

Maldon District Council
Private Sector Grants Service
Disabled Facilities Grant Policy
2026-2028 (as amended)

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1 - INTRODUCTION AND LEGAL FRAMEWORK

1a- Maldon District Council ('the Council'), in its role as a local housing authority, has a statutory duty to provide Disabled Facilities Grants (DFGs) to qualifying applicants under the Housing Grants, Construction and Regeneration Act 1996 (the Act).

Since 2015 the DFG budget has been determined by central government as part of the wider Better Care Fund. It is administered to the Council through Essex County Council. The Better Care Fund is a pooled budget bringing together Health, Social Care and Local Government. Although the mandatory requirement to provide the DFG still exists the funding can now also be used for other social care capital projects to support social care and health with reference to the Care Act 2014 as appropriate.

This Policy was formally part of the Housing Assistance Policy made under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) and commenced on 22 May 2008. To date it has been reviewed and revised and forms part of the current Homelessness, Rough Sleeper and Housing Strategy 2018-2025 (as amended).

1b- This Policy sets out the basis on which the Council will offer DFG's in the private housing sector. The principal aim of the policy is to:

- Help those living with a disability to adapt their home to maintain their independence using mandatory and discretionary funding schemes.
- Seek to maximise use of external funding opportunities.

This Policy is to be read in conjunction with the Housing Grants Construction and Regeneration Act 1996 as amended and the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO). The RRO provides Councils with a general power to offer grants, loans and other forms of discretionary assistance to support wider objectives which may include private sector housing renewal, minor works and adaptation.

1c - Any discretionary financial assistance will only be considered having regard to the amount of resources the Council has available at that time. If the Council does not have sufficient resources left to deal with other mandatory DFG applications that have been received, the Council reserves the right not to approve any discretionary assistance.

1d - This Policy will be subject to periodic review and amended as required to consider changing policies at national, regional and county level and all available information on the condition of private sector housing in the district.

The Head of Housing Operations has authority to make policy amendments, such as procedural changes, to accord with such changes of legislation and government policy or changes due to existing resources which do not affect the broad remit or direction of the Policy.

1e - Summary of the main legal provisions for mandatory DFGs:

- DFGs are mandatory grants and are available to disabled people when works to adapt their home are judged as being 'necessary and appropriate' to meet their needs. Furthermore, the Council must determine recommended works as 'reasonable and practicable' to carry out having regard to the age and condition of the dwelling.
- DFGs are subject to a standard government set means-test (except where the adaptation is for the benefit of a child), which means that the applicants (and their partners) income must be assessed to determine the amount of any contribution they may be required to make towards the cost of the required adaptation works.
- There is no right of appeal in relation to the means-test as it is set under legislation and the Council has no control or influence over the calculation.
- Applicants in receipt of certain specified benefits are exempt from the means-test and 'passported'.
- The applicant's contribution will be reduced by the amount of any previous contribution they have made towards a DFG at that property within the 10 years preceding the application date if they are an owner or within 5 years if they are a tenant.
- Subject to all the eligibility criteria being met, the Council must 'determine' a valid application as soon as reasonably practicable but no later than 6 months from the application date.
- The maximum amount of a DFG is set by statute and is currently £30,000.
- In accordance with the Housing Grants, Construction & Regeneration Act 1996 Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, grants can be recovered following sale, assignment, transfer or otherwise of the title of the dwelling within 10 years of payment of the grant in cases where the Council 'is satisfied that it is reasonable in all circumstances to require repayment'.
- Grants below £5,000 are excluded from this condition. The maximum amount recoverable in any one case is limited to £10,000.

2 – TYPES OF FINANCIAL ASSISTANCE AVAILABLE

a) Mandatory Disabled Facilities Grants (DFG) - Maximum £30,000.

This is a **mandatory** grant provided to adapt the home of a disabled person to meet specific needs and enable the disabled occupant to maintain the maximum degree of independence. The maximum eligible expense is currently £30,000 which includes for reasonable fees incurred in making the application and VAT at the current rate.

b) Discretionary Relocation Assistance (DRA - Relocation) – Maximum £5,000.

This is **discretionary** assistance to help eligible applicants relocate to a suitable property within the Maldon District if recommended adaptations to their current dwelling is not feasible or reasonable.

2.1 - Discretionary Repayable Assistance is discretionary and will only be considered having regard to the financial resources the Council has available at that time. The Council will prioritise funding toward Mandatory DFG applications. If the Council does not have sufficient financial resources left to deal with mandatory referrals and applications, the Council reserves the right not to approve any discretionary assistance.

2.2 - Discretionary Repayable Assistance (**Disabled facilities**) will be recorded as a charge on the Local Land Charges Register. The financial assistance will be repayable in full where a dwelling is disposed of whether by sale, assignment, transfer of the title or otherwise for any reason.

2a Mandatory Disabled Facilities Grants (DFG)

2a (i) - The provisions for processing Mandatory DFGs and the conditions attached to them are laid down in the Housing Grants Construction and Regeneration Act 1996 as amended.

2a (ii) - All applicants must be 18 years of age or older at the date of application and in the case of joint applications at least one must be over 18 at the date of application. Grant assistance will only be approved for the benefit of applicants who are able to provide evidence of a valid national insurance number.

2a (iii) - The amount of the Grant is determined by the 'Test of resources' or 'Means test' carried out on the person that the work is being carried out for. If this person is under 16 years of age or is aged 16 to 19 and is entitled to Child Benefit for being still in full-time non-advanced education, no means test is carried out and the Grant is for the full cost of the work up to the maximum eligible expense limit. The means test applies to the disabled applicant and any spouse or partner. The applicant is required to provide information about all sources of income and all savings and must provide evidence to support information given in the application form.

2a (iv) - Applicants who **are** in receipt of specific income related state benefits will be 'passported' through the means testing process and will not be required to contribute towards the cost of the proposed adaptation works. Specific benefits (eg Universal credit, Housing Benefit, Guaranteed Pension Credit etc) are prescribed by central government and may be amended at their discretion at any time.

An appeal cannot be made about the outcome of the standard means-test as the assessment process is set in legislation and not the responsibility of the Council.

2a (v) - Any resident who owns or rents a house, bungalow, flat or houseboat with an occupant who is registered (or registerable as) disabled may apply for a DFG for adaptations to their home to enable them to continue to live at home as safely and independently as possible. The tenant will need to obtain the landlords consent for the proposed adaptations.

2a (vi) - Registered Social Landlords (RSL's) and their tenants are also eligible to apply for a mandatory DFG, but in these situations the Council will firstly investigate the RSL's ability to carry out and fund the adaptation works themselves. In all such cases, the Council will request that the RSL contributes towards the cost of the adaptation works before processing the application.

2a (vii)- A request for a DFG must be supported by a recommendation from an Occupational Therapist(OT) from the Independent Workforce Team at Essex County Council Social Services. Should an applicant provide an independent Occupational Therapist's recommendation the Council will consult with the service at Essex County Council before processing the application. The person for whom the work is being requested must live in the dwelling as their main or sole residence.

2a (viii) - The OT must confirm that the work is both 'necessary and appropriate' for the user. When considering the OT recommendations, the Council must be satisfied that the proposed works are necessary and appropriate **and** reasonable and practicable, taking into account the age, condition and suitability of the property for adaptation.

2a (ix) - However, there may be instances where it is not always 'reasonable and practicable' to adapt some dwellings. Examples are but not limited to:

- Where the dwelling is in substantial disrepair, neglect and or in need of costly modernisation prior to OT recommendation.
- Where moving existing services would be prohibitively expensive.
- Where the dwelling is a listed building or in a conservation area and the adaptation would be prohibitively expensive or inappropriate.
- Where the adaptation work would have a negative effect on other residents.
- Where it is not possible to adapt a dwelling to an appropriate standard.
- Where the cost of works is considered excessive, the Council may take the view that the works are not 'reasonable and practicable'.
- The Council will also consider what adaptations are 'desirable' and what are 'essential' to meet the assessed needs of the person concerned.

In all applications the Council will consider the most economic adaptation in the first instance and priority for financial grant assistance.

The Council reserves the right to refuse grant assistance where the works are not necessary, appropriate, reasonable and practicable or are excessively expensive or where the property is not suitable for adaptation.

2a (x) - Priority will be given to child applications and cases assessed as 'Urgent or Critical' by OT's. The Council will process such priority cases ahead of all other referred cases and aims to fund all registered applications within the financial year of assessment or full application.

2a (xi) - The Council will aim to approve DFG applications within 60 working days of receipt of the application being determined as complete and valid. If information is missing from the application the applicant will be contacted and notified as to what they need to provide before the application can be considered complete.

It is important to note that where Mandatory DFG are concerned, the Council must determine applications within 6 months of receiving a complete and valid application.

2a (xii) - If the property is sold in the ten-year period following the completion of the work, the Council may recover specialist equipment installed under the DFG. If the Council intends to do so this will be specified in the grant Approval Notice.

2a (xiii) - Where the DFG is above £5,000, the Council will recover costs up to a maximum of £10,000 if the property is disposed of (sold, assignment, transfer or otherwise) within 10 years of the date of the completion of the approved work. This will be protected by a charge on a property which will be removed after a period of 10 years if there is no disposal of the property. The Council may waive this requirement in exceptional circumstances. DFG's below £5,000 are excluded from this condition.

2a (xiv) - Where appropriate, housing options will be considered and discussed with the applicant in the first instance. To ensure equality of service, the general principles of Maldon District Council's Housing Allocations Policy will be used as the guiding document to determine accommodation type and size required. Assistance may be available in the form of a Mandatory DFG as above.

However, a DFG application will not be considered if a housing application is live, active and where the applicant is seeking to move to an alternative property.

2a (xv) - Examples of qualifying works for Mandatory DFG

In considering the OT recommendations, the Council must establish that the proposed works are reasonable and practicable. The works must provide an effective long-term solution considering the relevant circumstances of those affected. The examples list below is not exhaustive and other works may be considered subject to an OT recommendation being received by the Council.

- Facilitating access.
- Access to a bathroom.
- Making a dwelling or building safe for the disabled occupant.
- Access to a room usable for sleeping.
- Facilitating preparation of and cooking of food.
- Heating, light and power.
- To provide an area for specialist care of treatment.
- The provision and installation of specialist equipment eg ceiling track hoists, stairlift.
- Reasonable and relevant assistive technology to support the disabled occupant.

In the absence of any suitable affordable alternative, the Council may consider applicant with Discretionary Repayable Assistance to enable the works to proceed. Any request for this form of assistance must be made in writing to the Head of Housing Operations.

2a (xvi) – Mandatory DFG will not be available for communal entrances or communal areas.

2b Discretionary Repayable Assistance (DRA) – (Disabled facilities - Maximum £5,000.)

Discretionary Repayable Assistance (DRA – (Disabled facilities) is available:

- Where an applicant qualifies for a Mandatory DFG but is unable to meet their assessed financial contribution toward essential works due to exceptional circumstances **and** is unable to obtain a commercial loan or from other funding streams, the Council will consider DRA.

2b (i) – Any Discretionary assistance applications will be considered on a case-by-case basis. The Council reserves the right to refuse DRA (Disabled facilities) where the works are **not** ‘necessary and appropriate’ and ‘reasonable and practicable’.

2b (ii) - DRA (Disabled facilities) will be recorded as a charge on the Local Land Charges Register and will remain indefinitely and will be repayable in full where a dwelling is disposed of whether by sale, assignment, transfer of the title or otherwise for any reason.

2b (iii) - Where the works are for a disabled child or dependent the means test will still be a requirement and undertaken in respect of the property owners (and their partners) as the “relevant person” as well as the “applicant”.

2c Discretionary Relocation Assistance – (DRA - (Relocation)) is available:

Where the applicant would otherwise qualify for Mandatory DFG and the following factors exist:-

- Adaptations to their current home through Mandatory DFG are determined not to be a feasible or reasonable option **and** they are considering relocating to a suitable property they intend to purchase.
- The adaptations involve major work and it would be beneficial to the disabled person and more cost effective if they moved to a home more suitable to their needs,
- DRA of up to £5,000 may be made available towards specific relocation expenses which includes estate agents fees, legal costs and removal costs.
- Applicants must be relocating within the Maldon District.

2c (i) - Applicants must be aged 18 or over on the date the application is made and in the case of a disabled child, the parent(s) would make the application. Any such application must be supported by a recommendation from the Occupational Therapy Service at Essex County Council.

The Council and the Occupational Therapist must both be satisfied that the proposed dwelling already meets the needs of the disabled person without further adaptation or are satisfied that it can be adapted at a reasonable cost.

2c (ii) - DRA will not be made available towards the purchase price of a new dwelling, rent or any rental agreement. Applications for assistance must be submitted prior to relocation and any assistance will not be paid retrospectively. DRA is not available to Registered Social Landlords or Private Landlords.

2c (iii) - All applicants will be required to complete the move within 12 months from the date of approval of their application. Any payments made will be made either directly to the service/work provider or to the grant applicant. In either case, valid invoices or receipts must be provided prior to payment or reimbursement. The new dwelling must be the disabled person's main residence

2c (iv) - The Council will require two quotations from independent contractors that reflect the cost of the relocation works or service being provided. The Council may accept one quotation if is satisfied that the cost is reasonable and value for money

2c (v) - The Council and the Occupational Therapist must both be satisfied that the proposed dwelling already meets the needs of the disabled person without further adaptation or are satisfied that it can be adapted at a reasonable cost.

2c (vi) - The new dwelling must be the disabled person's main residence, and no applicant will be awarded a Discretionary Relocation Assistance on more than one occasion.

3 DUAL RESIDENCY OF DISABLED CHILD AND DISCRETIONARY ASSISTANCE

3a - Mandatory DFG assistance can only be provided for the 'sole or main residence' of the disabled applicant. However, in cases where families separate, and a court order provides that residency of the subject disabled child is split between the mother and father (or other designated guardian) the Council may consider the award of discretionary DFG to one property. The proposed adaptations will only be considered for discretionary assistance if they fall within the eligibility applied to mandatory DFG schemes.

3b - In determining the discretionary works that might be considered as eligible for assistance the Council will consider the suitability of the dwelling for adaptation, the complexity and scope of the adaptation required, and any observations or referral made by the Occupational Therapy Service. The scope of the works will not necessarily mirror those to be undertaken at the sole or main residence. The main residence will be determined by which adult party receives child benefit for the disabled child. Discretionary assistance is subject to the Council having sufficient funds at the time of application and can be withdrawn at any time.

3c - Any Discretionary Repayable Assistance provided for dual residency children will be up to a maximum award of £5000 and will not be subject to any form of means-testing. The assistance will be recorded on the Local Land Charges Register indefinitely and will be repayable in full if the grant recipient disposes of the dwelling whether by sale, assignment, transfer or otherwise for any reason.

4 STAIRLIFTS, STEPLIFTS, THROUGHFLOOR LIFTS AND HOISTS

4a - The Council has removed the means test for lift applications. The decision is made to reduce the likelihood of falls associated with stairs and the potential harm outcomes to the victim, and having considered the financial implications these incidents may have on the National Health Service. Non-means testing for lifts and hoists will enable the fast-track delivery of stairlifts and may help expedite hospital discharges.

4b - DFG applicants who are recommended for equipment as above by an Essex County Council Occupational Therapist and who meet the eligibility criteria for a mandatory DFG will be passported through the DFG process.

5 GENERAL CONDITIONS FOR APPLICATIONS

5a - All applicants must be 18 years of age or older at the date of application, have an owner's or tenant's interest in the property, and in the case of joint applications at least one must be over 18 at the date of application. Grant assistance will only be approved for the benefit of applicants who are able to provide evidence of a valid national insurance number.

5b - Information provided to the Council by applicants as part of the application process will be checked thoroughly and may be shared with other departments of the Council and other organisations involved in any aspect of handling public funds to help prevent and detect fraud or in investigation of other possible criminal activities.

5c - Applications will only be accepted if they are made on the current forms provided by the Council. Applicants will be required to provide full details of financial circumstances on a form provided by the Council. Applicants will be required to sign a declaration as to the accuracy of information provided and that of any supporting paperwork.

5d - The Council will routinely carry out cross checks on information provided. If incorrect information is provided to the Council any paid grant will be repayable to the Council on demand.

5e - The adaptation works must be carried out in accordance with any plans, specifications and schedules as approved or provided by the Council.

5f - Works covered by insurance claims or work that should have been covered by such, will not be eligible for Mandatory DFG assistance of any kind.

5g - The Council will not approve any application if the relevant works have started before the application is approved.

5h - Works funded by DFG or Repayable Assistance will be the simplest and most cost-effective adaptations that will meet the need of the applicant's assessed needs. This includes for the change of use of existing rooms or the reordering of rooms that may be the most effective and economical solution. Such decision will take precedence over extension or conversion or similar enhanced adaptation to the property. Should an applicant desire an alternative or enhanced scheme it will have to be funded through personal resources or other funding streams.

5i - In certain circumstances a DFG up to the value of the estimated cost of providing the most cost-effective adaptation can be used to contribute towards an alternative scheme. For example, where a through-floor lift would meet the needs of the disabled person, but the preference of that person is for the construction of a ground floor extension. The DFG cost of the lift could be approved and used toward the cost of extension.

5j - DFG will only fund one facility to a dwelling and it should fully meet the applicants' assessed needs on completion of works.

5k - The Council will not pay for the DFG approved works until all works have been completed and certified as satisfactory by the Council. No variation of the approved

DFG will be made for any additional work, unforeseen works or private work. All such costs are to be borne by the applicant.

5I - Applicants will not be entitled to financial assistance if it is determined they have deliberately worsened their housing circumstances or if their housing situation has been made worse because they have acted in a manner that is unreasonable.

6 ASSISTANCE WITH APPLICATIONS

6a - Home Improvement Agency Service

The Council provides a small in-house Service to manage DFG applications focussed on eligible applicants who are older, vulnerable or in need of care and support. The service is subject to existing staffing resources and optional to applicants should they elect to use the service.

So far as is reasonably practicable the service provides.

- Completing all initial means test forms and application forms as appropriate.
- Obtaining landlord's or freeholders consent to the adaptation works where appropriate.
- Arranging for inspection or survey to prepare specification or plans.
- Engaging and dealing with consultants or relevant third parties.
- Obtaining builder's estimates from vetted contractors for the adaptation works.
- Inspecting the adaptation works when the grant has been approved;
- Certifying work as fit for use for the applicant or complete.
- Dealing with grant payments to contractors.
- Referral or signposting to preferred external provider or specialist to assist with more complex needs.
- Referral or signposting to preferred external provider or specialist to assist with planning or building regulations applications or specific building consents.

6b - Eligible applicants are given a choice in whether to elect to use this service at the first appointment with a member of the Private Sector Grants Team. The applicant will be required to sign a form to confirm that they wish to use the service.

6c - Where an applicant is elderly, disabled or vulnerable and they need the services of a home improvement agency, architect or surveyor to organise and oversee works funded by any form of assistance in this policy the Council will include the reasonable fees in the calculation of the financial grant assistance. Examples are costs for project management of approved scheme, preparation of plans, specification, site supervision or structural engineer reports.

The Council charges a fee of 15% plus VAT at the standard rate, of the total cost of the adaptation works for this service. This fee is added to the total cost of the approved DFG.

6d - If the applicant chooses not to use the Councils in-house service to administer and process their grant, they will be advised that they will have to manage the process by themselves and take ownership of such responsibilities.

6e - The Agency service has discretion to refuse to manage any DFG application on reasonable grounds. Examples may be, but not limited to, inadequate resources, complexity or scope of scheme, specialism, condition of property, lack of supportive funding, legal or contractual obligations or requirements.

6f - The Agency service will not project manage extensions, conversion or similar enhanced larger schemes. It is recommended the applicant engage a specialist consultant surveyor, structural engineer or professional advisor to act on their behalf to manage the project and determine all relevant permissions prior to DFG application.

7 - CONTRACTORS AND GRANT PAYMENT

7a - Preferred contractors

So far as is reasonably practicable the Council will maintain a list of preferred building contractors and specialist contractors who are experienced in residential adaptations or specialist equipment. In the first instance, it will be recommended to applicants that adaptation work or associated work that is subject to approved grant funding is undertaken by contractors from the preferred list.

7b - Employment of contractors and applicant responsibility

The approved DFG is an agreement made between the grant applicant and the Council. However, all eligible works relating to the DFG are a contractual agreement made between the grant applicant and the employed contractor. The contractor is employed by the grant applicant and not the Council.

The contractor is responsible for ensuring that the works progress to a satisfactory conclusion. It is best practice that the applicant (or their representative) and the contractor agree the final scope of work to be completed, time periods, access arrangements, terms of payment and any other contractual obligations prior to commencement of work.

7c - Disputes with Workmanship

The applicant as employer of the contractor is ultimately responsible for ensuring the quality of the completed works. Applicants are strongly advised to engage a professional agent e.g. an architect, surveyor or Home Improvement Agency to act on their behalf and inspect the works on their behalf. The Council will not act as clerk of works or become involved in any unreasonable dispute.

Where a dispute arises regarding the standard of a contractor's workmanship the Council may consider withholding payment to the contractor until the works have been completed satisfactorily in the professional opinion of the Council.

Where works are deemed to meet the Council's approval, but the grant applicant is not satisfied the Council will not unreasonably withhold payment to the contractor. In this regard the Council will determine where substantial performance of the works has been carried out, where works have reached practical completion, and determine the facility is fit for use.

7d - Unforeseen works and additional costs

Where a contractor discovers the need for further works after starting, additional financial assistance will only be considered if those works could not have been reasonably foreseen prior to the commencement of the works. The Council must be notified of any reduction in costs or variation to the agreed works that occur as the works progress.

No unforeseen works can commence until confirmation from the Council has been received as to whether these works are reasonable in terms of cost, are truly unforeseen and whether the works are necessary.

Where unforeseen works are agreed by the Council the grant will be re-calculated when all works have been completed, and a revised approval notice will be issued when the grant is paid.

DFG funding will not exceed the maximum grant allowance, and the costs of unforeseen works may have to be paid from the personal resources of the applicant.

7e - Payment of Grant

The Act allows the Council to pay the grant directly to the contractor on satisfactory completion of the works. The Council will pay the contractor following final inspection provided the works have been carried out to its satisfaction, fit for use, in accordance with the OT recommendation, and approved specification/plan.

Payment will only be made on production of a final invoice and subject to the satisfactory receipt of all certificates relevant to the adaptation works carried out e.g. Gas Safe Certificates, Electrical Installation Certificates, Building Control Certificates etc.

The Council will consider requests for interim payments if they are requested before works. The Council will not approve an interim payment of more than 90% of the approved grant. Interim payment may be considered applicable for stage works, larger works or where several contractors are being employed.

8 - Building consents and approvals for works

The responsibility to gain all necessary approvals for works to be undertaken rests with the applicant or their appointed agent. Such approvals may be Planning Permission or Building Regulations Approval, or any other approvals as advised by the Council. A valid grant application must include any planning approval, Building Regulation approval, Party Wall consent or any other legal consent deemed necessary and appropriate to the scope of works required.

9 - Maintenance and Warranties

Once grant approved works are completed the Council will not finance or organise servicing, repairs or maintenance after the expiry of any applicable warranty period, which can be from 1 to 5 years pending on the equipment.

Applicants are therefore encouraged to consider a longer warranty at the time of the installation as subsequent and future repairs can be expensive. In most circumstances a 5-year warranty will be funded as part of the original DFG for specialist equipment. DFG is not available for purchasing warranty or service contract.

The applicant is responsible for ongoing service and maintenance cost in accordance with the manufacturer's recommendations, after warranty expiration. A secondary funding application for equipment that has failed, beyond economic repair or not serviced would not be considered.

Note, the Council will not remove adaptations when they are no longer required and not responsible for any reinstatement works carried out.

10 - Registered Social Landlords (RSL)

RSL's have a duty of care to their tenants and must meet certain standards and targets relating to the condition of their dwellings. They also have a duty to provide reasonable adaptations to its own properties to meet the needs of occupying individuals and families with disability needs.

The Council expects RSL's to consider and meet these duties on behalf of their occupying tenants. Where the Council receives a DFG recommendation for a tenant of an RSL, the RSL will be issued with a formal request for a financial contribution towards the cost of the adaptation works. The DFG may not proceed until a response has been received about consent for the works and financial contribution.

11 - Appeals, complaints, compliments or feedback

If the applicant is not happy with the service it has received, or to give feedback, rather than any part of this Housing Assistance Policy they may contact the Private Sector Grants Team in the first instance.

The decision of the Housing Operations Manager is final regarding the Council's internal processes. Allegations of maladministration can be referred to the Local Government Ombudsman.

The Council's complaints procedure can also be used if the applicant wishes to make a complaint about the way something has been done or not done.

Examples are where a resident or applicant considers any of the following:

- Failure to provide a service.
- Unreasonable delays with the provision of a service.
- Dissatisfaction with the way a decision made.
- Failure to fulfil statutory responsibilities.
- Provision of inaccurate or false information.
- The conduct of staff, partners or contractors has been inappropriate.

12 - Contact

All enquiries should be addressed to the Private Sector Grants Team on 01621 85 4477 or by e-mail Privatesectorhousing@maldon.gov.uk

13 - Data protection

Anyone wishing to review the Council's approach to Data Protection and GDPR should refer to the link below

[Data Protection Act 2018 \(GDPR\) | Data Protection Act 2018 \(GDPR\) | Maldon District Council](#)

14 - Safeguarding

Maldon District Council is committed to safeguarding children, young people and vulnerable adults. Safeguarding is the right for children, young people and vulnerable adults to participate and be safe in the services provided for them regardless of age, race, disability, culture or gender. This includes a right to protection from abuse.

The Council expects any organisation wishing to provide Services where employees work directly or indirectly with children, young people or vulnerable adults, to be able to demonstrate standards of safeguarding, commensurate with those expected of statutory organisations.

15 – Equalities Act 2010

Maldon District Council is committed to enabling equal opportunity, diversity within our workforce and ensuring an inclusive culture where everyone feels they belong, are respected and can be themselves. The current Equity, Diversity and Inclusion Policy is intended to assist the Council to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

16 - Applying for Disabled Facilities Grant (DFG)

The following provides a general summary procedure for applying to the Council for DFG.

16a – Initial enquiry

Initial enquiry for a DFG must be made to Adult Social Services at Essex County Council. The telephone number for Adult Social Services is 0333 013 5139 or email Independent Workforce Team iwt@essex.gov.uk

A visit from an Occupational Therapist (OT) will be arranged by Adult Social Care. The OT scheme and recommendation will then be sent to the Council's Private Sector Grants Team for consideration to progress to DFG application.

If general advice about the application process is required or about passporting benefits then please contact the Private Sector Grants Team Privatesectorhousing@maldon.gov.uk or 01621 854 777.

16b – Preliminary assessment

The applicant or nominated agent will usually complete and return a preliminary test of resources form ('Means Test') providing the Council with the information it requires on their circumstances including details of their financial situation and home circumstances.

16c – Home inspection, assessment or survey

An officer from Private Sector Grants Team will visit to inspect, assess or survey the applicant's home to determine whether, based on its condition, the property is eligible for assistance. With respect to Disabled Facilities Grants they will be looking to see that the adaptations proposed by the Occupational Therapist are both reasonable and practical.

16d – Formal application

After assessment or survey the Council will send the applicant relevant forms and associated documents. If the applicant has chosen the Home Improvement Agency or professional agent to act on their behalf this information will be sent to the agent. To make a valid application, the applicant must complete and return the application form in accordance with the written instructions provided, and they or their agent must obtain competitive estimates from contractors. The contractor who is appointed to undertake the work is employed by the applicant, not the Council.

All applicants will be required to provide evidence of benefit entitlement and/or detailed financial information. As appropriate the Council will make an enquiry with HM Land Registry to confirm ownership of the property or determine proof of ownership. In making an application for financial assistance, the applicant agrees to the terms and conditions as provided.

16e – Approval of grant application

The Council must be satisfied that the application is complete, that it accurately reflects the applicant's circumstances, and the cost of eligible works is reasonable.

A notice of grant approval will be sent to the applicant, informing them of the eligible works to be provided and giving the applicant details of the terms and conditions that are attached to the provision of that assistance. The notice will include approved financial grant sum and nominated contractor to execute the works.

Unless otherwise stated, no grant eligible work must start in advance of formal notice of approval.

A valid application is deemed to be made when the Council is in receipt of all following documentation.

- Evidence of Occupational Therapist recommendation of adaptations.
- Council confirmation that recommended works are 'reasonable and practicable'.
- Completed application forms.
- Evidence of financial resources to complete a means test of resources.
- Contractor estimates as required by the Council.
- All necessary property owner consents, ownership or proof of tenancy.
- Planning or building consents.
- Evidence of supportive funding as appropriate.
- Any other document deemed as necessary and appropriate to enable fair and consistent decision making.

16f – Execution of work

The applicant or Agent should contact the contractor(s) to decide for the work to commence and contact the Council officer to inform them of the start date. The applicant is the employer of the contractor(s), and not the council, and should agree all terms of engagement prior to the start of works. Depending on the scope or complexity, the works will normally be inspected by the Council or the applicants Agent to determine progress and completion.

16g - Completion and payment of grant

A final inspection will be made by the Council to determine satisfactory completion of grant eligible works. In most circumstances grant payment(s) will be made direct to the approved contractor(s) by BACS transfer. This will be approved on receipt of final account invoices together with any relevant supporting documents such as guarantees or certificates.