

Tameside & Glossop Single Commissioning Function

Equality Impact Assessment (EIA) Form

Subject / Title	Regulatory Reform (Housing Assistance)(England and Wales) Order 2018 – 2023 Revised Policy
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Team	Department	Directorate
Housing Renewal/ Adaptations	Strategic Infrastructure	Development & Investment

Start Date	Completion Date
June 2017	TBC

Project Lead Officer	Jim Davies
Contract / Commissioning Manager	Nigel Gilmore
Assistant Director/ Director	Jayne Traverse

EIA Group (lead contact first)	Job title	Service
Jayne Traverse	Head of Service	Development & Investment, Place
Nigel Gilmore	Head of Strategic Infrastructure	Development & Investment, Place
Jim Davies	Housing Renewal Manager	Development & Investment, Place

PART 1 – INITIAL SCREENING

An Equality Impact Assessment (EIA) is required for all formal decisions that involve changes to service delivery and/or provision. Note: all other changes – whether a formal decision or not – require consideration for an EIA.

The Initial screening is a quick and easy process which aims to identify:

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- *those projects, proposals and service or contract changes which require a full EIA by looking at the potential impact on any of the equality groups*
- *prioritise if and when a full EIA should be completed*
- *explain and record the reasons why it is deemed a full EIA is not required*

A full EIA should always be undertaken if the project, proposal and service / contract change is likely to have an impact upon people with a protected characteristic. This should be undertaken irrespective of whether the impact is major or minor, or on a large or small group of people. If the initial screening concludes a full EIA is not required, please fully explain the reasons for this at 1e and ensure this form is signed off by the relevant Contract / Commissioning Manager and the Assistant Director / Director.

1a.	What is the project, proposal or service / contract change?	To update the Council's Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 relating to forms of assistance available to residents of the Borough
1b.	What are the main aims of the project, proposal or service / contract change?	<p>The proposal is to update the Council's financial assistance policy around Housing Grants and Adaptations:</p> <ul style="list-style-type: none"> • To relax the policies to enable adaptations to be granted more easily to those who need them; • To provide more flexibility in the provision of grant assistance • to introduce a number of new assistance schemes

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1c. Will the project, proposal or service / contract change have either a direct or indirect impact on any groups of people with protected equality characteristics?				
Where a direct or indirect impact will occur as a result of the project, proposal or service / contract change please explain why and how that group of people will be affected.				
Protected Characteristic	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Age	<u>X</u>			The proposed update to the RRO Policy will enable assistance to be provided to residents over the age of 65 who may not be disabled but will benefit from other assistance and therefore reduce the need for further intervention. Currently, only those over 65 and who have some form of disability can receive assistance and only where there is an assessed need in line with the DFG process.
Disability	<u>X</u>			The proposals will enable people to access adaptations quicker and in a more efficient manner and will ensure that financial hardship does not prevent works from being grant aided.
Ethnicity			<u>X</u>	It is not anticipated that the proposals will affect how people of different ethnicity access adaptations and will allow them access to other initiatives.
Sex / Gender			<u>X</u>	It is not anticipated that the proposals will affect how people of any sex or gender access adaptations and will allow them access to other initiatives.
Religion or Belief			<u>X</u>	It is not anticipated that the proposals will affect how people of any religion or belief to access adaptations and will allow them access to other initiatives.

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Sexual Orientation			<u>X</u>	The proposals will not affect how people of any sexual orientation access adaptations and will allow them access to other initiatives.
Gender Reassignment			<u>X</u>	It is not anticipated that the proposals will affect how people that have or are undergoing gender reassignment access adaptations and will allow them access to other initiatives.
Pregnancy & Maternity			<u>X</u>	It is not anticipated that the proposals will affect how pregnant women access adaptations and will allow them access to other initiatives.
Marriage & Civil Partnership			<u>X</u>	It is not anticipated that the proposals will affect how people who are married or in a civil partnership access adaptations and will allow them access to other initiatives.
Other protected groups determined locally by Tameside and Glossop Single Commissioning Function?				
Group (please state)	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Mental Health	<u>X</u>			New proposals will have a positive effect how people with Mental Health issues access adaptations and will allow them access to other new initiatives.
Carers	<u>X</u>			Housing adaptations in any form will have a positive impact for carers. Making adaptations easier to obtain will assist in reducing carer stress at an earlier stage.

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Military Veterans			<u>X</u>	It is not anticipated that the proposals will affect how Military Veterans access adaptations and will allow them access to other initiatives.
Breast Feeding			<u>X</u>	It is not anticipated that the proposals will affect an effect on Breast Feeding
Are there any other groups who you feel may be impacted, directly or indirectly, by this project, proposal or service / contract change? (e.g. <i>vulnerable residents, isolated residents, low income households</i>)				
Group (please state)	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Vulnerable residents	<u>X</u>			Vulnerable home owners who are not eligible to apply for adaptations and are unable to carry out basic essential repairs to their homes will now be able to apply for assistance. Assisting with essential repairs will help to reduce development of some longer term health issues related to dampness, lack of adequate heating, mental health, well-being, etc.

Wherever a direct or indirect impact has been identified you should consider undertaking a full EIA or be able to adequately explain your reasoning for not doing so. Where little / no impact is anticipated, this can be explored in more detail when undertaking a full EIA.

1d.	Does the project, proposal or service / contract change require a full EIA?	Yes	No
		X	

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1e.	What are your reasons for the decision made at 1d?	Although enhanced proposals will benefit the wider community to a greater extent than at present, a full EIA will ensure that all possible elements of the initiative are fully captured as part of any adopted policy.
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If a full EIA is required please progress to Part 2.

PART 2 – FULL EQUALITY IMPACT ASSESSMENT

2a. Summary
<p>An EIA for the Regulatory Reform Order (2002) Housing Renewal Policy is being undertaken to explore the impact of an update to the Council's Financial Assistance Policy associated with the initiative. Whilst reviews should be carried out on a regular basis, the existing policy has not been revised within the previous 5 years.</p> <p>The Disabled Facilities Grant (DFG) provides funding to those who are disabled living in owner occupied, privately rented and registered provider properties to help them make changes to their home environment, such as the installation of showers, stairlifts and ramps in order for residents to remain in their own homes and out of the wider NHS system</p> <p>In 2014 the DFG became part of the Better Care Fund, a pooled health and social care budget - the aim being to provide a more joined-up service to improve outcomes across health, social care and housing.</p> <p>In recognition of the rising need for adaptations central government funding for the DFG has been increased considerably in recent years. Nationally in 2016/17 it rose by 79% from £220 million to £394 million and to £431m in 2017/18. It is projected to increase to over £500 million by 2019/20.</p>

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For Tameside 2016/17 funding rose from £1.158m to £1.978m, and to £2.2m in 2017/18.

In recent years Government has relaxed restrictions around how the DFG is allocated for adaptations meaning that Local Authorities can be more flexible in their approach. In order to take full advantage Tameside is updating its grant delivery process through its Financial Assistance Policy

The revised RRO Policy does not alter the way in which the mandatory Disabled Facilities Grants are delivered. It is designed to enhance the type and improve the assistance available to the more vulnerable residents of the authority.

The proposals contained in the policy will see the introduction of the following:

1. Notional Assistance where a homeowner wishes to provide works over and above that recommended by an Occupational Therapist. This would allow the homeowner to carry out the works they prefer whilst the Council would fund only the equivalent cost of those items recommended to meet the needs of the disabled person within the DFG rules
2. Where grant assistance is estimated less than £5,000 a “test of resources” will not be required
3. Under certain circumstances and subject to funding there will be discretionary assistance:
 - a. Towards unforeseen works
 - b. Where recommended works exceed the DFG maximum
 - c. To meet a contribution as assessed by the statutory test of resources
 - d. To help fund relocation for owner-occupiers
 - e. To help fund relocation for tenants of private and social landlords
 - f. To provide certain specialist adaptations where there is likely to be a care involvement
 - g. For those suffering with Dementia
4. To provide non adaptation assistance on a discretionary basis and subject to available funding for:
 - a. To facilitate a hospital discharge Discretionary Assistance to provide essential repairs to homeowners over state retirement age
 - b. To provide essential repairs to low income/ vulnerable homeowners
 - c. To provide repairs to remove extreme health and safety issues
 - d. To provide a boiler replacement scheme and energy efficiency measures – (funding provided by another scheme)

The main changes in the policy will be to extend the availability of assistance for vulnerable and disabled users to a wider number of residents than included within current RRO policy. Service provision will be limited through available funding and other resources.

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2b. Issues to Consider

Background: It is incumbent upon Local Authorities to update and review policies on a regular basis. Tameside's Regulatory Reform Order (2002) Housing Renewal Policy has not been formally reviewed but three revisions have been enacted via an Executive Decision in 2011 and Key Decisions in 2013 and 2016

With older people living longer than ever before, the number of elderly residents across the country continues to increase. In Tameside the number of over 65's have risen from 31,682 in 1981 to 38,951 in 2016 (mid-year estimate), an increase of over 20%. Longer living residents place a greater strain on the demands of the wider health service and the demand for housing adaptations.

Through DFG funding, Tameside residents referred for an adaptation are classed in one of two categories, "urgent" or "substantial". "Urgent" cases are always addressed as a priority. The length of time a Substantial case would have to wait before being addressed has been reduced from 30 months to 18 months but this is still not acceptable.

With Government's relaxation in its approach to how DFG can be utilised, alongside a general increase in central Government funding and the effects this has on the wider residential community, there is a need to review the Authority's wider housing improvement policies through the RRO. The review will also examine existing RRO policies around home improvement measures and how other 3rd party funding can work with the DFG.

Those affected by the RRO policies generally centre on the elderly, vulnerable and disabled residents within the wider community.

There is no anticipated impact in respect of Religion or Belief, Gender Reassignment, Pregnancy and Maternity, Marriage or Civil Partnership.

Potential Effects: Subject to adequate funding, for elderly, vulnerable and disabled residents, an enhanced housing adaptation service including discretionary non adaptive initiatives will have a number of effects as noted below:

1. Will see an improved and wider scope of services on offer from the Local Authority further increasing the number of residents benefiting from this initiative
2. Will enable a greater number of disabled and other vulnerable residents to live independently within their own homes with the full support from local care services where needed.

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3. Will enable such residents to remain outside the wider NHS care system freeing up stretched resources for other use
4. Will reduce demand on expensive 3rd party care homes or other similar provision
5. Will see initiatives to pro-actively adapt properties for residents currently within the wider NHS care system, to help reduce potential "bed blocking" and other calls on the Local Authority and NHS
6. As a result of reduced criteria to access discretionary and/or DFG funding, will enable speedier intervention by the Authority
7. Will see a longer term reduction in those people "waiting" for adaptations as discussed above.
8. The current statutory test of resources results in a number of residents being assessed for unaffordable contributions and resultant application failures. A more discretionary approach will help reduce such application failures.

Further Potential Effects: Whilst an enhanced service provision is to be generally welcomed there are a number of effects which will require long term consideration in going forward as noted below.

1. Whilst Government has indicated that DFG funding will continue to grow until the end of the current five year spend period (2019/20), there is no guarantee on resource levels beyond this date.
2. The ongoing population increase in the over 65's will see a greater demand for housing improvements. The positive effects of increased funding, therefore, will be potentially diluted as a result.
3. Overall reduced central funding since the financial crisis has seen an increase in the number of vulnerable homeowners within the borough. With varying amounts of third party and other funding these numbers will remain difficult to reduce in the long term.
4. Damp and cold related health conditions continue to be an issue in poorly maintained property. With limited funding these numbers will remain difficult to reduce in the long term.

Consultation: In order to seek wider views on the proposed Policy changes a consultation was undertaken with a range of users. These groups included the Authority's Adult, Social and Children's Services, Disability User Groups, Registered Providers, members of the Partnership Engagement Network which includes public and patient stakeholders including stakeholders in the Voluntary Sector. Some of this consultation was carried out via The Big Conversation.

The Authority is required to consult the public on its' RRO Policy before it can be implemented.

Consultation commenced on 12th December 2018 and closed at 12 noon on 25th January 2019.

The consultation was promoted to those residents/ public signed up to the Big Conversation, to the

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Council's Partnership Engagement Network and to a targeted group of health/ age related agencies and to housing providers with stock in Tameside.

In total there were 18 responses to the consultation. Overall the majority of respondents were positive.

The only respondent from the targeted group was Foundations (the overseeing body for Home Improvement Agencies and the body). Foundations have also recently carried out a review of the DFG for Ministry of Housing, Communities and Local Government. They were in favour of the changes to the Policy but suggested we look to the review of the DFG for some additional forms of assistance. This has resulted in three new schemes now being included in the Policy:

- Provision of stairlifts, ceiling track hoists and specialist toilets where there is a potential to reduce falls and reduce care input;
- Assistance for tenants in rented accommodation to facilitate a house move to more suitable accommodation where this may result in fewer adaptations;
- Provision of aids and assistance for people suffering with dementia related issues.

The responses via the Big Conversation were overwhelmingly positive with over 80% in agreement with the proposals. A copy of the consultation results is included in the main report.

At the end of the survey there was an opportunity for respondents to include additional comments.

- One person requested budget is ear-marked and monitored;
- Another said it's good to assist people who may have fallen on hard times and made the point that it would probably cost less than having to re-house someone.
- Another comment asked if the same breadth of consideration could be given to social care payments whilst another only agreed with one of the questions if the council could reclaim the money by way of a charge.
- One respondent commented they had previously benefitted from adaptations but stated their shower still doesn't work properly.

2c. Impact

The Disabled Facilities Grant (DFG) provides funding to those who are disabled in owner occupied, privately rented and registered provider properties to help them make changes to their home environment, such as the installation of showers, stairlifts and ramps.

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The grant has existed for over 25 years and was subsumed into the Better Care Fund, a pooled health and social care budget, in 2014. The aim of the fund is to provide more joined-up and customer focussed services to reduce hospital and care admissions and enable people to return from hospital more quickly.

In recognition of the rising need for adaptations central government funding for the DFG has been increased considerably in recent years. Nationally in 2016/17 it rose by 79% from £220 million to £394 million and to £431m in 2017/18. It is projected to increase to over £500 million by 2019/20.

For Tameside 2016/17 funding rose from £1.158m to £1.978m from, and to £2.2m in 2017/18

The proportion of older people and families requiring adaptations to their properties is steadily rising. In addition, due to age and medical advances, many of our adaptation requests are now far more complex. The authority is also seeing a reduction in care home and nursing home provision with a move to house people in their own homes for as long as practicable.

Some of these proposals require changes to the Council's Regulatory Reform Order Policy

Previous measures to manage the level of service have focussed purely on assistance for disabled people and whilst the majority are considered successful, providing more flexibility around the grant provision will make accessing adaptations easier and will open up opportunities to others within the community.

The number of disabled people who need assistance but their families don't want the style of adaptation under offer or who wish to provide the measures to meet the need of the disabled person in a different manner is increasing. It is proposed these people will be able to make an application for grant assistance where the nature of the works far exceeds that covered by the mandatory grant but where the need is still met. They will be able to receive a financial contribution towards the works related to the disability.

All proposed amendments will be impacted by the amount of funding provided by Government.

Criteria for DFG Applications: For an adaptation, current financial limits stipulate that any costs greater than £1,000, requires the submission of a full DFG application. As part of a Key Decision taken in 2016 this limit was raised locally to £2,000. Other than the most basic hoists and stairlifts, many adaptations regularly cost substantially more than this basic figure. The introduction of a suggested £5,000 minimum level before a full DFG submission is required, will remove many of the bureaucratic elements surrounding a full DFG submission. This will see many more applicants benefitting from a better quality of life and in some cases reducing care needs.

Provision of Equipment (Straight & Curved Stairlifts, Ceiling Track Hoists and WC's with a douche facility: The provision of certain equipment can more quickly reduce the possibility of falls

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and reduce the need for certain types of care packages. By removing the need to make a formal application and moving to a “prescription” style referral will see these adaptations being installed quicker with clients benefitting from a better quality of life and in some cases reduced care needs.

Cost Overruns: A number of issues arise when the cost of works exceeds the maximum grant available. This can be due to a number of issues including, but not limited to, additional recommendations and poor ground conditions. Many home-owner clients may not have the resources to cover such circumstances. In such cases, through changes in the RRO, it is likely to be far more cost effective to loan the funds to the applicant and secure it by means of a local land charge on the property.

Assessed Contributions: A home-owner applicant may have an assessed contribution that they cannot realistically raise. Often this is as a result of stringent test of resource criteria set in 2008. New assistance criteria will allow the Council to loan the funds to applicants and secure it by means of a local land charge on the property.

Home Move for Owner Occupiers: There will be occasions where it is not feasible, for any number of reasons, to adapt an existing property. In such circumstances the best alternative may be a home move requiring the purchase of a suitable property. Applicants would still be eligible for a DFG for the original adaptation but would be enabled to use the DFG as a contribution to the purchase price thus meeting individual needs. Such assistance would only be available on rare occasions and applicants would have exhausted any normal adaptations procedures and other commercial loan options.

Home Move for Tenants: There are occasions where it is more beneficial for a tenant to move to a property that is more appropriate for their needs even though their existing property can be adapted. Also there are circumstances where a landlord may refuse to adapt a property especially where under-occupation is an issue. In such circumstances applicants would be eligible for discretionary assistance to assist with the costs associated with moving home. Such assistance would only be available where there is no other assistance available or, if there is, once other forms of assistance have been utilised. Such a move may reduce care requirements and may remove falls issues.

“Bed Blocking” There will be circumstances where vulnerable residents are seen as “bed blocking” as a result of their property being unsuitable for habitation. The greater ability to fund certain works that are required to facilitate hospital discharge will reduce costs associated with being an in-patient and will enable the person to return home to a safer and more independent environment and in many cases will improve the property and reduce risk to health.

Dementia Assistance: Currently there is no grant assistance in our policy targeted at people who suffer with mental illness such as Dementia. The Council intends to create grant assistance (no more than £1000 per application) that will assist people to make changes to their home to enable

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them to live safely and longer.

Affordability: A number of elderly and vulnerable home-owners cannot afford to carry out simple repairs that keep properties “wind and weather tight” or have personal concerns around the use of builders. Such home-owners could, by their inaction, remain living in a substandard property detrimental to their long term health and wellbeing.

Staying Put: A “Staying Put” scheme to permit elderly home-owners to remain in their own homes will maintain their independence and reduce health impact deterioration. Any financial assistance is protected by the application of a local land charge.

Home Repair Scheme: In a similar manner the “Home Repair Scheme” will assist vulnerable homeowners and provide assistance in the prevention of the deterioration of the property fabric where it becomes detrimental to the health of the occupiers. Following a test of resources, the “Home Repair Scheme” will provide relevant assistance. Any financial assistance is protected by the application of a local land charge.

Boiler Replacement Scheme: Fuel poverty is still a major issue in Tameside and many residents do not have access to adequate heating and/ or hot water. Many homes are still inadequately insulated. The “boiler replacement” programme will assist those where the boiler has failed and/ or is beyond economic repair. Other works to provide adequate hot water and other forms of heating are available in this scheme as well as measures to improve energy efficiency. Improvements to heating provision and affordable warmth are vital to help vulnerable and elderly people to maintain reasonable health and reduce costs. Such schemes are subject to qualifying criteria.

Funding: Any improvements proposed in respect of the above will be subject to a level of funding where such initiatives are sustainable. Funding availability, whether from Central Government or 3rd party, underpins the success or failure of the revised RRO.

Aging Population: As noted in section 2b above the number of over 65’s in Tameside has risen by over 20% since 1981. Increased demand on services for the elderly, including housing adaptations, will use up proportionately more of existing limited resources. Whilst the number of individual adaptations will increase in number, overall waiting lists in areas of work not deemed as urgent may remain stubbornly high.

Conclusion: It is anticipated the Policy proposals and changes will overall be positive for residents of Tameside – with over 80% of consultation respondents also in agreement with the proposals.

2d. Mitigations (Where you have identified an impact, what can be done to reduce or mitigate the impact?)

Criteria for Grant for Applications	The financial criteria for successfully applying for grant assistance have been relaxed making applications more likely to be approved. Successful
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	applications will require balancing against available funding in a priority led initiative.
Provision of Equipment	The criteria for successfully applying for assistance will be based on the potential for reducing falls and reducing the need for care as quickly as possible. Each referral will be considered in an expedient manner for each case.
Cost Overruns	Cost overruns for clients who are unable to afford such payments will be considered in an expedient manner for each individual case. Any funding contributions will require a local land charge on each property to ensure minimal risk to the council.
Assessed Contributions	Clients requiring an assessed contribution through DFG legislation will be considered on an individual basis to ensure that works can be undertaken in a reasonable and cost effective manner. In order to protect the council a local land charge would be placed on each property to the equivalent amount.
Home Move – owner occupier	Home moving will be considered as a last resort. However in taking this initiative forward clients will remain independent in their own homes and outside the wider NHS care system.
Home Move - Tenant	Home moving for tenants will be a vital tool in ensuring clients are housed in a property most appropriate to their needs. To ensure funds are used wisely other sources of assistance (any scheme from the housing provider) will need to be applied before clients can take advantage of this offer. However in taking this initiative forward the client will remain independent in their own home and outside the wider NHS care system as well as freeing up family style accommodation.
Bed Blocking	Bed blocking as a result of major housing adaptation needs is generally rare. In order to address those that do occur, the adaptation team will move proactively to minimise potential numbers. Other issues around habitability are more likely to prevent discharge. Works undertaken will reflect each individual resident's needs and will allow discharge to take place. Works will depend on available funding but will not be subject to a local land charge.
Dementia Assistance	This initiative will help those suffering with Dementia and their families by providing a mechanism to purchase items of support. The needs of each client will be different but the initiative will help to reduce the reliance on care services and ease stress on families.
Affordability, Staying Put and Home Repair	These initiatives generally help residents remain in their own properties, living independently for as long as possible. Works undertaken will reflect the needs of each individual resident case. In general residents prefer to live within their

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Scheme	own properties rather than being forced to move elsewhere. Works will depend on available funding and will be subject to a local land charge.
Boiler Replacement Scheme	This initiative will generally help those who are unable to heat or maintain temperatures in their own properties to an adequate level. Work undertaken will be carried out by third parties to achieve acceptable standards. Works will depend upon available funding.
Funding	Funding is a known issue across the whole local authority area. Without multiyear funding profiles, initiatives such as those described above will be subject to close scrutiny and short term change.
Ageing Population	An aging population will place greater demand on services including adaptations and other associated work. Whilst DFG funding is rising in real terms an increased demand from an aging population will limit the wider benefits to be enjoyed from relaxed adaptation provision. Close management of budgets will ensure that those in real need of adaptation related work, will remain as a priority need.

2e. Evidence Sources
<p><i>Original Regulatory Reform Order Policy dated June 2003</i></p> <p><i>Outcomes of consultation process 12 December 2018 – 25 January 2019</i></p>

2f. Monitoring progress		
Issue / Action	Lead officer	Timescale
Assess responses to the consultation process and use information to help inform final proposals	Jim Davies	Within 4 weeks of consultation ending

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Signature of Contract / Commissioning Manager	Date
Signature of Assistant Director / Director	Date