

By: Andrew Ireland, Corporate Director for Social Care, Health & Wellbeing

To: Graham Gibbens, Cabinet Member for Adult Social Care & Public Health

Decision: 14/00083

Subject: **HOME SUPPORT FUND POLICY**

Classification: Unrestricted

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Summary: Provides information on the consultation on the Home Support Fund Policy and makes recommendations for the policy to be unified for both Adults and Children.

Recommendation: The Cabinet Member for Adult Social Care & Public Health is asked to agree the revised Home Support Fund Policy as set out in the attached appendix 1.

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## Introduction

1. (1) The Home Support Fund plays a crucial role in helping the most vulnerable individuals in Kent remain in their own home and reduces the need for nursing/residential care. It supports disabled individuals by creating an adapted environment, which enables them to carry out everyday activities, maximising their independence so that they can continue to work, or carry out their role as spouse/parent. Children are given the best opportunity to be as independent as possible and their parents/carers supported to care for them.

(2) The Home Support Fund (capital budget) is a discretionary pot of money used for major adaptations and fixed equipment over and above the DFG

- Provide finance (grant or loan) to support major adaptation/DFG process in individual cases where there is financial hardship
- For Provision of major equipment
- For Assistance with moving and handling
- For Ceiling track Hoists

(3) Currently for Children the fund is used to top up a DFG where the costs of the work is over the maximum grant of £30k. This is offered in the form of a grant up to £15k and thereafter a legal charge is applied to the family property on a taper until the child is 18 or for ten years. No repayment is required unless the parents/carers cease to care for the child during that time.

(4) The situation is different for adults in that DFGs are means tested and often a 'notional loan' i.e. contribution is required from the individual. The test of resources applied by the local council is determined by government and does not generally take into account outgoings e.g. mortgage payments. Where the disabled individual has been

assessed through the test of resources as having to make a contribution to the costs of works, they will usually be expected to make their own arrangements to pay this amount.

(5) The effect of this is that many individuals cannot afford to take out a loan. As a result FSC carry out a financial assessment and based on the result an interest free loan is made with the individual repaying, some, all or none of the money over a five year period. In addition it may be necessary to provide top up on the differential between the DFG and the cost of the work, or to fund the whole adaptation where the individual is not eligible for a DFG.

## Revised Policy

2. (1) We are proposing a consistent policy that will:

- Create a single policy for children and adults across Kent.
- Provide consistency of application of the policy between adults and children
- Provide clear guidance for staff, partner agencies, individuals and their families.
- Be clear about the amount of funds available and any legal process that may apply.

(2) This will be on the basis of the first £1,000 being a grant. Where a disabled individual can demonstrate that they are unable to find the necessary funds from savings or a loan from a bank or building society an interest free loan will be applied for the additional funding up to £9,000 with a signed loan agreement. If the adaptation requires funding over £10K a legal charge (interest free) will be placed on the property up to a maximum of £30,000 so that in effect the Home Support Fund will, if required, match fund the maximum amount of DFG.

## Financial Implications

3. (1) Currently parents/carers of children do not repay the loan unless they cease to care for the child. In future the policy will require repayment of the loan either over a 5 year period or when the home is sold. Repayment of adult loans is minimal and no legal charge is applied.

(2) The table below shows the difference financially between the existing and proposed policy over a three year period.

<b>Expenditure and Number of Service Users/ 3 year period</b>		
	<b>£</b>	<b>No.</b>
Adult's Services (OPPD):	527,815	90
Children's Services (DCS):	780,887	61
<b>CUMULATIVE EXPENDITURE:</b>	<b>1,308,702</b>	151
<b>Existing Policy Income</b>		
Adults - repayments	29,225	13
Childrens – legal charges secured income	647,105	19
<b>TOTAL:</b>	<b>676,330</b>	

<b>Proposed Policy - Potential additional repayments / secured income</b>		
Adults	91,782	77
Childrens	421,590	42
<b>TOTAL:</b>	<b>513,372</b>	

(3) The table above shows that there is potential to secure further funds for KCC. However, it is not possible to estimate the amount of income as a result of repayment and that which would be secured through a legal charge as this is dependent on the cost of the adaptation and so any income would be irregular.

(4) All applications for funding are scrutinised at Housing Adaptations Panel and the most modest solution is agreed. Occupational Therapists encourage individuals to move if a property is unadaptable on the grounds of feasibility or cost. However as there is no limit to the amount of money that can be requested from the Home Support Fund, KCC is open to challenge. In addition within the DFG legislation a grant cannot be refused on the grounds of cost alone.

### **Alternatives and Options**

4. (1) Maintain status quo – this does not address the differences between the current Children’s and Adults polices.
- (2) Introduce a tapered legal charge in adult services to match that of children services, but this would impact on the income to KCC as there would be no return on the investment.

### **Progress to Date**

5.
  - Briefed relevant Cabinet Members and their deputies on 26<sup>th</sup> March and received agreement to proceed with the consultation.
  - Eight week period of customer, staff and colleague engagement. In general the responses received were that the proposals were clear with one or two minor changes and that the policy provided greater equity and consistency. As a result, we amended the policy as attached.
  - Final draft of policy and report to DMT on 11<sup>th</sup> June 2014. Agreed to recommend the revised policy to Cabinet Committee.

### **Legal Implications**

6. (1) There is currently a legal charge process in place for children. KCC Legal Services have now formulated a consistent process for both adults and children.

### **Personnel and Training Implications**

7. (1) Once the policy is approved Procedural Guidance will be produced and training offered to the Occupational Therapists in both Adults and Children’s services.

### **Property Implication**

8. (1) None

## **Customer Impact Assessment**

9. (1) An Equality Impact Assessment has been prepared and the risk is determined as low. A questionnaire has been sent to service users, local council colleagues and staff who are potentially impacted by changes for their feedback. This feedback has been incorporated into the revised policy.

## **Implementation Proposals**

10.

- Report to be taken to Cabinet Committee 11<sup>th</sup> July 2014
- Cabinet Member decision – 17<sup>th</sup> July 2014
- Production of operational guidance – August 2014
- Roll out of training across the OT services – September 2014
- Implementation of Policy – 1<sup>st</sup> October 2014

## **Cabinet Committee Input**

11. (1) The 11 July 2014 Adult Social Care & Health Cabinet Committee considered the proposed policy and the recommendation report. In response to questions raised and comments made the Committee were informed:

- The changes are proposed to make the Fund more accessible to all, however people who are able to fund their own services would not be able to access local authority assistance without regard to their income.
- People with their own funds would be expected to explore for themselves all available independent funding options before resorting to the County Council for support.

(2) The Committee then resolved that the decision proposed to be taken by the Cabinet Member for Adult Social Care and Public Health, to agree the revised Home Support Fund Policy, be endorsed.

## **Recommendations**

12. (1) The Cabinet Member for Adult Social Care & Public Health is asked to agree the revised Home Support Fund Policy set out in the attached Appendix 1.

## **Background Documents**

Appendix 1 – Draft Home Support Fund Policy for Major Adaptations

## **Lead Officer/Contact:**

Sue Horseman, Assistant Director – Transformation  
Tel No: 07802910100, [Sue.Horseman@kent.gov.uk](mailto:Sue.Horseman@kent.gov.uk)

Rosemary Henn-Macrae, County Manager – Disabled Children  
Tel No: 07834 417667, [Rosemary.Henn-Macrae@kent.gov.uk](mailto:Rosemary.Henn-Macrae@kent.gov.uk)