



Policy and Resources – 6 June 2011

Case Review Panel for Disabled Facilities Grants

Purpose of report

To provide members with proposals for a case review panel for prioritising Disabled Facilities Grants.

Attachment(s)

Appendix A: Equalities Impact Assessment

Appendix B: Case Review Panel Terms of Reference

1.0 Background

- 1.1 At the meeting of this committee on 11 April 2011, members resolved that the budget for Disabled Facilities Grants (DFGs) shall be retained at £300,000, with an additional amount of £100,000 to be allocated as a priority need budget that a case review panel would assess (minute 477 refers). Members requested that proposals for the case review panel be brought to the next meeting.
- 1.2 This report provides members with proposals on the setting up of the case review panel and how it would operate. The draft terms of reference for the panel have also been provided at appendix B for members' consideration.

2.0 Case Review Panels

- 2.1 In recent years the demand for Disabled Facilities Grants (DFGs) has increased; however, government allocations of funding have not. In order to manage the continual number of applications against the available budget many local authorities have set up case review panels to determine the prioritisation of applications.
- 2.2 The aim of a review panel is to have key personnel including elected members assessing a number of applications and determining which application/s are the most urgent and should receive funding sooner than others.
- 2.3 Panels usually consist of the occupational therapists who have assessed the applicants and determined what works are required and their priority, elected members, case officers from Private Sector Housing and any other necessary agency.
- 2.4 In cases where a local authority has run panels for a number of years their remit has extended from a panel running only in the later part of the financial year when funding becomes tighter to panels that operate throughout the year determining the prioritisation of all applications.
- 2.5 This latter option is not available to us for this financial year but may be considered by members in the future following the initial set up of the panel this year.
- 2.6 The aim of the panel is to look at all applications and for members to decide, in discussion with the officers, which applications are to be approved and works completed within the financial year. For this financial year the budget for DFGs is £300,000 and members resolved at the last committee to allocate an additional £100,000 to the case review panel. It is proposed that the case review panel only becomes active once the current budget allocation of £300,000 has been committed.

2.7 Based on previous years' applications it is likely that the case review panel would need to start looking at applications from September onwards. It will be necessary for the members of the panel to meet for training prior to the first panel and to agree the Terms of Reference and any required changes. This will ensure that the first panel will run effectively and members of the panel are clear on how they wish to allocate funding. For example members may sit on the panel in September with 15 applications to consider. Grant application costs vary according to the work required and therefore it may be entirely possible for members to allocate the full £100,000 in the first panel leaving no funding available for other applications within the financial year. As all works need to be completed and paid for within the same financial year it is envisaged that there would be two panels, one in September/October and another in January/February.

3.0 Case Panel Proposal

3.1 It is proposed that the panel will consist of three elected members, and meetings will only be held with representation from the following, as a minimum, in attendance:

- Occupational Therapist Manager
- Case Officer from Private Sector Housing
- Case Manager from Care and Repair (if relevant to the applications)
- Senior Housing Manager/Environmental Protection Manager
- Any other relevant agency identified as necessary by the Head of Environmental Services.

3.2 The panels would be held at East Northamptonshire House and would be organised once the budget allocation of £300,000 has been committed. This prevents the panel from having to meet too early and reduces the number of panels required in a financial year.

3.3 Only applications assessed by the Occupational Therapist as being a priority will be assessed at the panel. Members of the panel will review the applications and seek advice from the Occupational Therapist and officers before a decision is made. All decisions will be determined by voting by the panel. This panel will also be required to hear any appeals on panel decisions.

4.0 Appeals

4.1 Once the panel has made a decision on the applications presented to them the Senior Housing Manager or an officer from Private Sector Housing team will contact the families informing them of the decision. If the family is not satisfied with the decision or how their case has been dealt with they can appeal against the panel decision or make a complaint about how their case was handled.

4.2 Any formal complaint will be dealt with in accordance with the council's complaint policy. Any appeals on the decision made by the panel should be directed to the Head of Environmental Services. Any decision must be made in line with the panel's allocated budget and any works must be completed within the financial year. If the Head of Service does not consider that there are grounds for the appeal, the appellant will be advised of this decision and the reasons why the appeal has been refused.

4.3 It is important to note that whilst an application has been refused at one panel it does not mean that it will be refused in the future. Disabled Facilities Grants are mandatory and can only be delayed and prioritised, the panel must be confident that the works they are approving can be completed and paid for within the financial year.

5.0 Important Issues to Consider

5.1 The provision of DFGs is mandatory under the Housing Grants, Construction and Regeneration Act 1996. Within East Northamptonshire the demographics of the district indicate that demand for grants is not predicted to decrease. The legislation

does allow for decision to be delayed on valid applications up to 6 months and for the payment of grants for up to a year.

6.0 Equality and Diversity Implications

6.1 An Equality Impact Assessment (EIA) was completed in February 2011 and can be found at Appendix A.

7.0 Legal Implications

7.1 As detailed in section 5 above, Disabled Facilities Grants are mandatory and therefore the council must provide grant aid and manage the applications effectively to ensure that we remain within the timescales set in the legislation. The case panel's role will be to ensure that it continue to assess applications on priority need and within the timescales set out. The case panel will award the grants following a vote and in accordance with the terms of reference.

8.0 Risk Management

8.1 Failure to identify and adopt an appropriate procedure for the case review panel could lead to inconsistencies and delays in awarding and processing DFGs to those most in need. There is a further risk that if the continuation of the panel is not approved into the following financial year (2012/13), it may be difficult to measure its effectiveness in meeting the delivery of DFGs within the prescribed timescales.

9.0 Financial Implications

9.1 The implementation of a case review panel is new to the council and therefore the first panel will require members and officers to agree how the panel will operate within the basic parameters detailed in the terms of reference. Each grant application must be looked at on its own merits and a decision reached by members. The panel has been granted £100,000 of funding to deal with all applications that are received following the commitment of the budget allocation. There is no additional funding available and members must ensure that applications are dealt with in accordance with the set timescales and that any application grant will be completed and paid for within the current financial year.

9.2 Funding for future years' DFG budget has been set at £300,000 by members at previous meetings of this committee. Whilst the allocation of a further £100,000 to the case review panel is new, it is likely that the case review panel may be greatly utilised in the future. Members will need to determine if the frequency of the case review panel should be decreased and whether £100,000 continues to be allocated to the panel in future years.

10.0 Corporate Outcomes

10.1 Good Quality of Life

DFGs provide vital funding to residents within the district to make essential adaptations to their property to enable them to continue to live independently and to protect them from harm as a result of a disability or illness. DFGs can provide simple adaptations such as stair lifts and level access showers to ground floor extensions, and hoists. The implementation of the case review panel will continue to provide this support to residents after the budget allocation is committed. The panel will be responsible for ensuring that those with the highest need are dealt with in a timely manner.

10.2 Good Reputation

DFGs are a mandatory grant, the effectiveness of this service is essential in maintaining a good reputation with the residents and external contractors and the medical profession, such as occupational therapists and general practitioners. DFGs

have set timescales for approving grants upon receipt of a valid application and payments of grants. Ensuring that this service is able to meet as much of the demand as possible maintains the council's reputation. The case review panel will allow these timescales to be kept and will also provide a mechanism for professionals such as the occupational therapists and general practitioners to highlight priority need cases that may otherwise be delayed.

10.3 High Quality Service Delivery

The administration of the DFG programme has been improved over the years to ensure that we provide the best level of service possible. Officers attend and complete the forms with the applicants to prevent delays and concerns on completing the forms wrongly, deal with all minor works such as stair lifts in house and within a fast turn around and utilise the services of Care and Repair to administer complex grant works which require technical drawings and greater case officer involvement. Service delivery can only be maintained at a high quality if the funding provided seeks to meet the demand. The case review panel will provide a mechanism for ensuring a high quality of service delivery and the ability for applicants to appeal decisions.

11.0 Recommendations

11.1 The committee is recommended to

1. Approve the draft terms of reference for the case review panel as attached at appendix B.
(Reason: To provide a basis for the initial panel and identify areas for the panel to move forward)
2. Approve the proposal for the case review panel stated in section 3 and the appeals procedure in section 4.
(Reason: To enable the setting up of the case panel to move forward)
3. Identify a minimum of six members to constitute a pool from which panels can be drawn.
(Reason: To ensure that members are available to make a decision on applications put forward to the panel)
4. Approve the continuation of the panel and its funding into the next financial year with a report of its achievements back to this committee in April 2013.
(Reason: To enable the panel to be set up and hold a few meetings and for members to determine the success or otherwise of the panel)

Legal	Power: Housing Grants, Construction and Regeneration Act 1996				
	Other considerations:				
Background Papers: Report to 11 April Policy and Resources Committee					
Person Originating Report: Jenny Walker, Environmental Protection Manager					
Date: 6/5/2011					
CFO		MO		CX	

(Committee Report Normal Rev. 22)



EIA Initial Screening Form – service or function

1. Name of Service or Function:	
2. Name and Job title / role of person completing Initial Screening:	Julia Smith and Jenny Walker
3. What is the main purpose of the Service or Function?	Disabled Facilities Grants
4. List the main activities of the Service or Function:	Mandatory provision of disabled facilities grants to vulnerable residents within the district to enable them to use essential facilities in their home
5. Who are the main beneficiaries of the Service or Function?	People with physical disabilities to enable them to remain in their own home.
6. How is the success of the Service or Function measured?	In team plan turnaround times are measured for non complex grants, complex ones are given to care and repair to do within 12 months. The allocation of funding is monitored and additional funds are bid for. Meet legal requirements for determination.
7. Are equality monitoring systems in place?	No <i>(If yes give details)</i>

8. Use the following table to indicate using a ✓:

- a) Where you think that the Service or Function could have a positive impact on any of the groups or contribute to promoting equality of opportunity or improving relations within equality groups.
- b) Where you think that the Service or Function could have a negative impact on any of the equality groups i.e. it could disadvantage them.
- c) Where you think that the Service or Function could have a neutral impact on any of the equality group i.e. no impact

Equality Group	Positive Impact	Negative Impact	Neutral Impact	Reason
Gender:				
Women/Girls			✓	
Men/Boys			✓	
Transgender people			✓	
Sexual Orientation:				
Lesbians, gay men and bisexuals			✓	
Race/Ethnicity:				
White British people			✓	
White non-British people (including Irish people)			✓	
Asian or Asian British people			✓	
Black or Black British people			✓	
People of mixed heritage			✓	
Chinese people			✓	
Travellers (Gypsy/Roma/Irish heritage)			✓	
People from other ethnic groups			✓	

Equality Group	Positive Impact	Negative Impact	Neutral Impact	Reason
People who do not have English as their first language		✓		Majority of information is in English, and face to face communication is in English.
Disability:				
Physical impairment, e.g mobility issues which mean using a wheelchair or crutches.	✓			Helping them to remain in their homes
Sensory impairment, e.g blind/having a serious visual impairment, deaf/having a serious hearing impairment.	✓			Helping them to remain in their homes
Mental health condition, e.g depression or schizophrenia			✓	
Learning disability/difficulty, e.g. Down's syndrome or dyslexia, or cognitive impairment such as autistic spectrum disorder		✓		Form filling maybe negative impact, and information provision in writing.
Long-standing illness or health condition, e.g. cancer, HIV. Diabetes, chronic heart disease or epilepsy			✓	
Other health problems or impairments (<i>please specify if appropriate</i>)			✓	
Age:				
Older People (60+)			✓	
Children and Young People (see guidance for definition)			✓	
Religion/Belief:				
Christian			✓	
Buddhist			✓	
Hindu			✓	
Jewish			✓	
Muslim			✓	

Equality Group	Positive Impact	Negative Impact	Neutral Impact	Reason
Sikh			✓	
Other religion (including holding no belief)			✓	
Other Potentially Affected Groups				
Rural Isolation - People who live in rural areas e.g isolated geographically, lack of internet access			✓	
Socio-economic Exclusion – e.g. people who are on benefits, have low educational attainment, single parents, people living in poor quality housing, people who have poor access to services, the unemployed or any combination of these and the other protected strands	✓		✓	Visit made to each applicant to complete the forms with them to prevent any delays in the application process and to make it easier for anyone who has a disability or unable to read and write. Positive as improve housing to those with poor quality housing and their use of the property and ability to remain there.
Any other potentially affected groups (<i>please specify</i>)			✓	
9. If you have indicated that there is a negative impact on any group:				
a) Is that impact against legislation?	Yes		No	
b) What is the level of impact?	High		Low	
10. Could you minimise or remove any negative impact that is of low significance?	How? Could provide translated information. People assist in filling out forms such as OT's, Officers or family members.			

Equality Group	Positive Impact	Negative Impact	Neutral Impact	Reason
				Information available on website.
11. Could you improve a positive impact of the Service or Function?				Yes if more funding streams were available could assist more people and have quicker response times.
12. If there is no evidence that the Service or Function promotes equality of opportunity or improved relations, could it be adapted so that it does?				No
Head of Service signature				M. Deacon
Date of Initial Screening:	11 February 2011			

Disabled Facilities Grants Case Review Panel Terms of Reference

1. Introduction

The purpose of the case review panel is to provide a clear and equitable framework and process to consider valid applications for funding under the Disabled Facilities Grant (DFG) process that cannot be funded out of the set budget within a financial year.

The case review panel shall establish a consistent approach when assessing valid DFG applications from across the district. Only applications that have been classified as a Priority following the assessment of the Occupational Therapists will be presented at the panel for members to determine.

1.2 Constitution

This Group, known as the Disabled Facilities Grants Case Review Panel is established as a panel formed from members of Policy and Resources Committee.

2 Membership

The Case Review Panel will consist of three elected members. Meetings will only be held with representation from the following, as a minimum, in attendance as advisors:

- Occupational Therapist Manager
- Senior Housing Manager
- Care and Repair case officer – if applicable
- Any other required agency such as Social Services, support workers, representatives from Housing Associations.

Additional officers/agencies will be invited to provide information to members regarding a grant application they are involved in. Panels will be held on an as and when basis initially with two panels to be set up this financial year.

Three members and representation from the relevant agencies must be present for a panel hearing to be quorate.

2.1 Appointments

Appointed elected members to the panel shall be determined and approved by the Policy and Resources Committee.

3 Arrangement for the Conduct of Business

3.1 Chairing the meetings

An elected member shall chair the meetings of the Case Review Panel.

3.2 Quorum

For the case review panels to be quorate all representatives are required to be present. The case review panel cannot go ahead if the key representatives are not in attendance. Meetings will be arranged in as much advance as possible to ensure full attendance.

3.3 First meeting of the panel

At the first meeting of the panel the Terms of Reference will be approved. Members will agree the criteria to be applied when assessing valid priority disabled facilities grant applications.

3.4 Frequency of meetings

The Disabled Facilities Grants Case Review Panels will be held on an ad hoc basis. It is expected that there will be at least two meetings per year and that the panel will become active once the budget allocation for DFGs has been committed. Based on previous years experience this is likely to be in September/October time. The funding allocated to the panel must be committed and paid within the financial year that the panel sits, so the second panel will be in January/February time to ensure work can be completed by the end of March.

There is no intention at this time to hold emergency meetings.

3.5 Declaration of interests

If any member has an interest in any application to be discussed and voted on at the panel, they must declare that interest as early as possible and should not participate in the discussions. The Chair shall have the power to request that the member in question withdraw from the panel until consideration and voting has been completed.

All declarations of interest expressed at the panel shall be minuted.

4 Authority

Each Disabled Facilities Case Review Panel will have powers for decision making in line with the Council's Housing Grants Policy and the Procurement Policy.

5 Role and functions

5.1 Role and duties

The role of the Disabled Facilities Grants Case Review Panel is to assess the valid priority applications for grant assistance once the budget for grants has been fully committed. The panel has its own budget of £100,000 to approve grant applications. This funding must be spent within the financial year and therefore members must be satisfied as to the following:

- The priority need of the applicant
- The specified works detailed in the application are essential
- The quotes provided and timescales
- The work will be completed and paid for within the financial year

5.2 Management support and administration

Environmental Services will ensure the co-ordination of all grant applications, correspondence with applicants and related agencies and the organisation of panel meetings. The meeting dates will be set up in partnership with Member Services to ensure the elected members' meeting diaries are kept up to date, and minutes will be taken by the Environmental Services Administration Team.

All correspondence to grant applicants following the decision by the panel will be given in writing to the applicant.

5.3 Confidentiality

Every effort should be made to ensure the confidentiality of the grant applicant concerned. The minutes of the panel are not for the public domain and should not be discussed outside of the panel forum.

5.4 Ethical considerations

The Disabled Facilities Grant Case Review Panel shall not discriminate on the grounds of physical, sensory or learning disability, age, gender, sexual orientation, ethnicity, social position, religious beliefs, employment status, financial status, family or other personal circumstances or lifestyle in line with the Equality Act 2010, which has superseded all previous legislation.

5.5 Appeals process

The Disabled Facilities Grant Case Review Panel is set up in such a way that allows applications to be reconsidered by the panel. If the circumstances of the applicant and their priority need changes or further pertinent information becomes available that wasn't at the time of the initial panel the application may be reconsidered. In addition, should an application not be awarded a grant at the time due to lack of funding, it will be reconsidered in the future.

Once a decision has been made at the panel and the applicant has been made aware of the outcome, should they not be happy with the decision a formal appeal may be lodged. The appeal must be in writing and directed to the Head of Environmental Services for consideration. Whilst DFGs are mandatory the funding available is limited. It is envisaged that the only likely reason for an appeal to be sought is on the grounds that the works are urgently required and cannot be put back to the next panel or the next financial year.

Should the Head of Environmental Services determine that there are grounds for appeal a decision will be made regarding the application. If the appeal is granted the case review panel will be made aware of the decision and reasons for this decision prior to the next case review panel. Any decision must be made in line with the panel's allocated budget and any works must be completed within the financial year. If the Head of Environmental Services does not consider that there are grounds for the appeal, the appellant will be advised of this decision and the reasons why the appeal has been refused, and it will be reconsidered at a future date.

5.6 Complaints

If an applicant wishes to complain about the panel and how they have been dealt with they should be advised of the Council's Complaint Policy and any complaints received shall be dealt with in accordance with this policy.

5.7 Training

Prior to the first panel hearing all members will be required to attend a training session. This session will introduce the elected members to the officers and explain the DFG process, the terms of reference will be discussed and comments or concerns addressed wherever possible. The purpose of the training session is to ensure each member of the panel is clear on how the panel will operate to enable the first panel to operate effectively.

5.8 Duties

In discharging the role of the case review panel as detailed above the specific duties of the Disabled Facilities Grant Case Review Panel are as follows:

- Consider all information provided on the valid priority DFG application. This will include the applicant's requirements assessed by the Occupational Therapist and any other relevant information in the case. The Panel can defer the decision on the application to the next panel if further information is requested.
- To determine if the works listed can be reasonably completed within the financial year to ensure payment from the panel.
- To ensure that the allocation of grant funding is within the panel's allocated budget.
- To ensure that the allocation of funding meets the requirements of the Council's Housing Grants and Procurement Policies.
- To provide a report back to the Policy and Resources Committee at the end of each financial year detailing the number of grants and funding allocated and the outcomes achieved by the panel.
- To assist in any formal complaints investigation instigated by an applicant or on behalf of the applicant.

6 Relationships and reporting

6.1 Reporting Arrangements

All decisions of the Disabled Facilities Grant Case Review Panel shall be reported to the Policy and Resources Committee at the end of each financial year, detailing the panel's expenditure and the number of cases approved and those that remain on the waiting list.

7 Review of the terms of reference

The Terms of Reference shall be reviewed at the end of the first year of the panel prior to the first panel of the new financial year.

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