

Disabled Facilities Grant Policy

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Contents

Commitment.....	2
Regulatory Framework.....	2
Roles and Responsibilities of Agencies.....	3
Grant Fund Allocation.....	3
Eligibility Criteria.....	3
Necessary and Appropriate.....	4
Reasonable and Practicable.....	5
Eligible Grant Works.....	5
General Expectations.....	10
Mandatory Grants.....	10
Discretionary Grants.....	11
Repayment of Mandatory Grant.....	12
Who can apply for a Disabled Facilities Grant?.....	14
Should a grant always be considered?.....	14
Processing requests.....	14
Grant Approval and Process.....	15
Contract Arrangements.....	16
Fees Charged by the Council.....	17
Housing Associations.....	17
Maintenance and Repairs of Adaptations.....	17
Customer Satisfaction.....	17
Monitoring and Compliance.....	18

Commitment

South Lakeland District Council ('the Council') is committed to ensuring that residents of the District are able to live independently in their homes for as long as possible.

Where residents have a disability we will work with them and other agencies to arrange adaptations or provide advice about moving to a more suitable home.

This policy will ensure that the Council will carry out and follow all relevant statutory duties to allow an assessment of need and deliver efficient and quality services to disabled people, including adapting property or facilitating relocation.

Regulatory Framework

Disabled Facilities Grants (DFGs) were introduced in 1990 but the principal legal provisions are now contained in the Housing Grants, Construction & Regeneration Act 1996 (HGCRA) as amended, other Acts and Statutory Instruments. The following is a summary of the key legal provisions:

- Housing Grants, Construction and Regeneration Act 1996 (The Act) as amended
- The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions Relating to Approval or Payment of Grant) General Consent 2008
- The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (The Order)
- The Housing Renewal Grants (Amendment) (England) Regulations 2008
- The Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008
- The Equalities Act 2010
- The Construction (Design and Management) Regulations 2015

The Housing Grants, Construction and Regeneration Act 1996 (as amended) is the main piece of legislation governing the administration of such grants.

Disabled Facilities Grants are available to homeowners, owners of qualifying houseboats, owners of qualifying park homes, tenants of private landlords, and tenants of Housing Associations. Grants are also available for adaptations to the common parts of buildings containing one or more flats.

The Council has a duty to all within the District, but works closely with Housing Associations in the area to make sure that they can assist their tenants to remain in their own homes and that they have policies and funds to complement the work of the Council in regard to adaptations or relocation.

Roles and Responsibilities of Agencies

South Lakeland District Council has the legal duty to provide mandatory grants and can provide discretionary grant aid for eligible works to meet the care and mobility needs of people with disabilities in the District to enable them to live independently with privacy and dignity.

Cumbria County Council has the duty to assess the needs of disabled people for assistance at home and provide practical assistance. This is not limited to assistance eligible for Disabled Facilities Grants. However they engage the Occupational Therapy (OT) Service to assess property and provide recommendations on adaptations. Provided the work is reasonable, practicable and considered appropriate the Council will consider approval of a Disabled Facilities Grant (DFG).

Grant Fund Allocation

The Council is given a sum of money each year by the Government, through the Cumbria Better Care Fund, which can be specifically used for providing grants to help disabled people adapt their homes, or to move to a home that, with or without adaptation may be more suitable. The Council also has the ability to supplement the Government funds from its own resources. The Council will work in partnership with all other relevant agencies to provide disabled facilities grants to those eligible for assistance.

The Council will aim to ensure that the overall budget for DFG work will be distributed based on need in the District, however we will annually review expenditure and this policy to ensure that it meets needs.

Eligibility Criteria

The Council shall seek to ensure that advice provided to anyone making an enquiry about adaptations stresses the need for all of the available options to be carefully explored, rather than simply discussing '*how to get a DFG*'. Assistance will be available to help with completing application forms.

In order that the Council can make decisions about eligibility; about the help it can give and, if the client is eligible for a grant, about the works which are most appropriate, we need to gather and consider a range of information. In addition to the OTs recommendations we must also need to take account of the following:

- the client's financial circumstances;
- the cost of works;
- the time it is likely to take to deliver the adaptation(s) proposed;
- the extent of any family or other practical support;
- the suitability of the client's home for adaptation (including the extent of any under-occupation or over-occupation);

- the practicalities of adapting the client's home (taking into account both the site it sits on and its wider location);
- the length of time for which the client is likely to be able to take advantage of the adaptation(s) (to be expeditiously concluded with applicants' needs in mind);
- the likely need for future adaptations;
- the availability of, and eligibility for, suitable alternative accommodation; and
- the extent to which the adaptation(s) make appropriate use of the funding available to the Council.

Eligibility for a Disabled Facility Grant is set by legislation (as described previously). The availability of a grant depends on all three of the following criteria being met:

1. the works being necessary and appropriate, and
2. the works being reasonable and practicable, and
3. the applicant's means-tested contribution being less than the value of the work, or where further adaptation may be required in future that there is a grant with a nil contribution from the Council.

Eligibility will be determined regardless of sex, race, religion or any other potentially discriminatory factor. Legal action may be taken by the Council for any fraudulent claims.

Necessary and Appropriate

In order that we can decide if adaptations are '*necessary and appropriate*' we need an assessment of the client and their home. This is usually carried out by an Occupational Therapist (OT) but may also involve the Council and an architect for substantial adaptation. The assessment focuses on the client's, or their dependants' ability to continue living independently in a home of their own.

Once an assessment has been carried out the OT makes a referral to the Council indicating both recommended works and an assessment of the priority for work which the client or dependant should be allocated. Judgements on both these issues have an important part to play in the process.

In reaching a decision as to whether works are '*necessary and appropriate*' the Council is required to 'consult the social services authority'. In a majority of cases our practice has been to accept the works recommended in the referral as those which are appropriate, and to use the broad priority specified by the OT. However, if we are to make best use of our resources we shall need to better identify and fully explore alternative solutions and differentiate more precisely between degrees of need. If we do not do so we are at risk of spending our budget on a smaller number of people than we could otherwise help; in effect meeting some clients' aspirational needs entirely at the expense of increased waiting time for others.

When officers schedule the work to be carried out, they will ensure it meets the needs of the applicant but at the same time they will only prepare a basic minimal specification. If grant

applicants want to have a higher specification that costs more, they will have to pay the difference themselves.

Reasonable and Practicable

There are times when it is simply not reasonable and practicable to adapt a property (e.g. if there are multiple or excessive changes in level, if space is limited or where moving existing services would be prohibitively expensive). In cases where it is not possible to adapt a property to an appropriate standard or where the cost of works is considered excessive, the Council can properly take the view that the works are not '*reasonable and practicable*'.

Eligible Grant Works

In accordance with the legislation, guidance and the Council's Policy it has been determined that the following works can attract mandatory DFG funding (the list is not exhaustive):

- Work to aid entry and exit from a building e.g. Installation of ramps
- Work to aid access into and around living areas. Provision of accessible kitchen and bathroom facilities
- Improvement of access into and around the home
- Access to suitable sleeping facilities. Through-floor lifts where appropriate
- Installation of central heating (new and replacement)
- Making good following adaptation installations. This includes painting (new and disturbed surfaces) and repairing disturbed surfaces
- Provision of dust-free flooring of a reasonable quality laminate or anti-slip flooring
- Stair-lifts , through-floor lifts and step-lifts

Facilitating access

Facilitating access by the disabled occupant:

- to and from the dwelling
- to a room used or usable as the principle family room
- to a room used for or usable for sleeping
- to a room in which there is a lavatory
- to a room in which there is a bath or shower
- to a room with a wash hand basin

Such works may include:

Ramping and/or handrails to the main external door.

This could alternatively be a rear door in the case of a rear access. Only one access point will normally be allowed for each dwelling. Should external access to a garden be required this may be considered as the main entry to the property.

In some circumstances temporary ramping may be provided by Social Services where the need is considered urgent. The Council will only consider replacement with a permanent ramp (concrete, brick, block and flags) following consideration of the respective case, modular ramps are becoming increasingly popular.

Permanent ramps will not normally be fitted to mobile homes and the Council may consider the installation of semi-temporary or modular ramps wherever necessary.

Please note: The Council will not provide assistance for the removal of permanent ramps once installed.

Provision of hard standings (usually 3.6m x 4.8m maximum) will be considered where the disabled person is in a wheelchair or has difficulty walking to the house. This will only be considered where existing on-street parking is deemed unsatisfactory and a marked disabled parking bay is not possible or where it affords a more economical solution than providing additional paths/ramping from the roadside. *Please note: Being a holder of a blue badge is not the eligibility criteria for this item.*

Access into and around a dwelling

Widening doors will only be grant aided where these rooms are in essential use by the disabled person and the width of the existing doors is inadequate.

Automatic door opening and communication systems to main entrance doors will only be allowed for persons who have severe mobility problems or are otherwise unable to open the door. Door entry systems will primarily be operated from fixed positions and wireless systems will only being considered where fixed systems will not meet the need.

Other adaptations that are necessary to facilitate access to any of the relevant rooms by the disabled person will be considered.

Washing/Bathing Facilities

Adaptation of the facilities in the bathroom and toilet can include the provision of level access showers, lever taps, specialist WCs, Closo-mat or Gerberit etc. In some instances the Council may propose alternative technologies as opposed to full wash/dry WCs etc.

Warranties and other service contracts other than the standard manufacturer's warranties will not be provided. In some circumstances Adult and Children's Social Services may be able to assist with maintenance costs where the user is in receipt of a means tested benefit or is otherwise unable to meet the costs.

- Existing sanitary ware will be reused if considered appropriate.
- Existing bathroom tiling will be protected as far as possible. The provision of new tiling will be limited to full height and 300mm beyond the end of each shower area or to a suitable abutment/change of direction. Shower board will also be considered if requested by the client to avoid cleaning grouting.
- Full shower enclosures will only be provided where a medical need is evidenced.

Usually all free standing equipment within a shower room will not be funded by a DFG and in some circumstances may be provided by Adult and Children's Social Services.

The adaptation or provision of more than one bathroom to a house e.g. additional ground floor WC, will only be considered if evidenced by functional need and confirmation that appropriate equipment cannot be utilised.

Additional heating, mechanical ventilation and steam resistant lighting will only be considered for the bathroom/shower room as necessary to comply with current building regulations.

Kitchen Facilities

Where someone other than the disabled person does and will continue to do the cooking and preparation of meals, normally it will not be necessary to carry out full adaptations. However, it may be possible to carry out minor adaptations to allow the disabled person to prepare light meals or hot drinks; typically this may include a low-level or height adjustable worktop with sink, power points for a kettle/microwave.

Full adaptation will only be considered where the disabled person is the only or main user of the kitchen. Adaptations can include:

- Alteration to the height or position of the kitchen sink, and the type of taps fitted to it
Powered, adjustable-height sinks will not generally be allowed, as the provision of a second sink is a more economical solution
- A cooker point and oven-housing unit ensuring its height and position is in a safe location and the provision of worktops to either side where spacing allows
- Work surfaces located beside the sink and on each side of the cooker having a total length of approximately 1.5m, all at a suitable height for the disabled person where spacing allows
- Food storage in an accessible position, usually space for a refrigerator with power supply
- Wheelchair access, if necessary, including wider doors, rearrangement of facilities etc

- Alterations to the kitchen door, light switches and power points, but only if it is necessary
- Extensions or enlargement to kitchens can only be agreed where they are absolutely necessary in order to provide turning space for a wheelchair and if suitable space cannot be achieved by rearrangement of the existing facilities
- The provision of cupboard and storage units on an “essential” basis
- Mechanical ventilation for kitchen schemes are to be in accordance with the current Building Regulations
- Over hob extraction or odour control systems will not be provided
- Kitchen appliances such as hobs and ovens will not normally be funded but their installation cost will be considered
- No other ‘white goods’ will be funded by way of the DFG

Other Works

- Alterations to the height and/or position of light switches and power points to make them accessible to the disabled person (only in rooms accessible to the disabled person)
- Supplementary heating, including central heating, to the rooms that are in everyday use by the disabled person where a medical need can be demonstrated. This does not include repair to existing systems but could include replacement. Changes to the type of heating system will only be allowed if evidenced by medical need
- Possible upgrading/replacing of boilers where the property has been extended as part of the adaptation
- Provision of laminate glass or specialist lighting or guards to fires and around radiators where disabled children with violent behavioural problems may harm themselves
- Provision of enhanced fire alarm systems for those with hearing difficulties
- Carrying out structural alterations where necessary to provide fixings for disabled equipment provided by Social Services
- The provision of fixed overhead hoists tracking and fixed electrical wiring for permanent hoist installations when evidenced by a medical need. *Please Note: Social Services will be responsible for the supply and maintenance of all hoisting equipment*
- Where an adaptation is required to a listed building and additional works are required to comply with requirements

Where an adaptation cannot be carried out due to disrepair issues those repairs, within reason, may be carried out. Such works as replacement of rotted flooring or strengthening of the floor as part of a level access shower installation, electrical repairs to enable works to be carried out safely, and dealing with low water pressure. Replacing defective drainage and a full rewire would not be eligible.

Additional bathrooms or bedrooms may be allowed where they are specifically for the disabled person and it can be demonstrated that adaptation of other rooms or space or

access to those rooms in the property is unsuitable. Extensions will only be allowed following a detailed and thorough option appraisal process.

In cases of terraced properties with narrow passageways or very difficult access, effective adaptation can only proceed where it can be reasonably and practicably carried out without having a detrimental impact on neighbouring properties.

Requests are sometimes received to provide separate bedrooms where disabled children with behavioural difficulties share a room with other siblings and disturb their sleep. This will only be considered under mandatory grant where it can be demonstrated that:

- The child is prone to violent outbursts and there is a real risk of physical harm to the child or to the other siblings.
- That all other options relating to the use of existing rooms within the property have been considered and that no alternative arrangements can be identified.

Access to the Garden

This will only be considered if specifically recommended by an Occupational Therapist. In deciding the extent of any access to the garden, the following will be taken into account:

- Grant assistance will not be given where there is already access to the garden but grant may be given to improve an existing access to make it safe for the disabled occupant to use.
- It does not include providing additional access e.g. creating a side access so a person can also go around the side of a house. Generally, the most modest solution for providing access to both the house and the garden will be considered and this can mean that one access may be sufficient to access both the house and the garden.
- Where homes have communal gardens, e.g. blocks of flats served by a single access, grants will not normally be provided for an individual access to the garden unless it can be demonstrated that because of the disabled persons condition the travel distance to the garden would be excessive and unreasonable.
- The grant will simply be for providing immediate access to the garden and does not include landscaping gardens or fencing etc. to make them more suitable for the disabled person to access.

Where a householder has a preference or aspiration for work that is over and above those recommended or considered reasonable and practicable to meet the disabled person's needs, the Council will only fund the cost of the original recommended work. The applicant will then be required to fund any additional costs themselves and must enter into a private agreement with the contractor, we would like to be informed of any such agreement.

Where the existing footprint or layout of the dwelling including outbuildings, and garages can be converted or adapted to accommodate the facilities required the Council will not consider any extension to the property. Where an extension is required as there are no other options, consideration will be made to ensure that the most cost effective method of

delivering the requirements are considered, this could include the use of a portable extension.

A scheme of adaptations must, in general terms, be reasonable, taking into account costs, building regulations and planning permission and the practicability of carrying out the works. Where a scheme involves substantial structural alterations or extensions, Officers should consider re-housing the applicant as an alternative where and if more suitable accommodation is available.

General Expectations

The Council's decision making will take into account the following specific expectations and presumptions:

- Grant works should properly and fully meet the assessed needs of the client. Grants which only partially meet those needs will only be considered in exceptional cases
- Works funded by means of DFG will be the simplest and most cost-effective adaptations that will meet the client's assessed needs. This will include 'making-good' any works, such as painting disturbed areas
- Facilities will be provided on the ground floor unless the Council judges that to be impractical or more costly
- Ramps – modular ramps will be provided as standard. These can be removed when no longer required and re-used for another applicant, if this is the case, any local land charge will be waived. Concrete ramps will only be considered in exceptional circumstances. If an applicant requests a concrete ramp which is more expensive than a modular ramp they will be liable for paying the additional cost
- Wherever the Council judges it to be a practicable and realistic option, the re-ordering and/or change of use of existing rooms will be the preferred solution and will take precedence over both the construction of extensions and the installation of equipment. This solution will also take precedence if it will result in a reduction in the requirement for, or cost of, equipment
- There will be a presumption against approving a grant for adaptation of a new home if the client already occupies an adapted home in the area
- There will be a presumption against the refitting of any adaptations which have previously been removed by, or at the request of, the applicant

Applications for grant aided work will not normally be considered where works have started but have not been completed or where work has been completed.

Mandatory Grants

The Council has a statutory obligation to undertake eligible works up to a value of £30,000, subject to a test of financial resource and households may be required to make a contribution to the work. The means test will not be applied for grant works totalling less than £5000. The Council will promote the availability of the grants.

Where the adaptation is for a child or a young person there is no test of financial resource.

If the applicant fails the test of resource and is liable to pay the full or partial cost and still wishes to continue with the works, we will assist with providing a Schedule and finding a contractor.

There is no limit on the number of grants that can be approved, provided the need and eligibility criteria are satisfied and the work is reasonable, practicable and appropriate.

Discretionary Grants

There are a number of circumstances where it may be appropriate to offer help by way of a means tested Discretionary Disabled Facilities Grant. This is where a top-up to a Mandatory Grant is needed where adaptation costs exceed £30,000. Discretionary grants up to an additional £30,000 may be provided; however this is subject to available funds and mandatory grants are prioritised first.

Discretionary grants up to an additional £100,000 may be provided to make adaptations to communal areas, e.g. lifts, which will benefit two or more disabled people.

Our priority will be to process mandatory grants however a discretionary grant may be considered where:

- The existing home is unsuitable for adaptations and the grant will enable the occupant to relocate to a more suitable property and this is a more cost effective solution
- There are no other reasonable relocation options available

This course of action would be discussed with all relevant organizations including the client, Social Services and Occupational Therapists. The grant would be subject to a test of resource and a recoverable Local Land Charge for discretionary grants paid up to the £30,000 maximum.

Clients will need to agree to architectural services being provided for any works involving discretionary grants. Clients have the option of using the Council's in-house service or using a private architect. The Council will make a charge for this service and publish the cost on its website.

Any Grant awarded in respect of relocation will be to meet the reasonable costs associated with moving together with the costs of any lesser adaptation that may be appropriate to meet the client's needs in the new property as identified by Social Services.

Reasonable costs of moving include the following:

- Legal fees
- Estate agents fees
- Stamp duty
- Land registration fees

- Survey fees
- Electrical and drainage inspection fees
- Removal costs (lowest of at least two quotes)
- Installation of telephone where one was provided previously
- Installation of washing machine or other appliances where installed previously
- Redirection of mail if necessary (for a period of 12 weeks maximum)
- Purchase of curtains, blinds, floor coverings and other fitments (to a maximum of £500 and where it can be evidenced that it is not reasonable to re-use existing carpets, curtains etc.)

The above relate only to those reasonable costs incurred as a result of a relocation involving the sale and purchase of a property.

- The Council will consider all relocation cases on their own merits and will give consideration to the most cost effective options/solutions
- The Council will not normally consider providing funding to meet any cost difference between the new and existing property price
- The Council will only consider assistance in respect of relocation to a property deemed to be more appropriate to meet the client's needs
- The Council will not normally provide assistance relating to a relocation out-with the Council boundary however this will be subject to review on a case by case basis

Repayment of Mandatory Grant

There are certain grant conditions that run for a period of time following the completion of the grant (the grant condition period). These conditions will run from the certified date i.e. the date at which the Council has certified that the works have been carried out to its satisfaction.

The Council has resolved that it will demand repayment by the applicant of such part of the mandatory grant that exceeds £5,000 (but will not demand an amount in excess of £10,000) if:

- The grant recipient is an owner occupier and disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and

the Council having considered:

- The extent to which the grant recipient 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 grant recipient 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 grant recipient or of a disabled occupant of the premises; and

- Whether the disposal is made to enable the grant recipient to live with, or near, any person who is disabled or infirm and in need of care which the grant recipient is intending to provide or who is intending to provide care of which the grant recipient is in need by reason of disability or infirmity;

And the Council is satisfied that it is reasonable in all the circumstances to require the repayment.

The assumption is that the part of the grant that can be reclaimed following a disposal of the property will be recovered in full. However, if the grant recipient meets one of the criteria outlined above, the amount reclaimable will be reduced proportionately as follows:

- Breach within one year of the certified date, 100% of the grant will be repayable
- Breach within the second year, 90% of the grant will be repayable
- Breach within the third year, 80% of the grant will be repayable
- Breach within the fourth year, 70% of the grant will be repayable
- Breach within the fifth year, 60% of the grant will be repayable
- Breach within the sixth year, 50% of the grant will be repayable
- Breach within the seventh year, 40% of the grant will be repayable
- Breach within the eighth year, 30% of the grant will be repayable
- Breach within the ninth year, 20% of the grant will be repayable
- Breach within the tenth year, 10% of the grant will be repayable

In cases of financial hardship and on representation from the grant recipient, consideration will be given on a case by case basis to further reduce the grant repayable; however this is likely only to occur if the recipient is in negative equity.

- This condition is a local land charge and is binding on any person who is for the time being an owner of the dwelling or building
- Any income that is generated through the repayment of land charges will be re-invested in further work for adaptations
- Charges will not be placed on property that is owned by a Housing Association as they will become the owner of the adaptation, unless it is a removable item
- Charges will not apply where ownership of the adaptation has been signed over to the Council or another organisation

Who can apply for a Disabled Facilities Grant?

To apply for a Disabled Facilities Grant, you should either own the property or be a tenant (or licensee) and be able to provide the Council with an 'owner's certificate' or 'tenant's certificate'. If you apply as a landlord on behalf of a tenant, it should be clear on whose behalf you are doing so.

The criteria used for those applying are:

- The applicant is disabled as described by the Housing Grants, Construction and Regeneration Act 1996 as amended
- The applicant is resident or will reside in the property as their main home
- The applicant is over 18 or a guardian
- The property is a legal residence including dwellings, mobile homes, caravans and houseboats
- The works are essential and are reasonable and practical to carry out
- There are no category one hazards
- An Occupational Therapist has recommended the work
- The owner of the property agrees that the adaptation can be carried out

Should a grant always be considered?

It may be more appropriate for consideration to be given to moving to a home that can be more suitably adapted or already contains the facilities that are more suitable for individuals and families.

The Council will ensure that Housing Associations aim to optimize the use of their stock in this way and offer priority to find a more suitable property.

The choice based lettings scheme for Cumbria will also compliment this work by providing a matching service and ensuring homes that are adapted are clearly advertised. Priority will be given to families that need the adapted home in accordance with the policy.

Processing requests

We will maintain a list of all requests and they will be prioritized based on the Occupational Therapist recommendations into **High priority** or **Standard priority**.

Cases will be processed by priority and in date order of request. The list will include all the requests for all tenures.

High Priority

This is assessed as service users whose adaptations should be a priority due to their identified level of risk.

High priority will be given to those requests where there is a serious and imminent risk to the health and safety of the occupant, or service users have a progressive illness which will deteriorate rapidly and become unmanageable without the provision of an adaptation.

Standard Priority

Those who do not meet the above criteria, but are considered to be at some risk, and have an identified need for the recommended adaptation.

Grant Approval and Process

The Occupational Therapy service will submit recommendations to the Council for all tenures and will provide the details to the relevant Housing Association if it is in their property. This will be for information and for them to action in accordance with their policies.

On receipt of a recommendation from the Occupational Therapy service, details will be recorded by the Council, who will request that an initial test of resources is carried out if necessary.

If the disabled person is the tenant of a private landlord or Housing Association, the landlord/owner must give permission for the work to be carried out, the process cannot proceed without permission unless the client is prepared to relocate. Fixed items such as level access showers will usually become the property of the owner. Removable items that have been provided will normally be signed over to the Council.

A home visit will usually be arranged by the DFG Officer. The Council will normally produce a schedule specification and works sent out to tender to a contractor on the Council's Procurement Framework. Contractors are selected from the Framework on an alternate basis from the list (there are five lots reflecting the different types of adaptations). If a contractor chooses not to tender then the next contractor on the list will be selected. Checks will be made to ensure prices reflect the costs stated in the original Procurement Framework selection process. If the client wishes to make the arrangements themselves work will only be authorized once two quotes in writing have been obtained by them. Applicants will be liable to pay any additional cost of using their preferred contractor if the cost is above the cost expected through the Council's Procurement Framework.

When it is confirmed that sufficient financial resources are available and land registry and ownership checks have been carried out, the client will be sent an official Grant Invitation.

- Work will not start until there is an agreement in writing that any customer contributions to the cost of the work will be paid.

Once a full application has been received and grant approved the Council is then required to issue a decision within 6 months. We will aim to issue a decision within 6 weeks. Work cannot start until the Council approves the grant in writing.

The Council will aim to facilitate the installation of adaptations within 12 months of the grant approval if approval for works is provided. If the client is using their own contractor then completion will be required within 12 months.

It is strongly recommended that architects are appointed for major works, including design, specification, tendering, planning application, building regulations, drawing up the contract, signing of a Joint Contract Tribunal (JCT) contract and management to completion. Relevant preliminary fees such as these can be included in the grant award. Discretionary grants will only be paid if applicants agree to use an architect.

The Council will retain responsibility for the level of spending and grant approval but the contract is between the client and the contractor. Work and monitoring of the contractor will be carried out by the Council.

During the processing of the request to final completion of the works applicants will be contacted by staff from South Lakeland District Council who will support and sign-post the customer through the process providing details of timescales, discussing other options and assessing eligibility.

Contract Arrangements

The Council will make arrangements for contractors to undertake works, however the contract agreement is between the applicant and contractor; the Council will not be liable for disputes arising between the parties.

The Council will promote the use of JCT contracts (it cannot insist on these) to be drawn up and signed by both parties before any works start (particularly for works over £5000 only). In cases where more than one contractor is needed to complete works then a JCT contract should be drawn up for each contractor where the cost exceeds £5000.

In the event of any disputes between the applicant and the contractor the Council will help to resolve these, however should this not be possible it may be necessary for the applicant to seek legal advice to remedy any dispute.

The Council will normally arrange for grant payments to be made directly to contractors upon completion of works. This may be done in phased stages as the work progresses. It is for applicants to pay contractors directly for any contribution they are required to pay. The Council will make clear, in writing, how much applicants will need to pay. If phased payments are required applicants should only pay a percentage of their contribution in line with the Council's payments, for example, if the Council pays a contractor 50% of the grant as half of the works are complete the applicant should pay the contractor 50% of their contribution. The Council will guide applicants through the payment process.

Fees Charged by the Council

As part of its DFG service the Council provides discretionary services associated with administering applications, these include assistance with completing forms, devising work specifications, procurement, architectural design and monitoring and payment of contractors. With effect from 1 April 2017 the Council will levy fees for this work and will display these fees on its website. The fees will be added to other costs, therefore increasing the grant provided which means that clients will not be required to pay the costs from their own pocket. Should the standard fees take the total costs beyond the discretionary grant limit the fees levied will be reduced to ensure the discretionary limit is not exceeded, meaning clients are not expected to pay any fees themselves in this instance.

Housing Associations

Most Housing Associations have their own adaptation policies and set aside finances for works that are needed for their tenants, to assist them to remain in their own homes as set out in their policies.

Where an application request is received by a Housing Association tenant we would always discuss this with their Landlord in the first instance.

As resources are finite Housing Associations will be requested, as part of this policy, to provide financial contributions towards the costs of any works to properties they own.

Maintenance and Repairs of Adaptations

The work and quality of the adaptation carried out is guaranteed for 12 months following the completion or in accordance with a manufacturers guarantee.

- If there is a maintenance/repair issue during the guarantee period the customer will contact the Council.
- Copies of the guarantee will be provided to the owners or landlords.

After twelve months it will become the customer's responsibility to maintain and repair unless it has been signed over to the owner (i.e. Landlord / Housing Association) or Cumbria County Council or South Lakeland District Council where items have been provided by them. However, there may be instances where a guarantee is provided with the adaptation, for example stair-lifts. This will be made clear to the customer.

Customer Satisfaction

South Lakeland District Council are committed to providing the most cost-effective service possible and will aim to meet the deadlines that are set and complete work as quickly as possible.

Prior to the works being undertaken, the client will be asked to sign that they agree to the specification of the works to be carried out (also see section on contract arrangements). Once the work is completed the Occupational Therapist and DFG Officer will inspect the finished works and clients will be asked to sign a completion form indicating the works have been satisfactorily completed.

An Officer from the Council may conduct a sample check of the works completed and authorize any applicable local land charge.

Customers are also asked for feedback through customer satisfaction questionnaires which may highlight any issues, so that continuous improvement and refinement of the system can take place. Customers receive continuous support throughout the process and Officers are available to provide advice and guidance throughout the process.

Monitoring and Compliance

The Council's Principal Housing Standards Officer is responsible for ensuring that officers implement the service in accordance with the Policy. Procedures are in place which includes details of how checks are made to ensure compliance with the Policy. Any evidence of non-compliance, both internally and externally, will be reported to the Housing Strategy and Delivery Manager to take appropriate action.

The Council's Development Strategy and Housing Manager will be accountable as the 'client' for all DFG works.