

**Disability Law Service**

Fighting injustice for disabled people

# **DISABLED FACILITIES GRANT FACTSHEET**

## What is a Disabled Facilities Grant?

A Disabled Facilities Grant (DFG) is a grant of money given by local councils to Disabled people to adapt their homes so that it is more accessible. For example, the DFG can be used for a stairlift or to create a wet room.

## What is the eligibility criteria/process?

The individual that the DFG is for must live in the property although there is no requirement that they own it. The DFG applicant (which can be the Disabled person themselves or someone applying on their behalf) must either:

1. Own the property or be a tenant of the property; and
2. Intend to live in the property during the grant period. This is currently set at 5 years.

A landlord can also apply for the DFG for a Disabled tenant.

The local council will need to be happy that the works are necessary and appropriate to meet the Disabled person's needs. It will also have to be satisfied that it is reasonable and practical for the works to be carried out having regard to the age and condition of the property.

## What is the means test?

The means test looks at household income and any savings over £6,000 of the Disabled person and any spouse or partner. Other members of the household are not included. Local councils will ask for bank statements to assess income and expenditure. Each local authority has its own policy for the means test.

Disabled children and young people under the age of 19 are not means tested for the DFG.

## How much of the grant can be given?

What the individual gets depends on their household income, including any household savings over £6,000.

- In England, you can receive up to £30,000.
- In Wales, you can receive up to £36,000.
- In Northern Ireland, you can receive up to £25,000.

The DFG is not available in Scotland. Those living in Scotland will need to look for help with adaptations by looking here: <https://www.gov.scot/policies/independent-living/housing-adaptations/>.

## **How is the DFG paid?**

The DFG is paid in instalments as the work progresses or in full when the work is finished. The local council should explain how it will make the payments if the application is approved.

## **What is the application process?**

Applicants need to apply directly to their local council. The local council will then assess (usually by an Occupational Therapist (OT)) the Disabled person's adaptations needs and make a recommendation.

It is helpful (and sometimes preferable) to allow the OT to speak with the Disabled person's doctor, nurse, etc., so that the OT can gain a better understanding of their needs and how their impairment affects them.

## **Purposes for why a grant must be given**

The purposes for which a DFG can be provided are contained in section 23 of The Housing Grants, Construction & Regeneration Act 1996:

- a) to enable access by the Disabled person to and from their home to make it safe for them and anyone else living with them;
- b) to enable access by the Disabled person to a room used as the main family room;
- c) to gain access to or to provide a room for sleeping for the Disabled person;
- d) to gain access or providing a room where there is a toilet for the Disabled person;
- e) to gain access to, to provide a room where there is a bath or a shower or to enable the use of the facility for the Disabled person;
- f) to gain access to, to provide a room where there is a wash basin or to enable the use of the facility for the Disabled person;
- g) to enable the preparation and cooking of food by the Disabled person;
- h) to improve any heating system;

- i) to enable the use by the Disabled person of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
- j) to enable access or movement by the Disabled person around their home, to enable them to care for a person who normally lives there and is in need of this care.

## **When should a decision be made?**

In accordance with s.34 of the Housing Grants, Construction & Regeneration Act 1996, the local housing authority should notify the individual in writing as soon as possible and in any event, no later than after 6 months after the date of the application concerned whether the application is approved or refused.

Following approval of the grant, the adaptation works must be carried out within 12 months of that date.

## **Discretionary Assistance**

Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables housing authorities to give discretionary assistance, in any form for adaptations. This can be by grant, loan or equity release.

Every local authority will have its own policy for when such assistance can be provided. If a local authority does not have a policy for utilising the Order, this could be a breach of their Public Sector Equality Duty to remove or minimise disadvantages suffered by Disabled people.

Assistance can be given under Article 3 for a number of purposes. Guidance of examples of this is given in para 2.24 of the Delivering Housing Adaptations for Disabled People, A Detailed Guide to Related Legislation Guidance and Good Practice:

- To provide small-scale adaptations to either fulfil needs not covered by DFGs or, by avoiding the procedural complexities of DFGs, to deliver a much quicker remedy for urgent adaptations.
- To provide top-up assistance to a DFG where the local authority takes the view that the amount of assistance available under the DFG is insufficient to meet the needs of the Disabled person and their family. The local authority may give more than £30,000, but it does not have to do this.
- To assist with the acquisition of other accommodation (whether within or outside the local authority's area) where the local authority is satisfied that this will benefit the Disabled person at least as much as improving or adapting their current home.

## **Adaptations and equipment to be provided free of charge**

Regulation 2 of the Community Care (Delayed Discharges) Act (Qualifying Services) (England) Regulations 2003 provides that any community care equipment and minor adaptations for 'the purposes of assisting with nursing at home or aiding daily living which a person has been assessed to need, and for which they are eligible, should be provided free of charge by the social services authority, provided the cost is £1,000 or less'.

### **Legal Disclaimer**

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**Legal Aid (you are eligible and require representation)**

**Tel:** 0207 791 9820

**Email:** [legalaid@dls.org.uk](mailto:legalaid@dls.org.uk)

**Advice**

**Tel:** 0207 791 9809

**Email:** [helpline@dls.org.uk](mailto:helpline@dls.org.uk)

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