



**Lewes District Council**

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MINUTE EXTRACT

**Cabinet – 30 September 2013**

**45 Introduction of Test of Resources for Lewes District Council Housing Tenants Requiring Disabled Adaptations**

The Cabinet considered Report No 156/13 relating to the proposed introduction of a test of resources for the Council's housing tenants who required disabled adaptations undertaken to their homes.

An Internal Audit Report relating to Disabled Adaptations to Properties that had been made to the Scrutiny Committee dated 17 June 2010 had found that, whilst Internal Audit had obtained substantial assurance that there were sound arrangements in place to achieve best value and the adaptations services provided to residents in privately owned and Council owned properties were broadly similar, the ways in which the national arrangements for disabled adaptations had developed meant that there were variations in the way that the Council funded and managed adaptations for the different tenures. That Report had compared and contrasted the application of grant funding which the Council provided with its neighbouring authorities, further details of which were set out in paragraphs 6 and 7 of Report No 156/13.

Consideration of a test of resources (ie means testing) for Council tenants was one of the recommendations of the Internal Audit Report.

At its meeting on 25 August 2010, the Council's Corporate Management Team had agreed that consultation with tenants' representatives needed to be undertaken before any service changes were submitted for Cabinet approval. Consequently, the tenants had been consulted on their priorities for Local Offers and voted that the Disabled Adaptations Service was amongst the top three that were taken forward.

The consideration of the introduction of a test of resources was brought within the scope of the Disabled Adaptations Tenants Local Offer upon which a working group of Housing staff and tenants was tasked with developing, further details of which were set out in the Report.

Following extensive consultation, tenants on the working group had originally voted against the introduction of a test of resources in November 2012.

An Equalities Focus Group comprising Housing staff and tenants was set up to consider the issues raised from the Initial Equality Analysis of all areas of the Housing Service. The Group had met in March 2013 and agreed with the introduction of a test of resources for Council tenants.

The Council's Environmental Health Department did not support Disabled Facilities Grants (DFG's) funded adaptations that were valued at less than £1,000 because Occupational Therapists did not refer such cases to the Council but, instead, arranged for such minor works to be dealt with by Social Services' own contractors. However, the Council's Housing Services Department would continue to be responsible for, and undertake, works under £1,000 to its properties and, for reasons of equitable application of means testing, the Officer's recommended that the £1,000 limit for grant testing be applied to all tenures including Council tenants.

The Corporate Head of Housing Services reported that, in the event that Cabinet was minded to introduce a test of resources for Lewes District Council tenants who required disabled adaptation works of a value of £1,000 or more, the term "means testing" would not be used in the production of the subsequent policy document but that, instead, the term "test of resources" would be used.

Resolved:

- 45.1** That a test of resources for Lewes District Council tenants requiring disabled adaptation works of a value of £1,000 or more be introduced in order to improve equality in this area, as detailed in Report No 156/13.

CHHS

Reasons for the Decision:

The Council had a statutory duty to provide disabled adaptations for residents in the District who were assessed as eligible for Disabled Facilities Grants (DFGs). Such grants were Mandatory and were means tested. Applicants in receipt of specified benefits were not required to be means tested. The details of the DFG system were published in the Council's Private Sector Housing Financial Assistance policy.

That policy applied to all tenures, with the exception of the Council's tenants, where assessed needs were fully funded from the Housing Revenue Account, without going through the DFG process or any test of ability to contribute.

The Department of Health guidance "Delivering Housing Adaptations for Disabled People: A Good Practice Guide" advised that, whilst it was for the Local Authority to decide whether it would apply a test of resources to those whose adaptations were funded by means other than DFGs, in achieving

equity and consistency, it might be regarded as best practice that all recipients of assistance from public funds should be assessed in a comparable fashion.

A recent Equality Analysis of that service area had identified the policy as an equality issue and recommended the introduction of a test of resources for all tenures, including Council tenants.