

# FACT SHEET 2

## Frequently Asked Questions and Answers

### **Question 1. What are BCP Council's (Poole Residents only) Provisional Grant Enquiry Procedures?**

BCP Council operates a Provisional Grant Enquiry System (steps 1, 2 & 3 on the associated flow chart) which will help determine your eligibility for a grant in respect of your finances and the proposed works, early on in the grant process. If you qualify for a grant you will have to provide more formal details later on in the application process.

The procedure starts with a visit from one of the Council's Occupational Therapists from Social Services or Children, Young People and Learning. Your Occupational Therapist will discuss and assess the needs of the disabled person and where adaptation works are considered to be necessary and appropriate, they will make a recommendation of the works required to Housing & Community Services (HCS) for a possible grant. They may, where considered appropriate, commission a feasibility drawing of the proposals to accompany their recommendation.

Your Occupational Therapist will provide you with a Grant Information Pack.

Following the visit by your Occupational Therapist, if you are receiving an Income-Related Benefit you will be contacted by Housing & Community Services' (HCS) Private Sector Team, who will arrange to visit you with your Occupational Therapist to discuss the eligibility of the requested adaptation work.

If you are not receiving an Income-Related Benefit, you will be contacted by a member of the Private Sector Housing Team who will ask questions about your income and savings. This information will be used to calculate whether you will have to make a financial contribution towards the grant work (step 2 on the chart).

If you decide to continue with your provisional grant enquiry, once you know what your financial contribution will be, Housing & Community Services' (HCS) Private Sector Team will contact you. They will arrange a visit with your Occupational Therapist, to discuss the eligibility of the requested adaptation work.

By the end of your provisional grant enquiry, (step 3) you should know which works the Council considers are eligible for grant aid and whether you have a contribution to make towards the works.

### **Question 2. Who can apply for a grant?**

Any disabled person who is an owner/tenant or any owner/tenant who has a disabled person living with them, is entitled to apply for a Disabled Facilities Grant. This is provided that the disabled person has the intention to live in the dwelling as their main residence, for a period of not less than 5 years. Where the disabled person is not the owner, the owners

will also need to have the intention to allow the disabled person to remain in the dwelling for a period of not less than 5 years.

### **Question 3. Who needs to give their permission for the work?**

All owners of the property need to give their consent for the adaptation works to be carried out regardless of whether they reside at the property or not.

If you are a tenant, your landlord will need to give his/her consent for the works to be carried out.

If you live in a flat you may also need to get the Freeholder's or Management Committee's permission.

You may also need to inform your Mortgage Company that you propose to carry out adaptations to your property.

### **Question 4. Are there any conditions attached to a Disabled Facilities Grant?**

There are general conditions in respect of payment of a grant and the carrying out of the grant work.

There is an expectation that the disabled occupant intends to remain at the property for a 5 year period. (See question 2)

For further details please see the following Summary of Disabled Facilities Grant Conditions for an Owner's or Tenant's application.

#### **SUMMARY OF DISABLED FACILITIES GRANT CONDITIONS:**

##### **A THE HOUSING GRANTS, CONSTRUCTION AND REGENERATION ACT 1996: DISABLED FACILITIES GRANT - GENERAL CONDITIONS**

- 1) The works should be carried out within 12 months of the grant approval date.
- 2) Should the disabled applicant pass away prior to the commencement of the scheduled works, the grant work will be cancelled.
- 3) Where an application for a grant is approved but subsequently appears to the local housing authority that the applicant (or in the case of a joint application, any of the applicants) was not, at the time the application was approved, entitled to a grant of that description, the Authority may demand that any grant which has been paid be repaid forthwith, together with interest from the date on which it was paid until repayment, at such reasonable rate as the Authority may determine.
- 4) The Council may increase the grant to cover the costs of unforeseen works or reduce the grant for works not carried out.

- 5) Payment of grant-aided work will only be made where it appears that the work has been carried out to a satisfactory standard and to the relevant statutory requirements.
- 6) Payment will only be made against suitable invoices addressed to the applicant from the contractor, for the works or from the applicant's Architect/Surveyor for ancillary services
- 7) On completion of the works, the grant will be registered against the property in respect of the 5 year Future Occupation.

**B THE HOUSING GRANTS, CONSTRUCTION AND REGENERATION ACT 1996:  
DISABLED FACILITIES GRANT (CONDITIONS RELATING TO APPROVAL OR  
PAYMENT OF GRANT) GENERAL CONSENT 2008.  
(OWNERS ONLY)**

Where a grant is approved for more than £5,000, a Local Land Charge will be registered against the owner of the dwelling who shall be required to repay such part of the grant that exceeds £5,000 (subject to a maximum of £10,000) on disposal of the property, whether by sale, assignment, transfer or otherwise within 10 years of the completion "Certified Date". The "Certified Date" means the date certified by the local authority that the works were completed to their satisfaction.

**Question 5. Who is responsible for carrying out the adaptations work?**

In some cases where grant applicants are offered a Disabled Facilities Grant, there is a common misunderstanding that the Council is going to be organising and carrying out the adaptation works to their property. This is not the case. If you are awarded a Disabled Facilities Grant, you are being offered a sum of money towards the adaptation of your dwelling and you are responsible for arranging and getting the works carried out.

Do not start to panic if you feel that you may not be able to cope with this, as there is help available to you through the Council and the Legislation, but it is important that you know what your responsibilities are from the outset.

**Question 6. What works are available under a Disabled Facilities Grant?**

The Housing Grants, Construction and Regeneration Act 1996 lays down set criteria in respect of the work available under a Disabled Facilities Grant (see enclosed leaflet from the Office of the Deputy Prime Minister).

**Question 7. What if I am currently on the Council Housing Waiting List?**

A condition of applying for a Disabled Facilities Grant is that the disabled person intends to remain in the adapted property for a period of 5 years (see question 2). Therefore, if you are currently on the Council waiting list and you apply for a grant which is subsequently approved and completed, you may remain on the waiting list, but if you move within the five year period, you may be required to repay the grant before being accommodated in a Council property.

**Question 8. How long after completing the financial assessment form will it be before I know my financial contribution?**

HCS will endeavour to inform you of your contribution towards a grant within 7 working days.

**Question 9. How much grant will I be entitled to?**

Grant applications, other than those for children, are subject to a test of the financial resources of the disabled person and their spouse or partner. This will determine whether you have to make a contribution towards the cost of the works.

A provisional 'means test' may be carried out based on the information you have provided on the Provisional Grant Enquiry form and you are notified of this before the Housing Adaptations Officer visits your home.

It is important that the information you provide on the Grant Enquiry form is as accurate as possible, otherwise when you go on to make your Formal Grant Application and submit the evidence of your financial resources, your contribution may vary.

**Question 10. What if I am not entitled to a grant?**

If your means tested contribution exceeds the cost of the works, then no grant will be available. However you may still wish to make a Formal Grant Application and receive a NIL approval notice. This will allow you to offset the cost of the adaptation works, if you have funded them yourself, against any contribution you may have in the future for a successive grant (10 years for Owners, or 5 years for Tenants).

**Question 11. Who decides which works the grant will cover?**

Your Occupational Therapist will determine which works are necessary and appropriate to meet your needs and make a recommendation to the Private Sector Team who will decide which works fall within the Mandatory criteria of the Legislation. These works must be considered to be reasonable and practicable to be carried out to receive grant aid.

The eligible works will be confirmed to you in the form of a building schedule. You should use the schedule to obtain your estimates (see question 13). The schedule also gives an indication of the standard of workmanship required by the Council and details any specialist fittings which your Occupational Therapist is recommending to suit your needs.

There may be a difference between the grant works which are considered to be necessary and appropriate and the works which you consider you need or desire. In such cases where

you decide to carry out works beyond that which is considered eligible, you will need to fund the additional works yourself.

**Question 12. What if I want additional works carried out at the same time as the adaptations?**

If you would like the contractor to carry out additional works to those listed on the Schedule of Works, you should ask him at his initial visit whether he is willing to carry out additional work.

Not all the contractors on the HCS list are prepared to undertake works over and above that on the schedule.

Where the contractor has agreed to carry out additional grant aided works, this should be dealt with under a separate estimate from the contractor. The Council will not be involved in these works.

**Question 13. How long after the visit will it be before I receive the Formal Application Pack?**

HCS will endeavour to send or deliver the Application Pack to you within 15 working days.

**Question 14. What will the Formal Grant Application Pack consist of and what do I use the Schedule for?**

The Formal Grant Pack for an Owner's Application will consist of:

Covering Letter

Grant Application Form and Explanatory Notes

Owner's Certificate

Building Regulation Form (where appropriate)

Three copies of the Schedule of Eligible Works

Confirmation of Ownership Form (unless we are able to confirm your ownership with Land Registry)

The Formal Grant Pack for a Tenant's Application will be the same as the Owner's pack with the addition of a Tenant's Certificate.

You should use the schedules to obtain estimates for the works and retain one copy for your own reference (see question 18). You can photocopy the schedules or ring HCS for additional copies.

If your grant application is for the supply and fitting of a stairlift only, and you already have or your Occupational Therapist is helping you to obtain written estimates from specialist companies, you may use these estimates to accompany your application instead of the schedules supplied in the application pack.

**Question 15. Is there any help available in completing the Application Form?**

If you wish, the Adaptations Officer can visit you and assist in the completion of the form and associated paperwork.

You can also contact HCS by telephone and we will try to answer any queries you may have over the telephone.

### **Question 16. How do I submit my completed Application Form?**

When you have completed the grant application paperwork and obtained the relevant contractors estimates, we advise that wherever possible you bring your application to the HCS office for checking. This will enable you to alter any information, which may not be correct on the application form, before depositing it and prevent any documentation from being lost in the post.

Where the Adaptations Officer is helping you to complete your grant application, the officer will be able to bring the completed application to the Council on your behalf.

You are required to provide financial evidence in respect of your income and savings when you submit your grant application.

If you are unsure which documentation you need to submit, the Adaptations Officer will advise you.

### **Question 17. What is the position with regard to joint owners of the property when making the application?**

Where there are joint owners of a property, owners can either make the application jointly or, if they prefer, one of them can make the application, but all owners must sign the Owners' Certificate. By signing the Owners' Certificate, the owners are confirming that they agree to allow the disabled person to live in the property for the next 5 years and that they give their consent for the works to be carried out.

### **Question 18. Who is responsible for obtaining contractors' estimates?**

You as the applicant are responsible for obtaining the estimates. You are able to use whichever contractors you wish to obtain estimates.

If you do not know of any suitable, you may like to choose them from the HCS Advisory List of Contractors (see Fact Sheet 3). All the contractors on the list have agreed to abide by a Contractors' Code of Conduct, (see fact Sheet 4).

Please note that the Council's responsibility in respect of the builders on the list is limited to the fact that the eligibility criteria for admission onto the list have been met. The Council does not provide a warranty for the builders' work..

You are required to submit at least two estimates with your grant application but may submit more if you want.

Make sure you are entirely happy with the two contractors whose estimates you submit to the Council, as you will be required to use one of these to carry out the grant works.

Where the Private Sector Team considers that the estimates you have submitted are reasonable, your grant offer will normally be based on the lower of the two estimates. However, if neither of the estimates is considered reasonable, the Private Sector Team will estimate the cost of the work and base the grant on this amount or contact you to request further estimates to justify the cost of the work.

You can use any of the contractors whose estimates you have submitted to the Council to carry out the works, provided you pay any difference in cost between the estimate and the grant awarded.

**Question 19. Is there any help in finding a contractor and supervising his work?**

If you feel you are unable to obtain estimates and supervise the work yourself, you can, under the Legislation, engage the services of an Architect or Surveyor to do this for you. Their fee for doing this can be covered by the grant providing it is reasonable. Normally between 10% to 12% of the adaptation cost of the works is acceptable, depending on the type of work.

However, you can only claim the cost of these fees if the work is completed. Therefore, if you cancel your application before the works are carried out or your grant is not approved, you will be liable for any fees you have incurred up to that time.

**Question 20. How long will it be before I receive a decision on my formal application once it has been submitted to HCS?**

HCS will endeavour to process your formal grant application and give you a decision within 15 working days of it being submitted.

**Question 21. Who is involved in the agreement to carry out the works?**

The parties involved in the actual agreement to carry out the works are you and the builder you have engaged. Where you are using an Architect or Surveyor to assist in the supervising of the works, he/she is also being employed by you.

The Council is not involved in the agreement with your builder. The Council is involved in a separate agreement with you. This is to pay your grant when the works have been completed to a suitable standard.

**Question 22. Who will be engaging the contractor?**

It is your responsibility to engage the contractor to carry out the work. You have to engage one of the contractors whose estimates you submitted with your application. Your grant will normally be based on the lower of these estimates, but you are able to choose one of the higher estimates if you pay the difference between the estimate and your grant. It is important that you understand that the contractor is working for you not the Council, even though you may have chosen them from the Housing & Community Services list.

### **Question 23. What happens if the work requires Building Regulation Approval?**

If your adaptation works require Building Regulations Approval, which are of a simple nature, then a Building Notice is likely to be the most appropriate way of obtaining Building Regulation Approval. This involves completing a Building Notice Form and sending it to Building Consultancy Services.

If your adaptation work involves extending or major alterations to your property, you will probably need to submit a 'Full Plans' application to Building Consultancy Services. You will normally need to engage an Architect or Surveyor to assist you with this type of application.

The relevant Building Regulation application form will normally be included in the Formal Grant Application Pack, (see question 14).

It is your responsibility to ensure that an appropriate application is submitted to Building Consultancy Services.

### **Question 24. What if my grant is subject to a delayed payment?**

If your grant is subject to a delayed payment, this means the Council are unable to pay your grant within that financial year (April-March). Your grant has still been approved but the funding will not be available until the date indicated on the Approval Notice within the next financial year.

However if you are able to fund the works yourself before this date, you can pay your builder to complete the works and claim your grant from the Council after the date on the Approval Notice.

### **Question 25. Who is responsible for ensuring that the works are carried out to a reasonable standard?**

It is up to you to ensure that the works are carried out to the standard you require. Remember, the builder is working for you not the Council and is under your instruction. If you feel that you are unable to supervise the works yourself, you may be able to engage the services of an Architect or Surveyor to do this for you, (see question 19). Your Occupational Therapist and the Adaptations Officer will visit the property before any payment is made, to satisfy themselves that the contractor has carried out the works to a reasonable standard to enable your grant to be paid.

The Council will normally pay the agreed grant or part payment of the grant directly to your contractor.

So that you can manage the building work, where the eligible grant work exceeds £10,000.00 in total, you can claim your grant in stages. A maximum of two interim payments and a final payment can be made. The Council will require a suitable contractor invoice for completed work amounting to £10,000.00 or more.

**Question 26. What is the Satisfaction/Payment Authorisation Sheet and why do I have to complete it?**

It is the Council's policy to pay your contractor direct once the work has been completed to a satisfactory standard. To ensure that there are no outstanding matters between you and your contractor before he is paid, HCS require you to sign and return a Satisfaction/Payment Authorisation Sheet on completion of the work. Your Occupational Therapist will also be asked to confirm that the completed work meets the disabled person's needs.

Where you have chosen a builder from the HCS Advisory List of Contractors, there is an opportunity for you to give your comments on the relevant section of the form, in respect of the Contractors' Code of Conduct.

**Question 27. How will I know when my contractor has been paid?**

When the Council have paid your contractor you will receive a letter from HCS confirming the amount paid together with the original invoice.

**Question 28. Who should my contractor's invoice be addressed to?**

You have engaged the contractor to carry out your adaptation work; therefore the contractor's invoice must be addressed to you.

The Council has agreed to grant aid all or part of the works as detailed on your grant Approval Notice. To claim all or part of your grant, you need to forward your contractor invoice to HCS.

**Question 29. I have a financial contribution to make towards the work, who should I pay it to?**

You should pay your contribution to your contractor once you receive confirmation from the Council that your grant has been paid to them.

**Question 30. Who is responsible for the works once completed?**

You as the owner or tenant are responsible for the works. For cover on other fittings and appliances, you should ask the contractor to provide you with any relevant paperwork for the guarantee and extended warranty. Any extended warranties will have to be funded by you.

