



Statement of Assistance for Private Homeowners and Tenants of Private Landlords

January 2010

Consultative Draft

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Part 1: Context

1.1 Introduction

Section 72 of the Housing (Scotland) Act 2006 requires all local authorities to produce a statement of assistance for private homeowners and tenants. It sets out the circumstances in which Aberdeenshire Council will provide information, advice, and practical support and, in some circumstances, financial assistance to private homeowners to help them repair, maintain, improve or adapt their homes.

1.2 Background

The Scottish Government's Housing Improvement Task Force (HITF) was established in 2000 to review the national policy framework for housing improvement in private housing. The findings of the work from the HITF are embodied in the Housing (Scotland) 2006 Act. The aims of the Act are to improve the quality of private housing in Scotland.

The basic premise of the Act is that owners are primarily responsible for the repairs and maintenance of their own homes. Approximately 80% of the houses in Aberdeenshire are owned by and are the responsibility of private owners. Some of those houses are poorly maintained or prevent disabled people who live in them from maximising their independence. The continuous Scottish House Condition Survey reported in June 2009 that only approximately 29% of private sector housing in Aberdeenshire passes the Scottish Housing Quality Standard. (See Glossary at Appendix 3)

The powers and duties in the Act are the biggest change for Scotland in this area of policy since 1974 and replace a regime that has essentially remained the same since then. The most significant change behind the new powers is to move away from the expectation the local authority will provide grants. Although Aberdeenshire has had less of reliance on grants, historic grant based approaches has led to a grant dependency culture with homeowners not taking enough responsibility for repairs and maintenance.

In line with the new legislation Aberdeenshire Council has recognised that a change in approach is needed. This will allow clearer distinctions to be made between repairs and maintenance, where the owner is responsible for repairs in order to maintain the property and works related to a disability, where responsibility is not at issue.

Assistance will be offered to all homeowners to help them to repair, maintain and improve their home. In practice, this will mean a range of things including providing information, advice and practical assistance and in certain circumstances, financial assistance.

1.3 Vision

Scheme of Assistance aims to promote greater responsibility amongst homeowners and emphasises the fact that homeowners are primarily responsible for the repairs and maintenance to their homes. We will assist homeowners and private tenants to improve the quality and suitability of their homes and this statement sets out a range of ways we can help homeowners to achieve this.

1.4 Aims

The aims of the Scheme of Assistance are to:

- Improve the quality and suitability of private sector housing
- Reduce the number of houses that are Below the Tolerable Standard (BTS)
- Adapt houses to make them suitable to meet the needs of a disabled person
- Encourage homeowners to repair, maintain and improve their homes
- Improve the energy efficiency of houses.

The Aberdeenshire Care & Repair Project will assist us to achieve these aims.

There are three elements to our Scheme of Assistance which will allow us to achieve these aims:

- Information & Advice – information & advice will be available to all homeowners or private tenants to help them to carry out repairs, maintenance, improvements or adaptations to their homes
- Practical Assistance – practical help will be available to assist homeowners to carry out repairs, maintenance, improvements or adaptations
- Financial Assistance – grants are available for eligible adaptations, private water supplies and window repair and/or replacement in certain conservation areas. See Appendix 1 for further information. It is anticipated that access to equity stake loans for repairs & maintenance will be available at some time in the near future. Further information will be made available from the Scottish Government.

1.5 Strategy

Our Scheme of Assistance supports and reflects local and national priorities.

It supports the Scottish Government's National Outcome 10 – We live in well designed, sustainable places where we are able to access the amenities and services we need.

Aberdeenshire Council's Single Outcome Agreement 10.2 reflects how we intend to contribute to the National Outcome - There is sufficient diversity in housing types, sizes and tenures to meet the changing needs of Aberdeenshire's residents and the Council's housing stock meets the Scottish Housing Quality Standard in respect of the number, quantity and variety of all new housing during the SOA timetable.

It also supports one of the objectives of the Private Sector Housing Strategic Outcome Statement - To improve the quality and suitability of private sector housing.

The Private Sector Housing Strategic Outcome Statement provides strategic direction prior to the formation of Aberdeenshire's new Local Housing Strategy which is due to be formalised in 2012.

1.6 Resources

The main source of funding for Scheme of Assistance will be Private Sector Housing Grant (PSHG). PSHG provides financial support to local authorities for private sector housing. As PSHG will be rolled up into the Council's account after ring fencing ends in April 2010, this funding will be provided from the Council's General Fund.

1.7 Lifespan of the Statement

This is a consultative draft of Aberdeenshire Council's first statement of assistance. The statement will be subject to annual review, the outcome of which will be published as part of the Private Sector Housing Strategic Outcome Statement.

Part 2: House Condition Works

2.1 Types of assistance

The following types of assistance will be provided:

Information & Advice

Information and advice will be available to **all** homeowners and private tenants across Aberdeenshire in relation to repairs, maintenance and energy efficiency to their homes. Information and advice will be provided in the following ways:

- Telephone
- Sign posting to other agencies
- Face to face contact
- E-mail or Web page
- Written correspondence
- Provision of leaflets
- Events & Seminars

Information & advice regarding repairs and maintenance will be provided by The Aberdeenshire Care & Repair Project and Aberdeenshire Council. See Appendix 1 for contact details.

Information and advice regarding energy efficiency is available to all residents of Aberdeenshire from Scarf. Scarf provides households with independent, free and impartial advice on energy efficiency. See Appendix 1 for more details.

Practical Assistance

Practical assistance will be offered to **all** homeowners and private tenants across Aberdeenshire in relation to repairs, maintenance and improvement to their homes. Practical assistance will be provided in the following ways:

- Home visits where necessary and appropriate to assist owners to identify what work is required and assist in prioritising works if necessary
- General advice on quotations, estimates and suitable contractors where appropriate
- Identify sources of funding, including signposting to Independent Financial Advisors, Credit Unions and the National Lending Unit (when available from the Scottish Government.)

Further practical assistance will be provided to those who are **over 60 and / or disabled** in the following ways:

- A Small Repairs Service will be operated through the Aberdeenshire Care & Repair Project to carry out small internal and external repairs. This service is for small repairs costing under £150.00, and the Project meets the labour costs and re-charges clients for any materials over £2.00. Customers cannot access this service unless they have lived in the house for at least one year. There is a maximum of two jobs that can be carried out under this scheme within each financial year. There are restrictions in the type of repairs that can be carried out. Repairs that prevent long term deterioration of property or contribute to energy efficiency will take priority. See Appendix 1 for more details. This service will be subject to review in 2010 and may be means tested.
- A benefits check will be provided where financial information is given. This will ensure all entitled benefits are being claimed. Assistance will be provided to complete claim forms where entitlement to additional benefits is found.

Practical assistance will be provided by The Aberdeenshire Care & Repair Project.

Financial Assistance

The Aberdeenshire Care & Repair Project can provide general information and advice to **all** homeowners and private tenants regarding funding options that may be available and can sign post to other agencies.

They will also provide assistance to those who are over 60 and / or disabled with charitable fundraising where there is no entitlement to financial assistance and have no alternative means of funding to help carry out repairs to their homes.

Grants are available from Aberdeenshire Council to **all** homeowners and private tenants to improve private water supplies, including the replacement of lead piping. A grant of up to £800 can be awarded for improvements or formation of a new supply. Additional grant can be awarded if the costs of essential works exceed £1,200. For further information see Appendix 1.

Some grants are available from Historic Scotland for the repair of traditional windows or the replacement of inappropriate windows in some conservation areas within Aberdeenshire. These schemes are restricted in funding, timescales and location. Grants cannot help provide UPVC windows; they help to restore original windows and character to historic properties and enhance the quality of conservation areas. See Appendix 1 for further information.

It is hoped that access to a National Lending Unit, operated by the Scottish Government will be available at some point in 2010. Once the Government has released further information, this statement will be updated.

2.2 Priority works for financial assistance.

Repairs and maintenance organised by The Aberdeenshire Care & Repair Project for those who are over 60 and / or disabled will take priority for financial assistance. Financial assistance will be in the form of charitable fundraising and signposting to other agencies.

Question 1

Do you find the proposed types of assistance adequate? If not, why not?

Question 2

Do you find the proposed practical assistance useful? If not, why not?

Question 3

Do you find the proposed financial assistance useful? If not, why not?

2.3 Priority circumstances for financial assistance

If a homeowner is carrying out repairs and maintenance with The Aberdeenshire Care & Repair Project and the owner cannot afford to repay a commercial loan, that homeowner will be entitled to financial assistance when this becomes available through the National Lending Unit.

The priority works for financial assistance and priority circumstances for financial assistance will be reviewed when the Scottish Government provides further information relating to the National Lending Unit.

2.4 Application process for financial assistance

Stage One

Care & Repair will carry out a financial assessment of the customer's circumstances.

Stage Two

If the customer is eligible for charitable fundraising, Care & Repair will carry out a detailed income and expenditure assessment.

Stage Three

Care & Repair will pass this information to the various relevant charitable fundraising organisations.

Stage Four

The application for charitable fundraising is either successful or unsuccessful. The application process for financial assistance will be reviewed when the Scottish Government provides further information relating to the National Lending Unit.

2.5 Complaints procedure

Customers have the right to complain if they do not agree with the Council's decision. The Council's Complaints Procedure should be followed. Further information can be found at Appendix 1.

2.6 When enforcement powers will be used

The Housing (Scotland) Act 2006 gives local authorities new enforcement powers. A local authority can serve a maintenance order on the owner of a house to insist that the owner carries out maintenance to their property. The order requires the owner to develop a maintenance plan for the property, for up to a five-year period. The local authority will be able to step in to enforce the plan, if the owner fails to carry out the maintenance that the plan sets out. It will also be able to recover the costs from the owner. The council are currently looking at how these powers will be implemented. The procedures will be in place by April 2010. This section will be updated then.

Owners in communal blocks where the council still own flats will be provided information & advice on the Tenements (Scotland) Act 2004. The Tenements (Scotland) Act 2004 aims to ensure that communal parts of the building are kept in good repair. The council are currently looking at the ways it engages with owners in communal blocks and how it will assist homeowners to use the Tenements (Scotland) Act 2004 to help them carry out repairs and maintenance. This section will be updated when further information is available during 2010. See Glossary at Appendix 3 for more information on the Tenements (Scotland) Act 2004

2.7 When financial assistance might be withdrawn

If the applicant moves or sells the property whilst the work is being carried out the financial assistance would be withdrawn and would not be payable to the applicant or any contractors.

Question 4

What other types of assistance should we consider?

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Part 3: Adaptations and Standard Amenities for Disabled People

3.1 Types of assistance

The following types of assistance will be provided.

Information & Advice

If an owner feels they need equipment or an adaptation to their home, they must contact the Council's Occupational Therapy Team who will ask about the difficulties they are having and, if necessary arrange to have an Occupational Therapist carry out an assessment of needs. The contact details for this can be found in Appendix 1. If necessary, the Occupational Therapist will visit the customer in their home in order to assess their capabilities and to identify how to meet their particular needs. The Occupational Therapist will provide the customer with information and advice and will always try to help people who have a disability to stay living in their home. Aberdeenshire Council have produced a leaflet called "Help for Disabled People" which is for people who live in privately owned housing. It provides information about what help is available to adapt homes.

Practical Assistance

The Aberdeenshire Care & Repair Project offers information, advice and practical assistance to homeowners or private tenants who are over 60 and / or disabled to help them repair, maintain, improve or adapt their homes. The Aberdeenshire Care & Repair Project will assist by obtaining estimates for identified works, identify sources of funding, ensure works are completed in accordance with estimates and will ensure that payments are made to contractors. See the flow charts for the adaptations processes on pages 10 and 12 for further information.

Financial Assistance

The process for financial assistance is different for minor and major adaptations. Definitions and the processes of these can be found below.

Question 5

Do you find the proposed types of assistance adequate? If not, why not?

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Minor Adaptations

If an Occupational Therapist assesses a minor adaptation is essential and meets criteria provision, the costs will be met by the Council.

Examples of minor adaptations are:

- Grab rails
- Additional banisters
- Lever taps

- Blacksmith rails
- Re- hanging doors.

A self assessment form can be requested from the Duty Occupational Therapist in Central or South or from the local Occupational Therapist in the North. See Appendix 2 for a map which details the administrative areas.

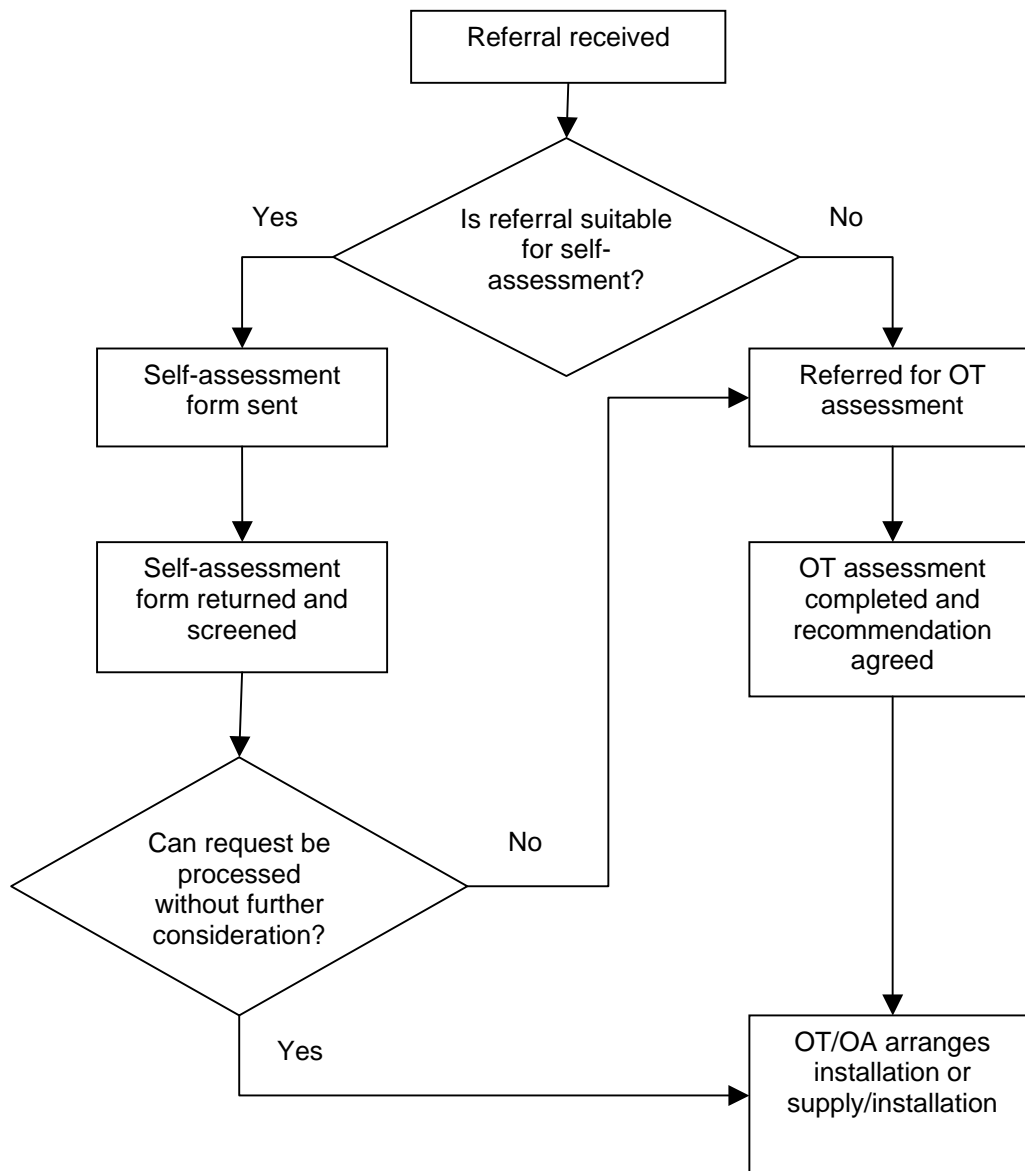
The self assessment form currently only applies to the following:

- Blacksmith rails
- External grab rails at door steps
- Additional banisters

Completing a self assessment form does not require an Occupational Therapy assessment; the adaptation(s) will be supplied and fitted without an assessment.

The following flow chart details the application process for minor adaptations.

Flowchart for Minor Adaptations



Major Adaptations

All local authorities **must** provide a minimum percentage grant of 80% for the provision of structural adaptations that are essential to meet the needs of a disabled person. Grant is not available to extend the original structure to create additional living accommodation unless the original structure requires to be extended to provide a standard amenity. A standard amenity is:

- A fixed bath or shower and wash hand basin, each with satisfactory supply of both hot and cold running water suitably located within the house
- A sink with a satisfactory supply of hot and cold water within the house
- A water closet available for the exclusive use of the occupant of the house and suitably located within the house.

A structural adaptation includes structural work and other changes to the building that are necessary to make it suitable for a disabled person. This does not include additional living accommodation unless it is necessary for the provision of standard amenities.

Examples of works that may qualify for a mandatory 80% grant are:

- Provision of standard amenities such as toilet, wash hand basin, level access shower
- Ramps
- Curved stair lifts
- Through floor lifts
- Widening doors to allow wheelchair access
- Lowering kitchen units to allow access for wheelchair users
- An extension to provide a bathroom

If a person is in receipt of one or more of the following benefits, grant will automatically be 100%:

- Income Support
- Income Based Job Seekers Allowance
- Pension Credit (Guarantee Element)
- Income Related Employment and Support Allowance

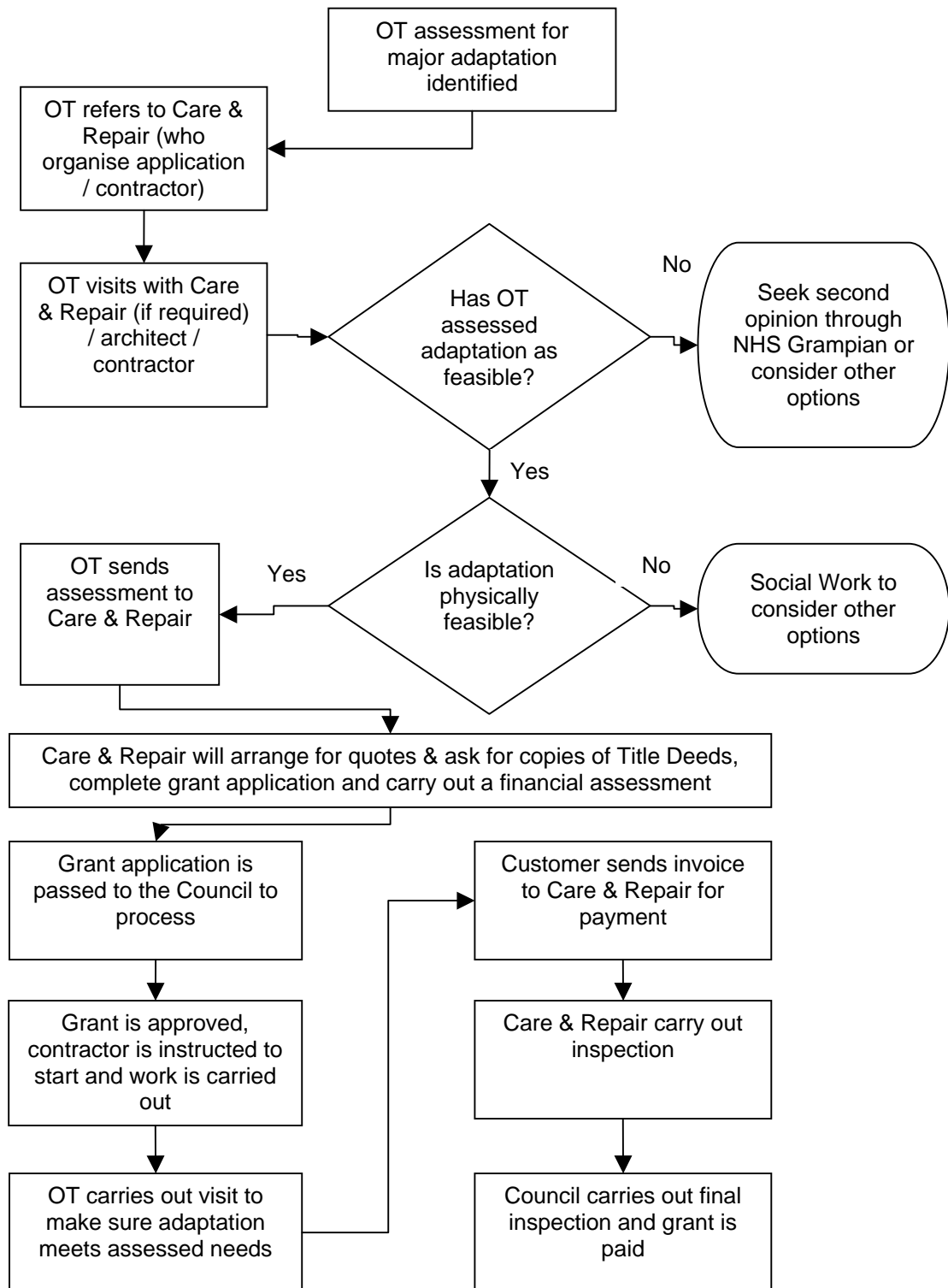
For those applicants who are not eligible for a 100% grant they may be awarded a grant between 80% and 99% subject to a test of financial resources.

Where an applicant is happy to accept the minimum 80% grant they will not have to provide details of their financial circumstances.

3.2 Assessment of circumstances

The following flow chart details the assessment process for major adaptations.

Flowchart for Major Adaptations



3.3 Financial Assistance

Priority works and circumstances for financial assistance

Works subject to mandatory grant will take priority for financial assistance. Mandatory grant is to be provided for the provision of structural adaptations that are essential to meet the needs of a disabled person. Grant is not available to extend the original structure to create additional living accommodation unless the original structure requires to be extended to provide a standard amenity (fixed bath or shower, wash hand basin or toilet). See Appendix 3 for glossary.

Where work is required and it is not subject to mandatory grant, for example the provision of additional living accommodation, Aberdeenshire Care & Repair can provide general information and advice regarding funding options that may be available and sign post to other agencies.

Care & Repair can also carry out Charitable Fundraising on behalf of the customers to assist with the costs where there is no entitlement to financial assistance and have no alternative means of funding to help carry out repairs to their homes.

Question 6

**Do you find that the proposed assistance in relation to major adaptations is sufficient?
If not, why not?**

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Application process for financial assistance

Stage One

An Occupational Therapist will carry out an assessment to determine the person's needs. If an adaptation is essential to meet their assessed needs and they meet the eligibility criteria, they will then be referred to Care & Repair.

Stage Two

Care & Repair and the OT will arrange to visit the customer at their home to discuss the proposed adaptation. This may be a joint visit if necessary or may be separate visits. Once this has been agreed the OT will send a report to Care & Repair.

Stage Three

Care & Repair will arrange for quotes based on the OT assessment. Once Care & Repair have all the required information, they will submit the grant application for formal approval of grant to the Council which will detail how much the Council will contribute to the cost of the adaptation.

Work should not be started unless approval has been provided, except where early start consent has been given. In certain circumstances, consent can be given

following submission of a grant application to start work early. For example, to facilitate hospital discharge.

Stage Four

Once the work is complete, an Occupational Therapist will visit to make sure the adaptation meets their assessed needs and if necessary provide any associated equipment. For example, a shower stool where a wet floor shower has been installed.

Stage Five

An invoice should be sent to Care & Repair. Care & Repair will then carry out an inspection to make sure the work has been carried out to a satisfactory standard and to make sure the customer is satisfied with all aspects of the contractors work.

Stage Six

Before the grant is paid a member of staff from the Council's Environmental Health team will carry out a final inspection of the works.

Stage Seven

The grant will then be paid to the contractor who carried out the work or to the customer direct.

3.4 Appeals process

Customers have the right to appeal if they do not agree with the amount of grant offered or if the grant is refused. They must write to the Head of Protective Services in the first instance. Contact details can be found in Appendix 1.

3.5 When assistance might be withdrawn

If the applicant moves or sells the property whilst the work is being carried out the grant would be withdrawn and would not be payable.

3.6 Assistance with reinstatement

If a customer requires assistance with the reinstatement of a property which has previously been adapted, Aberdeenshire Care & Repair can provide information, advice and practical assistance with organising this work. Care & Repair will be able to assist with finding contractors, obtaining estimates and sign posting to suitable lending sources. Financial assistance will not be available.

Question 7

What other types of assistance should we consider?

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Question 8

Do you find the statement clear and easy to understand?

Other Comments

Appendix 1

Service	Service provided	Website Address	Contact Details
Aberdeenshire Council Occupational Therapists	<p>There are three occupational therapy teams in Aberdeenshire.</p> <p>They are based in social work offices across the county.</p>	www.aberdeenshire.gov.uk/care/help/living/what_services/ot_service/ot_team.asp	<p>North Aberdeenshire</p> <p>Banff - 01261 813452</p> <p>Fraserburgh - 01346 585092</p> <p>Central Buchan - 01771 613940</p> <p>Peterhead - 01779 484233</p> <p>Turriff - 01888 564117</p> <p>Central Aberdeenshire</p> <p>Duty Occupational Therapist 0845 345 6791</p> <p>South Aberdeenshire</p> <p>Duty Occupational Therapist 0845 345 6791</p>
Aberdeenshire Care & Repair	<p>A free service to owner-occupiers and tenants of private landlords who live within Aberdeenshire, offering information, advice and practical assistance with repairs, improvements and adaptations.</p>	www.castlehillha.co.uk/carerepair_shire.html	<p>Aberdeenshire Care & Repair 3 Banavie Court Bridge Street Ellon AB41 9LA</p> <p>Tel - 01358 721672 E-mail - shona.milne@castlehillha.co.uk</p>

Scarf	Provides households with independent, free and impartial advice on energy efficiency	www.scarf.org.uk/	Scarf 1 Cotton Street Aberdeen AB11 5EE Tel – 01224 213005 E-mail - info@scarf.org.uk
Aberdeenshire Council Housing Grant Appeals Sub Committee	Service to adjudicate and on appeals relating to specific housing grant applications.	Not applicable	Aberdeenshire Council Head of Protective Services & Waste Management Gordon House Blackhall Road Inverurie AB51 3WA Tel – 01467 628159
Aberdeenshire Council Environmental Health Department	Processing housing grants, general advice on house condition, enforcement responsibilities and assessment of private water supplies.	http://www.aberdeenshire.gov.uk/privatehousing/index.asp	Aberdeenshire Council Environmental & Consumer Services Gordon House Blackhall road Inverurie AB51 3WA Tel – 01467 628153 E-mail private.housing@aberdeenshire.gov.uk
Aberdeenshire Advice Services Network	An organisation that represents all the independent advice agencies in Aberdeenshire that offers information, advice and representation.	http://www.aberdeenshire-advice.info/	Various locations across Aberdeenshire including, Banchory, Banff, Ellon,

Disabled Persons Housing Service	A charitable organisation that offers advice and information to people with disabilities.	Web page currently under construction	Anne Mair (Development Officer) 1 Carters Close Peterhead Aberdeenshire AB42 1UU. Tel – 01779 490908 Fax – 01779 491130 Anne.mair@dphsa.co.uk
Historic Scotland	An agency of the Scottish Government to safeguard the nation's historic environment and enjoyment.	http://www.historic-scotland.gov.uk/	Historic Scotland Longmore House Salisbury Place Edinburgh EH9 1SH Tel – 0131 668 8600 E-mail - hs.website@scotland.gsi.gov.uk
Aberdeenshire Council Complaints	Aberdeenshire Council's formal complaints procedure.	http://www.aberdeenshire.gov.uk/haveyoursay/	E-mail using the on-line form http://www.aberdeenshire.gov.uk/haveyoursay/3c_form.aspx Write to Area Offices. See Appendix 4 for details.
Ownership Options	A charity providing information, advice and other support to disabled people to improve access to housing in the owner occupied sector.	http://www.zen84962.zen.co.uk/	Ownership Options The John Cotton Centre 10 Sunnyside Edinburgh EH7 5RA Tel – 0131 661 3400 E-mail - info@oois.org.uk

Appendix 2

Aberdeenshire's Administrative Areas



The six administrative areas of Aberdeenshire Council are:

- Banff & Buchan
- Buchan
- Formartine
- Garioch
- Marr
- Kincardine & Mearns

Appendix 3

Glossary of Terms Used

Term	Definition
Scottish House Condition Survey	The largest house condition survey carried out in Scotland by the Scottish Government. It is the only national survey to consider the physical condition of homes as well as the experiences of householders.
Scottish Housing Quality Standard	This was introduced by the Scottish Government. It defines what constitutes acceptable good quality housing. Local authorities have until 2015 to meet the standard.
Below Tolerable Standard (BTS)	This is a technical definition contained in housing law and relates to standard amenities and the structural stability of a building. A building is deemed to be BTS if it does not have certain features. For example, an internal toilet.
Adaptations	Alterations to homes of homeowners or tenants with particular needs or disabilities, which allow them to remain in their existing accommodation.
Standard Amenity	A standard amenity is either a sink with satisfactory supply of hot and cold water, a water closet for exclusive use of the occupant within the house which is suitably located and a fixed bath or a shower, each with a satisfactory supply of both hot and cold water within the house which is suitably located.
Tenements (Scotland) Act 2004	The Act aims to ensure that communal parts of a building are kept in good repair. It sets up a decision making structure that should make it easier to carry out repairs and maintenance and deal with disagreements between owners. In most cases it means that the majority of repairs will be carried out with the majority of owners in agreement.
Housing (Scotland) Act 2006	The Act aims to improve the quality of private housing. It applies to both owner occupied and private rented sector housing.
Common Repairs	Repairs to the external fabric of tenemental or multi-storey type property. The cost of which is shared among the owners.

Appendix 4

List of Housing Offices

Banff

32 Low Street
Banff
AB45 1AY
01261 813200

Macduff

10 Manner Street
Macduff
AB44 1SE
01261 813500

Fraserburgh

55 Mid Street
Fraserburgh
AB43 9EP
01346 514499

Peterhead

Baltic House
Broad Street
Peterhead
AB42 1JL
01779 477363

Turriff

Municipal Offices
High Street
Turriff
AB53 7EN

Inverurie

Gordon House
Blackhall Road
Inverurie
AB51 3WA

Stonehaven

16-22 Allardice Street
Stonehaven
AB39 2BR
01569 762001

Huntly

23-25 Gordon Street
Huntly
AB54 8EQ
01466 794121