate.

The Council provides support to older and disabled individuals, and their carers, to help them to remain living independently, confidently safely and with dignity in their own homes. Housing assistance can help to reduce the impact of a disabling environment and therefore maximise independence. It can help to prevent or delay the need for care and support, both of which are central themes of the Care Act 2014.

In addition, housing assistance provides support to carers in their caring role and underpins a wide range of customer and carer outcomes including improved safety, greater independence, personal resilience, and well-being.

7.0 Summary of Types of Assistance available

The following assistance is available from the council to residents in the Borough:

- Mandatory Disabled Facilities Grants (DFGs)

These are grants that local authorities must make available to their disabled residents who meet the required qualification criteria as set out in the 1996 Act, and the accompanying regulations and subsequent amendments.

The following grants are discretionary and are offered subject to Council funding and resources available at the time:

- Adaptations Grant
- Top-Up Grant
- Safe & Well Grant
- Relocation Grant
- Sensory Needs Assistance
- Professional Fees Grant

Following assessment of need and the resources available to the council, new initiatives may be developed and added at a future date.

Further details of all these types of assistance can be found in the appendices to this policy.

8.0 How assistance is delivered

For applications for the Mandatory Disabled Facilities Grants and the Discretionary Adaptations Grant, there are three options available to residents regarding how they can apply for assistance which are outlined below.

For all other forms of assistance details regarding how to apply can be found in the relevant policy appendix.

Option 1 – Managed application process

The Council's DFG support service will fully manage the application on behalf of the applicant. The Team will handle everything on behalf of the applicant through an agreement between the applicant and the service. This is the easiest and least stressful option for an

applicant, particularly for more extensive adaptations, as the service will organise and manage both the application and the work.

The Team will:

- Where applicable, assess the applicant's financial circumstances by a statutory **means test** which will identify any contribution to be paid towards the cost of the works.
- Arrange for a technical officer to visit to discuss how the adaptations can be provided in the home and what building works or alterations are required to provide them.
- Draw up a schedule of works and plans (and planning permission or building regulations approval if required).
- Assist in the completion of the formal DFG application forms.
- Supervise the contractor on site on behalf of the applicant.
- Deal with any unforeseen works and interim payments.
- Arrange final payment to the contractor and collect any certificates and guarantees from them and pass them on the applicant.

Option 2 – Customer Contractor process

This option is where an applicant may wish to use the services of the Council's DFG support service to prepare their application for DFG, including the preparation of drawings but wishes to use their own choice of contractor to carry out the works.

A comprehensive information pack will be provided to any applicants who wish to pursue this option including the role that the DFG Support Service and the responsibilities regarding the works which will transfer to the applicant.

Option 3 – Customer Managed process

This option is where an applicant may wish to complete all elements of the application, supporting information and building management themselves. An applicant can use their own architect or draftsman and contractors to plan, develop or build a preferred scheme.

A comprehensive information pack will be provided to any applicants who wish to pursue their own application which outlines the information required to make a DFG application and the requirements to receive DFG funding.

A summary of the responsibilities within each of these application routes can be found in Appendix 2.

9.0 Fees and Ancillary charges

The Council will consider reasonable fees for financial assistance. The following fees will be eligible for financial assistance if they have been properly incurred in making an application or seeking approval for the proposed works, or to ensure the satisfactory completion of works assisted under this policy when funded through Mandatory Disabled Facilities Grant funding or any associated grants;

- Confirmation, if sought by the Council, that the applicant has a relevant owner interest
- Relevant legal fees
- Technical and structural surveys

- Design and preparation of plans and drawings
- Preparation of schedules of relevant works
- Assistance in completing forms.
- Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area consent (and similar)
- Obtaining of estimates
- Consideration of tenders
- Supervision of the relevant works
- Disconnection and reconnection of utilities where necessitated by relevant works
- Payment of contractors
- In a case where the application is for adaptations support, the reasonable services, and charges of a (private) occupational therapist in relation to the relevant works.

It is important to note that if a private occupational therapist is used then the Council will still seek input from the Council's Occupational Therapy Service to determine the works that are eligible for Disabled Facilities Grant funding.

10.0 Prioritisation

Where possible the Council will commence consideration of an enquiry for assessment for financial support or other services within this policy in chronological order of receipt of enquiry (for DFG this would be from receipt of referral from the OT service), subject to the following provisions;

- An enquiry must be considered as urgent if the customer would be unable to remain in their home safely unless the works are expedited, notwithstanding that care in the home is provided, OR that required works are necessary to facilitate discharge from hospital or nursing or residential care or palliative care where required,
- Any future priority scheme agreed for DFGs
- The property subject of the enquiry is in such a condition as to present an immediate and significant danger to the occupants or visitors.
- For the purposes of budgetary control, a category of financial assistance may be given priority over another, or sums may be switched between categories but NOT to the detriment of mandatory DFGs
- For the purposes of policy or project implementation a category of financial assistance may be given priority over another

Where resources (financial, staffing or other) are limited, those services which are provided for vulnerable groups, or the most vulnerable individuals will take priority over other types of assistance or cases.

Where a property, case, customer, or category of service is to be considered outside of chronological order the Equipment and Adaptations Manager will sanction the action and a written record will be retained on file in justification of that decision.

11.0 Complaints

The Aids and Adaptions Policy does not have an appeal process in relation to what adaptations have been recommended by the Occupational Therapist. If the service user is not in agreement with the OT recommendations, then this needs to be discussed with the OT Manager in the first instance.

If the service user is still not satisfied with the discussion outcome with the OT Manager, then they can proceed with the Council's complaints procedure.

The Council has a formal complaints procedure that will apply in relation to aspects of complaints about the implementation of any of the processes flowing from the policy. Details of the complaint's procedure will be provided on request or can be viewed on the Council's website - [Compliments and complaints | LBBB](#).

Any such complaint will be treated seriously and will (if necessary) be reflected in subsequent reviews of this policy or in amendments to the way that services are delivered.

Any member of the public who is dissatisfied with the performance of the DFG service in administering this policy may make a formal complaint through the Council's procedure. However, we would encourage both the public and the staff (and their supervisors) to try to address any misunderstandings or disagreements by mutual agreement – within the jurisdiction of the staff to do so – to avoid the need for a matter to escalate to formality. Staff must make the Equipment and Adaptations Manager aware of such issues even if resolved, to facilitate learning and service improvement.

12.0 Service standards

There is no national standard for the services provided through this policy excepting a statutory requirement for Councils to determine valid and fully made applications for mandatory DFG within six months. This does not account for pre-application activities such as the screening process and the 'application support' and administration including occupational therapy assessment, means testing, producing specifications, finding contractors etc. In practice, when an application is received by the DFG service it is practically complete and ready for an almost instant decision. In a few cases there may be details to pursue, such as proof of property ownership, landlord or owner's permission etc., and if there are alternative schemes under consideration or issues to do with financing the customers contribution. However, the service records all key activities and dates and can report on a variety of measures, including date enquiry received, date application submitted, date determined, date works started, value of works and contributions, date works finished, and completed as in signed-off.

Legislation also requires that works be completed within 12 months of any DFG grant approval being issued, but this can be extended by negotiation if there are valid reasons to do so, such as the customer receiving care, occasional changes in contractor or specification, complex snagging etc.

Locally, the service aims to apply the funding it receives fully each year with minimal waiting lists and with maximum benefit to customers.

The Team is committed to ensuring good quality customer service and the performance measures used are based around measuring and improving the quality of service and customer outcomes as well as ensuring improvements in the speed of service delivery.

13.0 Key definitions, references and abbreviations

- **RRO** – Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
<http://www.legislation.gov.uk/uksi/2002/1860/article/3/made>
- **The ‘Act’ (1996)** – Housing Grants, Construction and Regeneration Act 1996
<http://www.legislation.gov.uk/ukpga/1996/53/contents>
- **Total Council DFG** – the Disabled Facilities Grant that the Local Authority receives
- **Individually awarded DFG**- the Disabled Facilities Grant that individuals receive following the assessment and eligibility processes outlined above
- **DDFA** – Discretionary Disabled Facilities Assistance
- **BCF** – Better Care Fund
- **HHSRS** – the Housing Health and Safety Rating System, the prescribed system under the Housing Act 2004 for measuring hazards associated with housing conditions
- **ECO** – Energy Company Obligation
- **Certified Date** – the date certified by the service on behalf of the Council as that on which the execution of eligible works is completed to the Councils satisfaction. In this instance being the works complete date.
- **Dwelling** – a building or part of a building occupied or intended to be occupied as a separate dwelling, together with any yard, garden, outhouse, and appurtenance belonging to it or usually enjoyed with it.
- **Exempt disposal** – a disposal or transfer of the whole or part of the premises to a person whose main residence is the property and who is (a) one of the joint owners of the dwelling, or (b) the wife, husband, or partner (including same sex) of the owner or one of the joint owners of that property.
- **Relevant disposal** – a conveyance of the freehold or an assignment of the lease, or the granting of a long lease (one of over 21 years, otherwise than at rack rent)
- **Customer** – individuals being assessed or receiving a DFG
- **Carer** – individuals who look after people with care and support needs in a personal capacity
- **Contractor** – organisation commissioned to support the DFG process, including architects and building companies
- **Member of family** – a person is a member of the applicant’s family if they are the spouse of the applicant or living together as partners, or is the grandparent, parent or dependent child of the applicant or their spouse or partner (inclusive of same sex partners, stepchildren, adopted and foster children).
- **Owner-occupier** – whilst this term is self-explanatory, where appropriate it will include certain tenants with repairing type leases (sometimes called FRI or Full Repairing and Insuring Leases, of a suitable duration) who would otherwise be unable to insist their ‘superior landlord’ undertake renovations. Repairing lease tenants would qualify for DFG in their own right, with permission

14.0 Appendix 1 – Grants Available

A. Mandatory Disabled Facilities Grant

This is included for context and information purposes. The Council will award mandatory Disabled Facilities Grant (DFG) according to the governing legislation – principally the 1996 Housing Grants, Construction and Regeneration Act and subordinate Regulations and Orders as amended - and guidance issued by central Government, and which details amongst other matters the types of work that are to be funded, the maximum grant payable (currently £30,000), and the appropriate test of financial resources where applicable.

Qualifying Criteria

All owner-occupiers and tenants, licensees or occupiers who can satisfy the criteria in sections 19-22 of the 1996 Act are eligible to *apply* for DFG, but applicants must be aged 18 or over (this does not apply to the disabled person, who may be younger). Tenants of Social Housing Providers and private landlords are also eligible to apply, but Council tenants should apply directly to the Housing Department which has a parallel and equally effective system for adaptations. Being eligible to apply does not automatically confer approval – some cases will not meet statutory tests as described below, and others may have significant means tested contributions more than the cost of works.

As a part of the application process, the Council will require certificates relating to property ownership and future occupation and will request permission from the owner. The Council would reasonably want to ensure the tenant has the right to carry out the works and that the landlord would not object or attempt to reinstate the property and evict the client.

Qualifying Works

Those works eligible for mandatory DFG are set out in section 23(1) of the 1996 Act, as amended. These are;

- i. facilitating access by the disabled occupant to and from the dwelling, qualifying houseboat or qualifying park home, (now including the garden) or
- ii. making the dwelling, qualifying houseboat or qualifying park home safe for the disabled occupant and other persons residing with them;
- iii. facilitating access by the disabled occupant to a room used or usable as the principal family room;
- iv. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
- v. 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;
- vi. 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;
- vii. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a wash hand basin, or facilitating the use by the disabled occupant of such a facility;
- viii. facilitating the preparation and cooking of food by the disabled occupant;

- ix. 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 or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet their needs;
- x. 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;
- xi. facilitating access and movement by the disabled occupant around the dwelling, qualifying houseboat or qualifying park home in order to enable them to care for a person who is normally resident and is in need of such care;
- xii. facilitating access to and from a garden by a disabled occupant; or making access to a garden safe for a disabled occupant.

Local enhancement to DFG in Barking and Dagenham

Warranty Provision

The Council will include as part of the mandatory DFG the cost of a maintenance agreement for a period of five (5) years (where available) from the certified date for stair lifts, through-floor lifts, Clos-o-mat type toilet, step-lifts and similar equipment installed with the assistance of that grant. Where maintenance agreements of 5 years are not available through the Manufacturer the Council will fund the maximum warranty that is available. Where installing a reconditioned stair lift, any unspent warranty will be increased to the full 5 years if possible.

Necessary, Appropriate, Reasonable & Practicable

A DFG will only be made if the works are both 'necessary and appropriate' and 'reasonably practicable'. Where an applicant prefers a different scheme of works to that approved by the Council, the Council may offer to 'offset' the value of the original scheme towards those greater works with appropriate safeguards. This is at the discretion of the Council.

Works which have been started prior to the approval of an application will not be eligible for financial assistance.

Unexpected works which arise during the carrying out of eligible works will be considered for assistance if the works could not have been reasonably foreseen and if they are vital to the completion of a safe and effective adaptation.

Unforeseen works carried out without prior approval of the Council will not be eligible for assistance. Where unforeseen works are necessary these will be added to the grant up to the specified maximum for mandatory DFG. Costs above the mandatory grant maximum may be supported as discretionary assistance in accordance with this policy. Care must be taken when agreeing to schemes of works on third-party property such as tenanted accommodation, that the property owner is fully engaged with the decision process. This is also particularly important where an architect or similar is acting on the customers behalf, and where issues such as planning permission, building control and other regulation are involved.

Contractors

The Council's DFG award is for a sum of funding only and is not inclusive or exclusive of using specified contractors or products. Customers may specify and choose their own contractors, agent, products, and design – but take responsibility for those choices, as long as the

contractors are suitably qualified, and the result meets the Council Equipment and Adaptations Service and Occupational Therapist's requirements.

Financial Assistance

Mandatory DFG will be subject to a means test in accordance with the regulations made under the 1996 Act, as amended. The maximum mandatory DFG award is currently £30,000 minus any contribution required by a 'means test' (test of financial resources). Successive applications may be awarded for those persons whose condition is degenerative, or they develop additional needs. If the maximum grant limit is changed by statute then the maximum available DFG award by Barking and Dagenham Council will reflect this, and similarly if the means test is changed then Barking and Dagenham Council will use the current means test outlined within Statute where appropriate.

At the time of publication, where successive applications are awarded, the applicants' assessed contribution to the first grant award will be considered if within the period of the contribution originally calculated (10 years if owner, 5 years if tenant).

NOTE: where an applicant is in receipt of a recognised, qualifying, means tested benefit they will not be further means tested and they will have no calculated contribution to make. Where works are for the benefit of a child or young person of 19 years of age or younger at the date of application – they too will be exempt from a means test.

Order of processing applications

DFG applications or recommendations will usually be processed in chronological order, in line with any approved priority system, excepting in emergency circumstances at the discretion of the Council.

Recovery of assistance awarded

Some mandatory DFG may be recoverable in accordance with permitted values. Where the customer is an owner-occupier and not a tenant, and the works are to provide an extension then a sum of up to £10,000 may be recovered. This sum would only be recovered if the property were sold or title otherwise transferred within 10 years of the certified (completion) date of works, subject to the Council's discretion to reduce or waive in the case of financial hardship. All recoverable costs would be registered as a land charge against the property.

NOTE: this is separate and different to the potential repayment of grant in the event of a breach of occupancy conditions or detected fraud. Also, Councils are entitled to recalculate grant awards in limited circumstances, such as for example if any relevant insurance claims are pending, and to cease making payments and to seek repayment in some cases as detailed in sections 40-42 of the 1996 Act.

Conditions relating to Contractors, Standard of Works and Invoices

In approving an application for financial assistance, the Council will require as a condition that the eligible works are carried out in accordance with any required specification.

The eligible works must be carried out by the contractor(s) upon whose estimate the financial assistance is based, or if two estimates were submitted, by one of those contractors. The Council's consent must be obtained prior to the works if a contractor who did not submit an estimate is to carry out the works, and if an agreement is given, an estimate from the new contractor must be submitted to the Council (this does not automatically convey a difference in revised grant award – any additional costs must be separately financed by the client).

An invoice, demand or receipt will not be acceptable if it is given by the applicant or a member of the applicant's family. Where works are carried out by the applicant or a member of their family, only the cost of materials used will be eligible for financial assistance.

It is a condition of the financial assistance that the eligible works are carried out within 12 months of the date of approval of the application. This period may be extended by the Council if it thinks fit, particularly where it is satisfied that the eligible works cannot be completed for good cause. All requests for additional time must be made in writing before the 12-month period ends and approved extra time will be confirmed in writing by the Council.

The payment of the financial assistance to the applicant will be dependent upon the works being carried out to a standard that is satisfactory to the Council and upon receipt of a satisfactory invoice, demand, or receipt for the works and any preliminary or ancillary services or changes.

The Council will usually make payments direct to the contractor on behalf of the client, and not usually to the applicant. Where the applicant disagrees with a payment made direct to a contractor, no payment shall be made until any dispute is resolved. Legislation permits the Council to make payment by delivering to the applicant an instrument of payment in a form made payable to the contractor, OR by making payment direct to the applicant in accordance with information provided prior to grant approval.

NOTE: Contractors receiving direct payment may be required to provide sufficient information to be set up on the Council's financial systems – BUT this should not frustrate the client's choice, as the mandatory DFG grant (only) is an award of funds and not an award tied to a specific contractor with additional financial conditions.

Future occupation of the dwelling

It is a condition of the grant that throughout the grant condition period (that is 5 years from the date of certification) the dwelling is occupied in accordance with the intention stated in the certificate of owner occupation or availability for letting or intended tenancy.

Customer Own Schemes (COS)

Customers who meet the Disabled Facilities Grant (DFG) eligibility and are therefore entitled to a grant allocation may wish to 'top-up' the DFG funding. The DFG recommendation by the Occupational Therapist will be for the most cost-effective solution which meets all identified needs and will look to adapt an existing property. Where a customer wishes to pursue a different scheme, they will be responsible for the difference in costs between the DFG 'Mandatory Scheme' and the final cost of the works, including unforeseen costs.

The DFG team surveyor and Occupational Therapist will work with the customer, their architect and builders as applicable, to ensure that the final scheme meets the disabled person's needs and where applicable planning and building control regulations have been adhered to.

If a client pursues their own scheme, not the mandatory scheme, then the Council will provide a copy of all necessary documentation required for a valid and complete application to be made and will provide an information pack regarding how to proceed. In these circumstances the applicant would follow application 'Option B – Adaptations Grant' outlined in the policy and will fully manage their application process and subsequent build.

Repayment

Where a charge (repayable grant) is due for recovery, on receipt of a written request from the responsible person the Equipment and Adaptations Manager will consider the options to reduce or waive repayment in particular circumstances to be determined in accordance with the following criteria;

- the extent to which the recipient of the grant would suffer financial hardship were they to be required to repay all or any of the grant;
- whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of their employment;
- whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or of a disabled occupant of the premises;
- whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.

If that initial decision is not accepted and further appealed, details of that appeal will be determined by the Head of Commissioning, in discussion with the appropriate Head of Service within Care and Support.

All recoverable charges will be recorded as local land charges.

The land charge will be placed in accordance with 2008 General Consent⁴ which enabled local authorities to place a local land charge for the portion of the grant over £5,000. The charge can be up to £10,000 and applies if the owner wants to sell the property within 10 years of the certified (completion) date.

Worked examples of the charge are given below:

	Total Grant Awarded	Exempt Amount	Remaining Value of Grant	Charge Placed
Example A	£12,000	£5,000	£7,000	£7,000
Example B	£15,000	£5,000	£10,000	£10,000
Example C	£25,000	£5,000	£20,000	£10,000

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7811/generalconsent2008.pdf

B. Adaptations Grant

Aims

This grant aims to support residents who are unable to access the Mandatory DFG due to means test considerations to receive funding for adaptations to help them remain living in their home.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually and reviewed bi-annually by the Commissioning Director in consultation with the Strategic Director for Adults and Children's and the Cabinet Member and Champion for Disabled People.

The grant will only be available whilst funds permit as it is a discretionary grant. Funding may be withdrawn with immediate effect, however in such circumstances mandatory DFG will continue to be available.

Who will it help and what works will be done?

It will use the same eligibility criteria as the Mandatory DFG but will not be means tested.

Anyone eligible for a Disabled Facilities Grant is also eligible for an Adaptations Grant including any person who is, or is applying on behalf of someone who is:

- registered or registerable⁵ as disabled

A person over the age of 18 is eligible to apply for an Adaptations Grant under the same criteria as a Disabled Facilities Grant, this can be for themselves or on behalf of the disabled person if they:

- own their own home as a freeholder or leaseholder (with at least 5 years left to run),
- are a tenant or life tenant,
- or have a license to occupy a park home on a licensed site and live in the Barking and Dagenham

Unless otherwise stated in this document all other aspects of the provision of Disabled Facilities Grant under the Housing Grants Construction and Regeneration Act 1996 and associated regulations and guidance shall apply including the list of eligible works.

The eligible works will be determined in consultation with a suitably qualified professional which includes an Occupational Therapist and the cost of the eligible works shall be determined so as to provide 'best value'. These may be decided by an appropriate schedule of rates, a 'mini tender' process or in exceptional circumstances, a single quotation for the eligible works.

The eligible works shall be 'necessary and appropriate' to meet the needs of the disabled occupant and it must be 'reasonable and practicable' to carry out the relevant works having regard to the age and condition of the dwelling. Regard shall be had to the associated guidance and good practice in determining these factors.

⁵ registerable - the person is eligible under the definition of disabled as defined under section 6(1) of the Equality Act

Will it be means-tested?

Any grant eligible works paid under this grant will not be subject to a 'means test' of the financial resources of the disabled occupant. Therefore, they will be entitled to receive a full grant to cover the cost of the eligible works up to £15,000 (including any fees and VAT).

How much funding might be available?

The maximum amount of funding available is £15,000 including any VAT and fees.

Will there be a charge against the property?

There will be no land charge placed against a property for works funded through this grant.

Conditions attached to the grant

The person must be a permanent resident of Barking and Dagenham and the property must be their permanent address.

A maximum of one application for discretionary top-up funding will be considered in any 5-year period.

The person applying for the grant will normally need to confirm that the disabled person (this could be themselves or somebody that they are applying for intends to live at the property subject to the Barking and Dagenham Adaptations Grant for the next five years, as their main residence.

If the property is jointly owned, the applicant will need to get the written consent from any joint owners (who do not live at the property as their main residence), that they confirm the eligible works can be completed to the property.

If the applicant is a tenant, the applicant will need to obtain the written consent of the property owner agreeing that the eligible works can be completed to the property.

How to apply?

Through the Equipment and Adaptations Team.

Funding will be awarded on a case-by-case basis as outlined above.

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C. Top-Up Grant

Aims

The aim of the scheme is to help the vulnerable members of the community where the Mandatory Disabled Facilities Grant (DFG) is insufficient to cover the full cost of the works or where the works are out of scope of the legislation but by completing them there would be demonstrable savings to the wider public purse and clear benefits to the applicant and/or their family/carers.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually and reviewed bi-annually by the Commissioning Director in consultation with the Strategic Director for Adults and Children's and the Cabinet Member and Champion for Disabled People.

The grant will only be available whilst funds permit as it is a discretionary grant. Funding may be withdrawn with immediate effect, however in such circumstances mandatory DFG will continue to be available.

Who will it help?

Those eligible for Mandatory DFG assistance.

Will it be means-tested?

There will be no additional formal means test.

How much funding might be available?

Discretionary Top-Up Grant may be awarded and will be subject to the availability of resources.

Where the additional funding required is less than £15,000 then the decision will be based upon evidence provided by the relevant officer to the Equipment and Adaptations Manager.

However, if funding is required above £15,001 then it must be presented to a Adaptations Panel which would include Senior Representative from Care and Support and Equipment and Adaptations, and alternative options, such as moving, would need to have been demonstrated to have been explored in full; including contributions from landlords for housing association or private tenants.

Will there be a charge against the property?

For owner-occupiers funding will be registered, in full, as a local land charge against the property for a period of 10 years and will be recovered on the sale or transfer of the property, subject to rules regarding exempt sales.

Note – this is separate to the £10,000 recoverable DFG for extensions which also expires at 10 years from certification of works completion.

Conditions attached to the grant

The person must be a permanent resident of Barking and Dagenham and the property must be their permanent address.

Conditions restricting future use and ownership of the property – the following additional conditions will apply where the Council has made an award;

- The owner will notify the Council in writing if a relevant disposal of the property is proposed.
- The owner of the property will provide, within 21 days of a written notice from the Council, a statement confirming the ownership and occupancy of the dwelling. If the property has been sold or transferred the statement will include the date of transfer of ownership.
- Discretionary Top-Up funding will be registered as a charge against the property and will be repayable on sale or transfer of the property, subject to exempt sales. The charge will be binding on successors in title.
- It is a condition of funding that where an owner makes a relevant disposal of the dwelling, other than an exempt disposal, the grant shall be repayable subject to above.
- If a relevant disposal takes place after a period of 10 years after the certified date of completion of works, no amount shall be recovered which, after repayment of all charges registered against the property, results in owner(s) having a residual equity of less than £10,000. No account will be taken by the Council of charges subsequent to the charges registered by the Council.
- If the property is transferred, or the sale price does not reflect the market price, the Council will have the right to seek an independent valuation of the market value, which will be binding on both parties, in order to recover the grant repayable.

If the applicant for discretionary top-up funding is a tenant then the Council will liaise with the appropriate landlord to explore whether alternative funding options, such as funding from the landlord and/or moving to alternative suitable accommodation is an option, before approving top-up funding.

Applications will be considered for Top-Up once works have already been started and unforeseen costs arise, if the scheme is a Mandatory Scheme.

Where an applicant is pursuing a 'preferred' scheme and has received the maximum eligible grant funding then applications for discretionary funding for unforeseen works will not be considered.

A maximum of one application for discretionary top-up funding will be considered in any 5-year period.

[How to apply?](#)

Through the Equipment and Adaptations Team.

Funding will be awarded on a case-by-case basis as outlined above.

D. Safe & Well Grant

Aims

The Safe and Well Grant is available for property clearances and cleaning and essential property repairs which are identified as necessary by either social services or the Hoarding Service to support vulnerable residents remain in their homes.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually and reviewed bi-annually by the Commissioning Director in consultation with the Strategic Director for Adults and Children's and the Cabinet Member and Champion for Disabled People.

The grant will only be available whilst funds permit as it is a discretionary grant. Funding may be withdrawn with immediate effect, however in such circumstances mandatory DFG will continue to be available.

What works might be included?

Eligible works could include the following (this list is not exhaustive):

1. Property clearance and disposal works where accumulated possessions are identified as posing a significant risk to the safety and welfare of occupants or neighbours
And / or
2. Works to protect the health, safety and welfare of the occupier; for example (but not limited to) category 1 or high scoring category 2 hazards under the Housing Health and Safety Rating System, particularly where the property is occupied by a member of the most vulnerable group for that hazard. Areas of work which could be included are:
 - Water supply, drainage and heating issues
 - Electrical and gas safety works
 - Repairs or modifications to stairs, floors and steps
 - Safety and security repairs

Will it be means-tested?

Any grant eligible works paid under this grant will not be subject to a 'means test' of the financial resources of the disabled occupant. Therefore, they will be entitled to receive a full grant to cover the cost of the eligible works up to £5,000 (including any fees and VAT).

How much funding might be available?

The maximum grant funding available is £5,000 (including any VAT and fees)

Will there be a charge against the property?

There will be no land charge placed against a property for works funded through this grant.

Conditions attached to the Grant

The person must be a permanent resident of Braking and Dagenham and the property must be their permanent address.

A maximum of one application will be considered in any 5-year period.

The grant will only be available whilst funds permit as it is a discretionary grant. Funding may be withdrawn with immediate effect, however in such circumstances mandatory DFG will continue to be available.

How to apply?

Through the Council's Adult Social Care Team or the Hoarding Support Service.

Funding will be awarded on a case-by-case basis at the discretion of the Council's Senior Management.

E. Relocation Grant

Aims

The aim of the scheme is to help vulnerable members of the community where it is not possible to adapt their current home, but by supporting them to move to more suitable accommodation there would be demonstrable savings to the wider public purse and clear benefits to both the applicant and/or their family/carers.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually and reviewed bi-annually by the Commissioning Director in consultation with the Strategic Director for Adults and Children's and the Cabinet Member and Champion for Disabled People.

The grant will only be available whilst funds permit as it is a discretionary grant. Funding may be withdrawn with immediate effect, however in such circumstances mandatory DFG will continue to be available.

Who will it help?

Those deemed eligible for Mandatory DFG assistance.

Will it be means-tested?

Yes, the Mandatory DFG means test will apply, unless the disabled person is a child or on passporting benefits.

Any subsequent DFG applications will consider contributions made towards this grant as part of any calculation.

Support to Move/ Relocate

Funding may be available to assist the disabled person to move to a more suitable property where it is impracticable to adapt or more cost effective than adapting the current home of a disabled person to make it suitable for their present or future needs, even though the new property may need some adaptation.

Criteria for consideration in cases of help-to-move/relocate; (this is not an exclusive or exhaustive list, as other factors may become apparent with experience):

- The disabled person may need to move to give or receive care, or to receive medical treatment.
- The disabled person may need to move to maintain or gain employment.
- The cost of works to the current property may exceed the benefit to the client.
- The cost of works may exceed the available grant and loan maximum and any available client or third-party contribution.
- The client's calculated contribution may be unaffordable, and moving/buying is a better financial solution.
- The client may need to move to reduce rent and/or release spare bedrooms which they can no longer afford (e.g. benefits cap and/or the spare room subsidy).
- A different property may provide a greater benefit for the client for the funds.
- The current property may not be adaptable, and another property may be more amenable to adaptation.

- The current property may contain hazards or defects which would not be sufficiently addressed by the works or otherwise by the client or owner.
- The property owner (landlord) refuses to permit the adaptation.
- The property is for sale, or pending foreclosure, bankruptcy (as security against debt) or repossession.
- The tenancy is due to end and not be renewed or is otherwise unstable.
- Relationship breakdown.
- The client wishes to downsize

Funding will not be given towards the purchase price of an alternative property but may be provided towards legal and moving costs.

Moving and house purchase finance will be determined on a case-by-case basis determined by:

- the tenure and location of the original and new properties
- the residual equity and any increased mortgage debt
- whether moving within the Council's jurisdiction, or beyond
- whether the original property is unadaptable, unaffordable or poor value to adapt,
- whether moving is purely an occupier choice or because of a landlord's refusal to permit adaptation.

Mandatory DFG of up to £30,000 is available for adaptations in properties residents have moved to (within the local area only) but may be reduced by any assessed contributions.

Help to move assistance is available to owner-occupiers and to tenants' subject to individual determination.

As there are too many variables to set a fixed policy on awards for moving or buying property, each case will be determined on its merits subject to resources by recommendation from the Case Officer to the Equipment and Adaptations Manager.

[How much funding might be available?](#)

Help to Move funding may be awarded and will be subject to the availability of resources. A maximum of £10,000 including any applicable VAT may be available to support costs solely associated with moving home.

[Will there be a charge against the property?](#)

There will be no land charge registered against the property.

[Conditions attached to the Grant](#)

The person must currently be a permanent resident of Barking and Dagenham and the new property must be their intended permanent address. The new property does not need to be in Barking and Dagenham. Any adaptations required at the new property will be undertaken by the responsible local authority in which the new property is located.

A maximum of one application will be considered in any 5-year period.

[How to apply?](#)

Through the equipment and adaptations team and social care occupational therapy services.

Funding will be awarded on a case-by-case basis at the discretion of the Council's Senior Management.

F. Sensory Needs assistance

Aims

Where the disabled person is diagnosed with dementia, or other cognitive impairment or sensory disability or a recognised long term behavioural condition including but not limited to such conditions as Autism, Attention Deficit and Hyperactivity Disorder (ADHD) etc., works to make homes 'friendly' and to help the person live safely, manage their surroundings, and retain their independence for longer will be eligible for funding. Works could include items such as:

- making changes to lighting to improve brightness and visibility
- changing cupboard doors to glass fronted ones to aid recognition of items inside
- redecorating selected dark coloured walls that will give a calmer effect
- replacing selected floor coverings that cause confusion or safety issues
- replacing bathroom toilet seats and rails with coloured to improve visual perception
- installing signage for easier recognition
- ensuring safe access to the property and that it is free from hazards
- carbon monoxide/cold/heat alarms

This case is not exhaustive and each case will be considered with the assistance and advice from the referring agency.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually and reviewed bi-annually by the Commissioning Director in consultation with the Strategic Director for Adults and Children's and the Cabinet Member and Champion for Disabled People.

The grant will only be available whilst funds permit as it is a discretionary grant. Funding may be withdrawn with immediate effect, however in such circumstances mandatory DFG will continue to be available.

Who will it help?

It will help anyone who is a permanent resident within Barking and Dagenham with a clinical diagnosis of dementia/Alzheimer's Disease or memory loss or other recognised cognitive or behavioural condition.

Will it be means tested?

There will be no means test.

How much funding might be available?

The maximum funding available is £2,500 per applicant/property.

Will there be a charge against the property?

No, there will be no charge placed against the property.

Will there be any conditions attached?

The person must be a permanent resident of Barking and Dagenham and the property must be their permanent address.

A maximum of one application will be considered in any 5-year period.

How to apply?

Applicants must be referred by one of the following services and the works must be recommended by them:

- Social Worker
- GP
- Alzheimer's Society
- School OT Service
- Social Care OT Service
- School nurse
- Autism Support Service

G. Professional Fees Grant

Aims

For the preparation of a Mandatory DFG application is it sometimes necessary to incur professional fees, such as for Architectural services, which if the works are unable to proceed are not able to be paid under the mandatory DFG if works are cancelled when no formal application for assistance has been made.

The purpose of this grant is to enable those fees to be paid in those instances where the cancellation of the application is due to circumstances beyond the control of either the applicant or the equipment and adaptations service.

The professional fees grant will not be available in circumstances where an applicant changes their mind regarding proceeding with an adaptation after fees have been incurred.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually and reviewed bi-annually by the Commissioning Director in consultation with the Strategic Director for Adults and Children's and the Cabinet Member and Champion for Disabled People.

The grant will only be available whilst funds permit as it is a discretionary grant. Funding may be withdrawn with immediate effect, however in such circumstances mandatory DFG will continue to be available.

Who will it help?

It will help anyone who is eligible to apply for a Mandatory DFG, subject to all personal and financial eligibility criteria.

Will it be means tested?

The Mandatory DFG means test will apply.

How much funding might be available?

The maximum funding available is £2,500 per applicant/property.

Will there be a charge against the property?

No, there will be no charge placed against the property.

Will there be any conditions attached?

The person must be a permanent resident of Barking and Dagenham and the property must be their permanent address.

A maximum of one application will be considered in any 5-year period.

How to apply?

Funding will be awarded by the Equipment and Adaptations Manager in appropriate cases and a record of cases maintained for audit and scrutiny.

15.0 Appendix 2 – Summary of Responsibilities

Document	Reason	Managed Application Process	Customer Contractor Process	Customer Managed Process
Completed and signed application form	To apply for the funding	LBBB	LBBB	Applicant
Proof of financial circumstances to support your test of resources	As detailed in the application form	LBBB	LBBB	Applicant
Signed Certificate of Ownership/ Tenancy	To prove ownership of the property	LBBB	LBBB	Applicant
Completed Owner's Certificate	To confirm your intention to remain in the property for 5 years following completion of the works	LBBB	LBBB	Applicant
Asbestos Report (if required)	To ensure safe working environment	LBBB	LBBB	Applicant
Land registry check/ Landlord permission	To prove ownership/ provide consent from landlord to the works	LBBB	LBBB	Applicant
Signed general consent form	To agree to repay the grant funding in line with the charge outlined in the Housing Assistance Policy	LBBB	LBBB	Applicant
Specification of works	To provide full specification of works	LBBB	LBBB	Applicant
Drawings/ Plans (if required)	To show the design of the scheme	LBBB	LBBB	Applicant
OT Approval of design	To confirm that the design meets your assessed need	LBBB	LBBB	Applicant
Planning approval (if required)	To confirm works can proceed	LBBB	LBBB	Applicant
Building regulation approval (if required)	To confirm works can proceed	LBBB	LBBB	Applicant
Obtain contractors estimates	A minimum of 2 estimates for the works, including VAT. Any VAT elements to be clearly identified	LBBB	LBBB & Applicant	Applicant

