

REPORT NO. 3

REPORT TO THE EXECUTIVE MEETING OF 24th JULY 2017

Meeting: Executive

Date: 24th July 2017

Subject: The delegation of the Disabled Facilities Grants and other private sector housing support services to the Lightbulb programme.

Report of: Elaine Bird – Regulatory Services Manager

Portfolio Holder: Cllr Rickman

Status: Decision

Relevant Ward(s): All Wards

1 Purpose of the Report

1.1 The report sets out the current position regarding the Lightbulb project and seeks approval for the delegation of the disabled facilities grants and other private sector renewal grants and loans to the Lightbulb host authority.

2 Recommendations:

2.1 It is recommended that the Executive:

- a) Delegate the provision of the disabled facilities grants and private sector renewal grants and loans service (the “Service”) to Blaby District Council (“BDC”) as the host authority of the Lightbulb programme subject to BDC accepting the delegation;
- b) If BDC do not accept a delegation of the Service, to enter into an agreement under Section 1 of the Local Authorities (Goods and Services) Act 1970 for the provision of the Service;
- c) Subject to the approval of either 2.1 (a) or 2.1 (b), the Head of Legal Services is given delegated authority, in consultation with the Corporate Director (NP) and Portfolio Holder to enter into the necessary legal arrangements with the host authority for the delivery of the service.

3 Summary of Reasons for the Recommendations

3.1 The Lightbulb business case sets out the new integrated model for housing support which has been agreed across the County.

- 3.2 Currently the Council's disabled facilities grants and private sector loans/grants are administered by the home improvement agency Papworth Trust. This contract is due to expire at the end of September 2017.
- 3.3 The delivery of the disabled facilities programme is a mandatory function and an appropriate delivery mechanism must be agreed to maintain this service once the current home improvement agency contract expires.
- 3.4 Delivery of the service through the Lightbulb host authority can be met within exiting budgets and with provide a more resilient consistent service across the County.

4 Key Facts

- 4.1 At the Executive meeting of the 5th December 2016 agreed the principle of the Lightbulb model as set out in the programme business case and for officers to explore the possible delegation of the disabled facilities grant function to the Lightbulb host authority.
- 4.2 The Council currently administers the Disabled Facilities Grant (DFG) process through the home improvement agency Papworth Trust. The Council employs the equivalent of 1FTE to work with the Home Improvement Agency on disabled adaptations and private sector renewal work across the district. The Home Improvement Agency contract is due to expire on the 30th September 2017 which will align to the full implementation of the Lightbulb project across the County.
- 4.3 The Lightbulb service will provide a centralised management, performance and development “hub” hosted by one partner authority which will ensure consistency and resilience across the County. The central team will be made up of two senior Housing Support Co-ordinators, one Service Manager and Admin support.

In addition, the resource for the locality team for each district or borough council has been calculated based on current demand for the service. The resource identified for Harborough is set out in table A.

Table A - Harborough District Council Lightbulb Locality Team

Officer Role	FTE
Housing Support Co-ordinator	1.2FTE
Technical Officer	0.4FTE
Occupational Health Officer	0.5FTE

Admin Support	0.4FTE
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- 4.4 The Home Improvement Agency also administers the private sector renewal grants and loan for the council and the Lightbulb team have confirmed that they can continue this work on a case by case basis through the service level agreement.
- 4.5 The wider governance structure for the Lightbulb programme is set out in Appendix A. The Programme Board sets the direction for the programme whilst the Steering Group supports the Programme Board at an operational level. Both the Programme Board and Steering Group are represented at officer level with the Corporate Director (NP) sitting on the Programme Board and the Regulatory Services Manager being a member of the Steering Group. Programme Board have agreed to review the current officer governance structure once Lightbulb has been in operation for a period of time and the service is embedded across the County. It is proposed that the Programme Board and Steering Group will run until December 2017 when the Terms of Reference of the Management Board and Delivery Group will be reviewed.
- 4.6 On a wider level, the progress of the project is reported through the Unified Prevention Board, to the Integration Executive and Health and Wellbeing Board. There is district authority representation on the Unified Prevention Board and Integration Executive. The Health and Wellbeing Board has member representation. In addition relevant updates from the Lightbulb project will be presented to the Housing and Health Members Advisory Group to which the District Lead Member for Health and Housing will be invited.
- 4.7 Any legal agreement with BDC will include a performance framework with periodic performance and budget reports which can be shared with members through the relevant scrutiny committee structure.
- 5 Legal Issues
- 5.1 The main legislative framework governing DFG's is provided by the Housing Grants, Construction and Regeneration Act 1996 and since 1990, local housing authorities have been under a statutory duty to provide grant aid to disabled people for a range of adaptations to their homes. The grant aid is means tested (except for children) and the eligibility is defined in the above legislation.
- 5.2 The Regulatory Reform (Housing Assistance) Order 2002 (RRO) introduced a wide range of discretionary powers to local authorities to enable them to develop a range of financial assistance to meet local needs in relation to private sector housing renewal and disabled adaptations.

- 5.3 The current Housing Renewal Policy developed under the RRO includes a package of financial assistance to help vulnerable households undertake essential repairs and improvements to their property and the provision of discretionary DFG's to help applicants move to a more suitable property if their current one cannot be readily adapted to meet their needs. Other forms of financial assistance in the policy include emergency repairs grants and loans.
- 5.3 Subject to the Executive approval to delegate the duty to the host authority, the Council will enter into a legal agreement with the host authority in relation to the delivery of the service. The agreement will include performance and financial monitoring arrangements between the Council and the host authority.

6 Resource Issues

- 6.1 The financial model for Lightbulb is based on an assumption of no additional resources. A costed model for the Lightbulb service has been developed based on robust mapping of existing demand for housing support across partner organisations, this has informed the level of demand for Lightbulb across the county.
- 6.2 The final costs for providing the service for the Council as set out in section 4.3 have been determined as approximately £43,000 per annum and can be met within existing funding streams.
- 6.3 The delegation of the service is likely to fall under TUPE (Transfer of Undertakings (Protection of Employment) Regulations 2006. The implications for this are that any council staffing resource affected would transfer to the host authority. We are currently in discussions with the host authority in relation to this issue however if TUPE is deemed not applicable in these circumstances redundancy costs may be incurred.
- 6.4 The capital programme for the disabled facilities grant programme for 2017-18 is £485,000 which is made up of £384,000 from the Better Care Fund and £101,000 top up from the Council's capital programme. The host authority will provide monthly finance reports of the disabled facilities grant expenditure.
- 6.5 There is no allocated capital budget for private sector renewal and money is drawn down on a case by case basis. The host authority will require prior approval from the Council before committing any expenditure under the private sector renewal scheme.

7 Equality Analysis Implications/Outcomes

- 7.1 An Equality Analysis has been completed by Blaby District Council on behalf of all partners as part of the development of the Lightbulb Business Case [and is attached as Appendix B]

8. Risk Management Implications

8.1 Lightbulb is a new concept for meeting the housing needs of the most vulnerable in the community. The delivery model, including staffing resources has been based on current demand for service. There is the risk that once Lightbulb is operation the demand for the service may increase. The demand for services will be reviewed on regular basis to ensure there are sufficient staffing resources to meet the demand.

9 Consultation

9.1 Initial consultation has commenced with affected members of staff.

10. Options

10.1 The following options have been considered:

Option 1. To directly employ the Lightbulb locality team: There would be resource implications for directly employing the locality team – the team would require local management which would create capacity issues for the existing resource. In addition there would be additional back office resource required e.g. human resources, payroll etc.

Option 2. To transfer the existing service, including disabled facilities budget and staffing resource, subject to confirmation that TUPE applies in this situation. If the agreement is for the host authority to provide the resource allocation as set out in table A it provides greater resilience and flexibility for the service to cover for periods of holiday and sickness.

11 Background Papers

11.1 *Not applicable*

Previous report(s): Report to the Executive Meeting 5th December 2016 – Lightbulb Business Case

Information Issued Under Sensitive Issue Procedure: N

Ward Members Notified: N/A

Appendices:

A. Lightbulb Governance Structure

B. Equality Assessment