

**COUNCIL EXECUTIVE**

**REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES AND HEAD OF SOCIAL POLICY**

**SCHEME OF ASSISTANCE, S72 HOUSING (SCOTLAND) ACT 2006**

**A. PURPOSE OF REPORT**

To seek approval for an update to the Council's scheme of assistance or section 72 statement under the Housing (Scotland) Act 2006. Services have collaborated to refresh the scheme to reflect current council policy, practice and align with the Local Housing Strategy (2017-2022) and Housing Capital Investment Programme 2019/20 – 2022/23, and Eligibility and Contribution's Policies approved by Council on 11 September 2018.

**B. RECOMMENDATION**

It is recommended that Council Executive:

1. Notes the proposed changes to the scheme of assistance, as outlined below;
2. Notes that amendments include reference to Eligibility and Contributions Policies approved by the Council on 11 September 2018, and clarity around the types of adaptations which are grant funded by the council;
3. Notes that the revised Scheme of Assistance will supersede the Mixed Tenure Estates Report approved by Council on 13 October 2015; and
4. Approves the updated scheme of assistance attached as Appendix 1.

**C. SUMMARY OF IMPLICATIONS**

<b>I</b>	<b>Council Values</b>	Being honest, open and accountable; making best use of our resources; working in partnership
<b>II</b>	<b>Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	Legal issues have been addressed and consulted on. A draft IIA is attached.
<b>III</b>	<b>Implications for Scheme of Delegations to Officers</b>	None
<b>IV</b>	<b>Impact on performance and performance Indicators</b>	None
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	None
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	The capital budgets relating to the scheme of

assistance are predominately for adaptations in the private sector and council houses. Grants provided by social policy and aids (including provision of equipment on discharge from hospital) is overseen by Social Policy and is budgeted at £950,000 for 2019/20.

Council Housing adaptations and aids is budgeted at £700,000 for 2019/20. Both budgets were approved by Council for financial year 2019/20 on 19 February 2019.

**VII Consideration at PDSP** This report was presented to the Social Policy, Policy and Development Scrutiny Panel on 17 May 2019 and to the Services for the Community PDSP on 11 June 2019.

**VIII Other consultations** Anti-Poverty and Welfare Advice Service, Environmental Health, Estates Management (Energy Management), Legal Services, Financial Management Unit and Corporate Transformational Change Team.

## **D. TERMS OF REPORT**

### **D1. INTRODUCTION**

The Council is required to have a statutory statement (“the scheme of assistance”) to describe the type of support and advice available to private home owners for repairs and maintenance and information about disabled people’s adaptations (children and adults).

The scheme requires to be updated to reflect current council policy, including the current Local Housing Strategy, Capital Investment Programme and social policy Eligibility and Contributions Policies introduced by Council in 2018. It is also important to update the scheme with new contact details for services, relevant online information and reflect current operational practice. The scheme was last approved by Council on 10 May 2010.

### **D2. CONTEXT**

The Housing (Scotland) Act 2006 and the Housing (Scotland) Act 2006 (Scheme of Assistance) Regulations 2008 require a local authority to detail how they will provide support or advice to private homeowners and include in the statement details of any support available to private homeowners to carry out repairs on their property, the council’s approach to repairing their own properties within mixed tenure estates, grant funding for disabled person’s adaptations and general information to homeowners about maintaining their property. The Council’s scheme of assistance should align with current policies and practice.

Where the council owns property it requires maintaining that to an acceptable standard for renting. The Council’s Capital Investment Programme 2019/20-2022/23 also details the types of works it may carry out to its properties. In some instances private homeowners may need to be involved in works and have a liability to contribute to the overall cost of those works. Where possible the council will exclude private homeowners from works. The scheme of assistance will incorporate the council’s approach to mixed tenure estates, which was last approved by Council in October 2015.

The council is a registered Property Factor so it may carry out common repairs and recharge works to tenants and private homeowners within a building/estate. Where

works are carried out as part of any wider common repair scheme the Council's Corporate Debt Policy will apply.

The types of support available from the council for private homeowners includes access to council staff, for example Environmental Health for advice and information on common repairs, tolerable standard or the West Lothian Advice Shop for financial or energy advice.

The council may under the scheme of assistance provide circumstances in which they will intervene and take action e.g. further to a statutory notice having been served by Environmental Health or supporting owners to carry out common repairs.

The scheme of assistance was reviewed by Housing Services' Tenant's Panel on 4 April 2019. It was well received and acknowledged as a statement confirming the council's robust approach to recovery of debts in mixed tenure estates and that where practicably possible private homeowners will be excluded from common repairs or capital investment works by the council.

Adaptations are a key part of supporting people to remain living within the community and independently. The council provides various adaptations to disabled persons living in private housing, aligning with best social work practice and Scottish Government guidance. As part of any needs assessment Social Policy Occupational Therapists assess people's needs for adaptations or equipment in line with the Council's Eligibility Policy. Where necessary people may be signposted to services for support, if ineligible for non-residential care services or provided with advice.

Some adaptations must be provided by grant ("mandatory") where essential and permanent or structural in nature, for example the widening of doorways, standard amenities (sink, toilet etc.) and additional bathrooms.

A 100% mandatory grant to fund the total cost of the adaptation is provided where the individual has income related benefits. Checks are carried out to confirm eligibility and provide income maximisation support for individuals, in line with current Council policy and practice. Mandatory grant funded adaptations are exempt from a financial assessment per part 2.3 of the Contributions Policy.

The introduction of the Contributions Policy meant all equipment and adaptations are to be included in a care plan and a financial assessment carried out. Personal care items or those provided for hospital discharge purposes (free care is provided for up to 42 days from discharge) are exempt from any financial contribution.

The Council's Eligibility Policy and Contributions Policy were widely consulted on and changes to the scheme continue to support these policies. An Easy Read version of the Scheme of Assistance and leaflet summarising the key points will be online and available printed when necessary.

As a registered social landlord the council will carry out adaptations, to support individuals who have been assessed as requiring an adaptation in terms of the Council's Eligibility Policy.

The budget in 2019/20 for social policy adaptations within the private sector housing and provision of aids is £950,000. It is anticipated that this budget provision will continue to meet the needs of people requiring adaptations, taking into account increasing demand due to ageing demographics and costs of materials/labour.

**Table 1**

	<b>Actual</b>	<b>Actual</b>	<b>Actual Expenditure</b>
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	<b>Expenditure 2016/17</b>	<b>Expenditure 2017/18</b>	<b>2018/19 (forecast)</b>
Adaptations	£946,249	£1,029,648	£687,849
Rails	£159,743	£121,606	£91,953
<b>Total</b>	<b>£1,105,992</b>	<b>£1,151,254</b>	<b>£779,802</b>

A grant is provided to support people to remain independent and live in their homes. The adaptation becomes their responsibility and asset to maintain and repair, though where necessary support will be provided for this and if necessary financial support.

The budget allows for a fluctuation in changing demand and because some adaptations can be particularly costly, for example in the financial year 2018/2019 through floor lift and wet floor grant for one private sector individual was £22,885.

This scheme of assistance and associated budgets have been carefully considered. It is recognised as an important part of supporting disabled people to remain living independently in their homes. Whilst there are budget pressures as a result of rising costs and changes in demographics, the direct provision of early support and advice from the council and the West Lothian Advice Shop, will help alleviate budget pressures and continue to provide adaptations or equipment to disabled persons, in terms of the Council's Eligibility and Contributions Policies.

### **D3 CHANGES TO SCHEME OF ASSISTANCE**

These provide for:

1. Clearer information about the types of adaptations funded by mandatory grants and how to access to social care services for a needs assessment.
2. Improved web-links to online information available to people needing social care, or advice on repairing their homes.
3. Information around the support and advice available for small repairs and assistance available in carrying out works to remain independent and live safely in communities.
4. Clarifying the council's approach to repairs in mixed tenure estate buildings and including this within the scheme of assistance to supersede the Housing's Report on Mixed Tenure Estates from 13 October 2015.
5. Updated information on how to access support and advice when a statutory notice is served by the council.
6. Updated contact details for various agencies for example Housing Tribunal; website "UnderOneRoof"; web links to council information and contact numbers.

### **E. CONCLUSION**

The refreshed Scheme of Assistance is a welcome update for an important statement about the services and support available from the Council to disabled persons in private sector homes. It provides practical information for private homeowners about the types of support, advice or services they can expect to receive from the council.

The Scheme supports continued repairs and works to mixed tenure estates, excluding private sector homeowners where possible or ensuring recovery of costs for works from private homeowners, in line with the Council's Corporate Debt Policy.

The Scheme will be made available online, with an Easy Read version and leaflet to summarise the key points contained in the scheme and contact numbers for relevant

services. Services will continue to work together to support homeowners keep their properties in repair and adapted for independent living.

## **F. BACKGROUND REFERENCES**

Revenue Budget 2018/19 to 2022/23 – Report by Head of Finance and Property Services to West Lothian Council on 13 February 2018

Eligibility for Non-Residential Adult Social Care – Report by Interim Head of Social Policy to Council Executive on 11 September 2018

Contributions Policy for Non-Residential Adult Social Care Services – Report by Interim Head of Social Policy to Council Executive on 11 September 2018

Mixed Tenure Estate Report to Council Executive on 15 October 2015

Written Statement of Services under the Property Factors (Scotland) Act 2011

Housing Capital Investment Programme 2019/2020 to 2022/23

Appendices:

1. Draft Scheme of Assistance.
2. Integrated Impact Assessment.

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