

**Disabled Facilities Grants aspect of home adaptations.**

**Monday, 11 March 2013**

To

**The Communities, Equality and Local Government Committee**

Sirs, Further to my attendance at the Home Adaptations consultation event held on the 22<sup>nd</sup> of February, at the Wales Millennium Centre. And further to my request to submit formal representation to the Committee.

Please consider the following which I ask you take into consideration as part of your inquiry in respect of: Disabled Facilities Grants aspect of home adaptations.

**About myself:**

I am a 67 year old disabled, retired, master builder having some 40years experience within the building industry.

**Eligibility to input**

Having had first hand experience, over many years, of trying to gain the benefit that such a grant would provide, both for myself and indeed, the entire household, I feel well placed to input my experiences into an inquiry.

**The History:**

Having been tangibly involved at the grass root level, in the whole process of applying for Disabled Facilities Grants over the last nineteen years, not only as an applicant for myself and for my disabled family, but for other council tenants and also in my capacity as a tenants and residents representative, I have also assisted in applications of disabled facilities grants for disabled residents living in private homes.

Throughout the last nineteen years, I have encountered numerous anomalies within the procedures and governance carried out by the administrators of the Disabled

Facilities Grant e.g. Occupational Therapy Service, Social Services, and the Housing Grants and Renewal Section.

I consider disparity is rife between council tenants and home owners pertaining to the application and delivery of Disabled Facilities Grants. To elaborate, I was personally constructive in helping fill out three Disabled Facilities application forms for private home owners within the vicinity of my home. Each of the three private home owner's applicants had their Disabled Facilities Grants granted and the works executed within the recommended 12 months.

It has been my experience that Council Tenants are made to wait for an inordinate amount of time before being considered for a Disabled Facilities Grant. It appears that Council Tenants, who apply for Disabled Facilities Grant, can wait up to 18 months for a visit from an Occupational Therapist, their application being treated as at the enquiry stage for years. This being so the authority need not comply with the statutory 12 months D F G completion rule.

Is it not the case that:

Under the Housing Grants, Construction and Regeneration Act 1996, Local Authorities should provide an answer to an application for a DFG as soon as is reasonably practicable, and no later than six months after the application is made. The actual payment of the DFG should take place no more than 12 months after the application was made.

### **Please consider the following observations**

It appears that many Disabled People have applied for Disabled Facilities Grant who, seem to wait for an inordinate amount of time for it to be processed. That **Disabled facilities Grant Applications can still be deemed** to be at the enquiry stage, for over 18 months, beggar's belief.

It appears there are so many anomalies and atrocities committed against vulnerable Disabled Facilities Grant applicants and it becomes very hard to believe, in certain instances, that anyone at all in the adaptations team, or the Grants and Renewal team adhere to, or show any regard whatsoever for protocol, best practice, guidelines, or specified Mandatory Disabled facilities Grant time limits

It is blatantly obvious from cases that I have been involved with, that, officers of the City and County of Swansea, when challenged, keep passing the buck, with different officers responding to correspondences. Many officers have little or no knowledge of the background of the case, and

therefore, put forward conclusions and answers that have been already been addressed, and concluded upon resulting in officers creating a continuum of confusion embroiled in a never ending circle. Meanwhile, disabled families are suffering at the hands of certain officers' malpractice, malfeasance, and incompetence to say the least.

It is my observation that it seems to be the norm for certain officers of the City and County of Swansea to become a law unto themselves and go about their business unquestioned whilst blatantly giving misleading and wrong advice to their superiors, councillors, and assembly members. For far too long superiors, and heads of departments within Social Services, Housing, and Occupational Therapy Service have been unreservedly accepting mal-fide advice without question. Certain officers of the City and County of Swansea are prepared to be malfeasant, and exhibit blatant disregard to the Law, Statutory Instruments, Disabled Discrimination Act/Equality Act 2010, and they pay no regard whatsoever to the Human Rights Act, or the Racial Discrimination Act.

Whether the latter is out of ignorance, or just out of a false sense of loyalty to their colleague's, remains to be seen, however, the fact is that heads of some departments are too quick to accept Mala Fide advice from officers, and are unreservedly too apt to put their name to incorrect advice. The fact remains that disabled people are needlessly suffering due to incompetent officers who deem themselves to be unaccountable, and beyond reproach.

### **Prime example of an Officer supplying incorrect advice:**

#### **Letter extract from Debora Driffield Head of Adult Social Services City & County of Swansea:**

The extract of the letter below clearly states the Council Tenants are not eligible for a Disabled Facilities Grant; this incorrect statement; not on serves to deprive disabled council Tenants of much needed Disabled Facilities; It also blatantly misleads heads of departments, Councillors, Assembly Members, and other connected recipients:

Thank you for your letter of 6th December, 2012. May I first of all apologies for the delay in responding, I have only recently received a report from the officer asked to look into this matter.

I understand that this matter is under consideration by the Housing Department and the Authority's legal officers. The property in question is a Council property and as such not eligible for a Disabled Facilities Grant under regulations. Any work of adaptation to the property or surrounding area is, however, subject to the same consideration and assessment used by the authority as to whether the work is 'necessary and appropriate' and that it is also 'reasonable and practicable'.

All rules, guidelines regulations, Statutory Instruments, are in place, and are pedantic in their recommended execution/deliverance e.g.

- *Good Practice Guide for Delivering Housing Adaptations for Disabled People*
- *Directorate of Regeneration and Housing Private Sector Housing Renewal and Disabled Adaptations: Policy to Provide Assistance 2012-2017 City & County of Swansea,*
- *The Housing Grants Construction and Regeneration act 1996 introduced a duty to assist people with disabilities to enable them to live independently within their own home.*
- *The Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (Wales) Order 2008 increased the maximum DFG grant and additional eligible works.*

There is more than enough legislation already in place; the problem is that the Local Authority departments administering the governance of the DFG e.g. Housing Department, Council Officers, Social Services Occupational Therapists, and the Grants & Renewal Section have become complacent and stagnated in the administration and approval of DFG.

The close relationship between the above mentioned tends to place the needs, general health, and well being of the disabled applicant/applicants secondary to the cost; certainly in the case of Disabled Council Tenants.

Drawing from my experiences over the many years of my involvement, and having been made aware of a case where there was the will, within three, 3, days, a home received adaptations enabling an amputee to return home thus freeing an hospital bed, I would respectfully ask that the following are considered whilst executing your inquiry:

1. I see it as a priority to ensure the joined up thinking and working, of those responsible for the early identification of need and the application for a Disabled Facilities Grant. It is of prime importance this be done with the involvement, at all stages, of the recipient who would benefit from the grant
2. It is imperative for Council Officers, Social Services Occupational Therapists; undergo training to bring them up to date with the relevant Legislation, Codes of Practice, Standard of Ethics and Proficiency etc
3. Further, in the case of occupational therapists, who execute assessments and are responsible for recommendations, subservience is to the client and not to the local authority.
4. There should be parity with all tenures throughout Wales in the application and administration of the Disabled Facilities Grants.
5. A strict time limit of no longer than three months should be applied to Disabled Facilities Grant Enquiry, after which it should not be considered a Disabled Facilities Grant enquiry but

be deemed a full blown Disabled Facilities Grant Application, thus invoking statutory time limits

## 1.Accountability

- Taking your complaints through the Corporate Complaints Procedures within the Local Authority is bias, and does not work i.e. Officers of the Corporate Complaints Department rely solely on the advice of the officers, and colleagues of officers nascent from departments that the complaint has been made against. Corporate Complaint Officers tend to unreservedly accept malifide advice in conclusion of their enquiry.

To effect tangible change within the Disabled Facilities Grant administration which would serve to benefit all tenures of disabled applicants, a post of an independent **Disabled Persons Commissioner** should be created, someone who is totally au fait with all aspects of the Disabled Facilities Grant and has the power to enforce compliance to existing governance, guidance and legislation. This being so, from the elementary fundamentals through to the law, governance, good practice guidelines, and the correct protocol for the administration of the Disabled Facilities Grants. Further, I would respectfully suggest these powers extend to ensuring that guidance, governance and legislation are fully complied with.

- If it be proved that Council Officers are making adverse, malifide decisions that serves to effect hardship and suffering on vulnerable disabled people: then the responsible individual officer/officers must be made accountable for consequences of their actions, and disciplined accordingly.

## 5 Waste.

Disability Facilitate Grant are intended to address need, if and when the need ceases to exist, some method of reclaiming any viable equipment or appliances should be put in place. To hear of an unused stair lift being offered for return generating a response of "Its yours, sell it" seems a waste as I would consider , not only the refurbishment would create employment opportunities within Wales , the refurbished stair lift would help someone in dire need.

HA 29 : Tony Roper

I, respectfully present this submission to: **The Communities, Equality and Local Government Committee Inquiry into the Disabled Facilities Grants.**

Should I be of any further assistance, furnishing the committee with further correspondence's, evidence in person, orally or otherwise; I will be more than happy to oblige.

Yours sincerely,

A.Roper