



## Powys County Council Flexible Eligibility Statement of Intent - Version 2

This statement sets out Powys County Council's flexible eligibility criteria for the ECO3 LA Flex: Help to Heat programme from April 2019 forward. The scheme is supported from the ECO commitment provided by utility companies and the availability of funding is beyond the control of Powys County Council and may be closed at any time. It aims to support households living in Powys who are most likely to experience fuel poverty and those vulnerable to the effects of a cold home.

**Introduction** - Powys County Council welcomes the introduction of Flexible Eligibility and intends to utilise it for the purposes of reducing fuel poverty and tackling hard to heat homes across the county. ECO 3 LA Flex is not a Powys County Council funded or managed scheme, many aspects of it are outside the council's control or design. Powys County Council will refer clients to Warm Wales, a not for profit Community Interest Company specialising in tackling fuel poverty. Warm Wales will assess and if appropriate, refer eligible clients to 3<sup>rd</sup> parties who may have access to funding under the scheme.

**What is flexible eligibility** - Local Authorities working with Energy suppliers obligated under ECO, have an opportunity to extend eligibility criteria for energy efficiency measures to households not covered by existing schemes of support.

**Identifying households** - Funding is only available for owner occupiers and private tenants. Qualification for the scheme is restricted to those **in fuel poverty** as identified in Table 1 in Part 1 below. Eligibility will be determined by criteria listed below and requires a signed declaration by the owner/tenant.

**Qualifying measures** - The energy efficiency measures that may be installed in eligible properties include new central heating systems, heating upgrades and insulation.

**Liabilities** - Powys County Council accept no responsibility or liability resulting from any negative consequence, damage or loss arising from the acceptance of an ECO FLEX grant. This includes efforts connected to the preparation, application or survey prior to an installation or as a result of works delivered under the scheme.

Powys County Council do not endorse any specific energy supplier, grant agent, installer or company connected to the application or installation of ECO flex grants or products.

Any grievance or issue raised against grant works or application process, should be taken up with the installing party / agent / financier. Powys County Council's involvement in the scheme is limited to the declaration of eligibility for grant. Should you wish to have the declaration explained in further detail, please email - [privatesectorhousing@powys.gov.uk](mailto:privatesectorhousing@powys.gov.uk)

**Final decision** - The decision on whether a household receives a measure under flexible eligibility or other ECO funding streams will be made by the **energy supplier** or their **agent / contractor**. Qualification in the statement of intent or issuance of a declaration by Powys County Council will **NOT** guarantee installation of a measure, the final decision **rests with the supplier**.

***Revised guidance issued for ECO3 by BEIS significantly differs to that associated with ECO 2t LA Flex. Consequently, Powys Council cannot reissue any declaration previously issued under Powys County Council Statement of Intent version 1. A new application will need to be made to ensure it now meets our new criteria.***

### **Cost Associated with measures**

Whilst some measures being grant funded will be free to the consumer at point of sale, others may only be partially grant funded and will require a contribution from the consumer or agent in order to be delivered.

Any financial or contractual arrangement relating to the installation of a specific measure or home survey or service shall be at the discretion of the homeowner or occupier to accept or decline as they choose. Powys County Council will not be party to any such arrangements; this shall solely be between the client and any third party of their choice.

### **Governance**

The body to which any application for assessment prior to qualification under this Statement of Intent will need to be made shall be delegated to the Community Interest Company - **Warm Wales**. Powys Council will no longer accept applications direct.

If you wish to make an application for confirmation of grant eligibility, please contact:

**Warm Wales, Llewellyn House, Harbourside Business Park, Port Talbot, SA13 1SB.**

email: [information@warmwales.org.uk](mailto:information@warmwales.org.uk) call: 01656 747 622 Web [www.warmwales.org.uk](http://www.warmwales.org.uk)

**Warm Wales** shall field calls, engage in scheme promotion and conduct vetting of applications via collection of evidential client information. ***Warm Wales will be solely responsible for referring successful applications to Powys Council for sign off.***

The council shall issue declaration certificates to eligible applicants.

Any 3<sup>rd</sup> party agent of a contractor with clients they wish to refer to the council will need to have said clients utilise the vetting services of **Warm Wales** and have those clients referred to the council via that organisation. The council will not be party to any such arrangement implemented between **Warm Wales** and any 3<sup>rd</sup> party agent of each independent contractor.

**Warm Wales** shall select the installer and/or funder for all clients for whom they facilitate the application process for funding under ECO3.

Officers holding the following positions shall be empowered to sign declarations on behalf of Powys County Council, including those issued under Part 3 (1 & 2) -

Private Sector Housing Lead, Environmental Health Officer, Housing Standards & Improvement Officer, Affordable Warmth & Renewable Energy Officer, Service Improvement Officer.

### **Monitoring**

Information regarding the number of referrals made to the council by **Warm Wales** and declarations issued, shall be recorded by the council. Any further information would be held by the agent or contractor and submitted to BEIS/OFGEM separately.

## Part 1 - Qualifying Criteria

- i) To qualify you must have a disposable household income falling below that of the value in the table below, corresponding to family size - after housing costs have been deducted. Housing costs are defined as rent or mortgage expenses. **WARM WALES WILL REQUIRE APPROPRIATE EVIDENCE TO DEMONSTRATE THIS FROM ALL APPLICANTS.**

**Table 1 - Identifying fuel poor households**

(Referenced from BEIS ECO 3 Flexible eligibility guidance - Annex 6)

Household composition	2019
<b>1 Adult</b>	£ 9,300
and 1 child	£ 12,200
and 2 child	£ 15,000
and 3 child	£ 18,000
and 4+ child	£ 21,000
<b>2 Adults</b>	£ 15,200
and 1 child	£ 18,200
and 2 child	£ 21,100
and 3 child	£ 24,100
and 4+ child	£ 26,800

- ii) In addition to point i) the property must have a current EPC rating of **F or G**. **E** ratings will also be accepted where an occupant meets a qualifying vulnerability as identified in **Part 2**.

*(All EPC scores will be taken at face value from [www.epcregister.com](http://www.epcregister.com) any property with an expired EPC will be considered to have no EPC.)*

**If the property has no EPC, then it must score 15 points or more** in Table 2 below.

If the property scores **more than 10 points**, it can also be accepted where an occupant meets a qualifying vulnerability as identified in **Part 2**.

**Table 2 - Property Condition**

House features	Type	Points	Tick	Score
Bedrooms	1	1		
	2	2		
	3+	3		
Household occupants	1	1		
	2	2		
	3+	3		
Loft Insulation	None	5		
	Up to 150mm	3		
	150mm and above	1		
Wall Type	System built	5		
	Solid stone/brick	3		
	Cavity construction/Unknown	1		
Wall insulation	External	1		
	Internal	1		
	Cavity	2		
	None	5		
Heating fuel	Mains gas	1		
	Oil	2		
	LPG	3		
	Electric	5		
	Solid fuel	5		
Central Heating system age	Less than 10 years old	1		
	Over ten years old	3		
	Broken system	5		
	No system	5		
			Total	

## Part 2 - Client Vulnerability

**(Demonstration of a vulnerability is not necessary if the property has an EPC of F or G; or No EPC and more than 15 points)**

If it is necessary to demonstrate that householders are at a greater risk to the effects of living in a cold home, Powys County Council adopt the following approach:

Powys County Council will target households containing people from the following list, which reflects the National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes.

*'Excess winter deaths and illness and the health risks associated with cold homes' states that: a wide range of people are at greater risk to the cold. This is either because of a medical condition, such as heart disease; a disability that, for instance, stops people moving around to keep warm, or makes them more likely to develop chest infections; or personal circumstances, such as being unable to afford to keep warm enough.*

A member of the household is/has

- i. Aged over 60 (proof of age necessary)
- ii. Children under 5 and those in primary and secondary school education or is pregnant
- iii. Respiratory disease (COPD, asthma)
- iv. Cardiovascular disease (e.g. ischaemic heart disease, cerebrovascular disease)
- v. Moderate to severe mental illness (e.g. schizophrenia, bipolar disorder)
- vi. Substance misusers
- vii. Dementia
- viii. Neurobiological and related diseases (e.g. fibromyalgia, ME)
- ix. Cancer
- x. Limited mobility
- xi. Haemoglobinopathies (sickle cell disease, thalassaemia)
- xii. Severe learning disabilities
- xiii. Autoimmune and immunodeficiency diseases (e.g. lupus, MS, diabetes, HIV)

**Signed declaration by doctor or health practitioner necessary to confirm any health-related issues listed above (iii – xiii).**

## General Data Protection Regulations & Privacy Notice

In order to access ECO3 funding, personal data will need to be shared with 3<sup>rd</sup> parties by agents through which any application is made.

Powys Council are not able to process or handle applications without involvement of said 3<sup>rd</sup> parties. The 3<sup>rd</sup> parties not the Council, are responsible for sourcing ECO 3 funding and arranging installation of measures.

For this reason, Powys County Council does not consider itself to be the Data Controller in this scenario because it is not the body responsible for offering or delivering the grant.

Powys County Council will process all data submitted as part of the scheme in accordance with data protection legislation. Please refer to Powys County Council's Housing Privacy Notice: <https://en.powys.gov.uk/article/7132/Housing-Privacy-Notice>

### Part 3 - Alternative Strategically Targeted Qualifying ECO Schemes

Powys Council are aware of numerous grant schemes and renewal activities targeted towards those in fuel poverty i.e. mains gas connection projects & **Rent Smart Wales - Warm Home Fund**. For these schemes to access funding via ECO, Powys Council will, permit applications and award declarations in situations falling outside the standard qualification criteria mentioned above, provided that the strategically targeted activity specifically addresses fuel poverty.

The following element of this Statement of Intent will only be used on specific energy efficiency projects where 'the Council' is a participating partner. Please note: The Council will only sign declarations for qualifying households that are part of these projects and will not work with any third party outside of these projects. The subsequent pathway will only be accessible via pre-agreed arrangements between partner Welsh Government agencies involving "**Arbed am byth**".

#### (1) - Households identified as living in areas of severe fuel poverty via Welsh Government's Arbed programme

Arbed am Byth have been appointed by the Welsh Government to deliver Arbed, an area-based programme that sets out to alleviate and where possible eradicate fuel poverty across Wales. The aim of the programme is to provide a suite of measures, based on a whole house assessment, to improve the energy efficiency of properties in areas of severe fuel poverty. In order to establish whether an area is in severe fuel poverty Arbed am Byth along with their lead subcontractor, The Carbon Trust, model against the following criteria and make an assessment.

(Note - not an exhaustive list and not all indicators need to be present for all schemes to demonstrate fuel poverty):

- a. Hard to heat (EFG EPC ratings)
- b. Hard to heat (archetype)
- c. Gas connection status
- d. Exposure Zone
- e. Poor health (Census)
- f. WIMD (income, employment, health, education and housing domains)
- g. Benefits (Council Tax, Housing Benefit, JSA, ESA & Incapacity benefits, Lone parents, Carers, Disabled, other income related benefits, other out of work benefits)
- h. Free school meals (% of children eligible/ receiving free school meals in local school/s)
- i. Need for local support groups (e.g. Flying start, food banks, fuel banks, etc.)
- j. HHSRS Category 1 hazards for Excess cold (e.g. high number of reports into the local authority for the archetype/s in the proposed scheme)

If an assessment of an area provides evidence of severe fuel poverty, Arbed am Byth then develop a highly detailed scheme proposal that indicates which measures need to be installed in order to lift the client out of fuel poverty. The Welsh Government oversee this process from an audit perspective to ensure they are comfortable with the investment being requested.

#### Enactment -

Signature: xxxxxxxxx

Date: xxxx

xxxxxxxxxxxxxxxxxxxxx, Powys County Council

URL of published Statement of intent – xxxxxxxxxxxxxxxxxxxxx

Publication date - xxxxxxxxxxxxxxxxxxxxx