

# Statement of Intent – Flexible Eligibility (version 3)

**Name of Local Authority: Rushcliffe Borough Council**

**Date of Publication: 1 January 2020**

## 1. Introduction

Addressing fuel poverty is a priority for Rushcliffe Borough Council and is identified in its Housing Delivery Plan 2016 – 2021. This states a key priority of “Reducing fuel poverty by improving the energy efficiency of homes across the district and by promoting information and advice to reduce fuel bills”.

Rushcliffe Borough Council is committed to tackling climate change and to making a major contribution to reducing greenhouse gas emissions for the Borough; this is being addressed through our Climate Change Strategy 2009 - 2020, updated 2013.

The Council intends to utilise the Energy Company Obligation (ECO) "Flexible Eligibility (Flex)" mechanism for the purposes of reducing fuel poverty in the district.

## 2. How the Council intends to identify eligible households

The Council will declare eligible households that will benefit from the installation of energy saving measures under Flex as either those that are living in fuel poverty, living on a low income and/or vulnerable to the effects of living in a cold home.

The declaration by the Council that a household is eligible under ‘ECO Flex’ does not obligate ECO installers to carry out works and the decision to award funding is up to the ECO provider. Any agreement for works to be carried out under ECO is between the home owner and installer and Rushcliffe Borough Council accepts no liability for the works.

The criteria used by the Council will be as follows (See also Appendix A):

### A. Identifying fuel poverty or at-risk households

To identify a household as being in fuel poverty, the Council adopts the following approach and requires that the household must satisfy one of the following criteria:

- i. Meet the low income threshold high energy costs criteria
- ii. Determine that the household residents suffers from vulnerability to cold

A Low Income (LI) household is defined as where their income after they have paid for their rent or mortgage is less than that shown in the table below (See also Appendix D):

Household composition	2019 <sup>1</sup>
<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

<sup>1</sup> figures for 2019 from BEIS (2019) *Energy Company Obligation: Eco3, 2018 – 22 Flexible Eligibility Guidance*

Rushcliffe Borough Council however reserves the right to vary this where it determines there are exceptional circumstances.

A High Cost (HC) household is defined as having an Energy Performance Certificate (EPC) bands D, E, F or G or demonstrated via a High Cost Questionnaire<sup>2</sup> (see Appendix C).

**i) Low Income High Costs (LIHC)**

Households eligible under the LIHC criteria will include those who meet at least one of the following conditions:

- Meet the criteria for Nottingham City and Nottinghamshire County Warm Homes Fund Project.
- In receipt of eligible benefits<sup>3</sup> and incurring high costs. This can include households who receive benefits but miss out on the support due to the ECO cut off point and a high cost property. However, households who are eligible for ECO Affordable Warmth, do not require an ECO Flex declaration.
- Living in a private home (including private rental) rated as EPC D, E, F or G **and** living on a low income.
- Households living in non-standard construction and poorly performing homes (including Park Homes / off gas properties / hard to fill cavities / solid walls) **and** living on a low income.
- Living in a private home with high costs for heating the home **and** have a low income

**ii) Low Income and Vulnerable to Cold (LIVC)**

The Council will target households with residents vulnerable to cold. Households considered eligible under the LIVC criteria will include those who meet at least one of the following conditions:

- Meeting the criteria for WHOP (see section 3 below).
- Meet the criteria for Nottingham City and Nottinghamshire County Warm Homes Fund Project.
- With an individual aged 70 or above **and** living on a low income
- With children aged below 5 **and** living on a low income
- With a pregnant women resident **and** living on a low income

The Council will reserve the right to flexibility when determining eligibility around the criteria at i. and ii. above when the residents have provided evidence (for example via the proformas in Appendix C and D) and are found to be struggling under unforeseen circumstances not covered in the existing guidance.

**B. Solid wall insulation "in-fill" projects**

The Council intends to support regeneration projects across the Borough where solid wall insulation is feasible, permitted under Planning legislation and can attract funding. The FLEXI criteria allow for household that are not in fuel poverty or vulnerable to be funded in these types of projects.

These households will be eligible if they are in the same terrace, in an immediately adjacent building or are in the same building as an eligible household.

The in-fill requirement criteria must meet the minimum percentages as follows:

Property Type	LA Declaration Requirements	In-Fill
• Semi-detached or pair of properties	50% of properties must be in fuel poverty	Adjacent property is eligible for solid wall insulation under in-fill criteria

<sup>2</sup> as per BEIS (2019) *Energy Company Obligation: Eco3, 2018 – 22 Flexible Eligibility Guidance*

<sup>3</sup> see <https://www.gov.uk/energy-company-obligation> (but excluding child benefit)

• Building containing no more than 2 domestic properties	(i.e. at least one in two properties)	
• Terrace properties • Building containing multiple properties / flats • Building immediately adjacent	66% of properties must be in fuel poverty (i.e. at least two in three properties)	Up to one third of properties can be Declared as eligible

### 3. Warm Homes on Prescription project (WHOP)

Rushcliffe Borough Councils targets eligible residents through the Warm Homes on Prescription project. The project aims to help low income residents with cold-sensitive long-term health conditions to achieve affordable warmth.

The project was set up in 2015/16 through the collaboration of councils within the Nottinghamshire and Derbyshire Local Authorities' Energy Partnership (LAEP). The intention is to use the ECO Flexible Eligibility policy to enhance the assistance that can be provided to the target audience.

The project is a delivery component of the Nottingham and Nottinghamshire Sustainability and Transformation Plan (STP) and supports the objectives of the Nottinghamshire Joint Strategic Needs Assessment (JSNA).

Referrals are generated by Local Authority Officers, Third Sector Organisations, GP Practices and Integrated Care Teams who are identifying 'high risk' patients with long term health conditions which are made worse by cold living conditions, particularly COPD and other respiratory diseases and those at risk of heart attack, stroke and falls. If they are on low income and struggle to keep their homes warm in winter they will be offered assistance from the project.

A home visit from partner agencies will assess the energy efficiency of the home and whether the patient can afford to keep the house at a healthy temperature. A range of actions are then taken to achieve affordable warmth on behalf of the householder, including commissioning heating and insulation works and income maximisation (benefits checks and fuel switching).

Positive impacts on patients' health and wellbeing are anticipated, leading to cost savings to the NHS particularly around anticipated reductions in emergency admissions, readmissions and visits to A&E for these patients.

Funding will be sought from a range of sources, including the NHS, to enable expansion of the project.

Characteristics of the target patient group:

- have cold-sensitive long term health conditions
- live in a cold home (in fuel poverty)
- high risk; on unplanned admissions register
- living in the Rushcliffe Borough Council boundary
- owner occupier or renting as a private sector tenant

Households in fuel poverty are likely to live in a cold home. Around 12% of households in Nottinghamshire are in fuel poverty (East Midlands average is 10.4%); this could be twice as high in deprived areas. Focusing resources on this target group will have the most impact and will maximise NHS cost savings.

Eligible Households for WHOP are individuals who must (See also Appendix E):

**(a). Tenure** - Be living in the domestic housing sector and be:

- An owner-occupier.
- Renting a home from a private landlord (subject to funding availability)

### (b). Fuel poverty status

Be 'at risk of' or 'living in' fuel poverty (i.e. either qualifying on the basis of 'low income high cost' or more generally living in a 'cold' home that they struggle to afford to heat) and in need of:

- **Heating** - that is operational, controllable and capable of heating every room efficiently; and/or
- **Insulation measures** - (where there is already an adequate heating system – see above).  
(Note: The guiding principle is an offering of heating first then insulation).

### (c). Health & wellbeing status

For Warm Homes on Prescription the resident must have an eligible health or welfare condition

#### (A) Health Conditions

Individual must be living with a **diagnosed long term health condition** (for example but not limited to):

- A cardiovascular condition (incl. coronary heart disease, stroke, high blood pressure (hypertension), transient ischemic attack etc.)
- Respiratory condition (COPD, childhood asthma etc.)
- Neurological condition (including Dementia, Parkinson's Disease, Multiple Sclerosis, epilepsy etc.)
- Musculoskeletal conditions (incl. Osteoarthritis, Rheumatoid Arthritis etc.)
- Blood conditions (incl. Sickle Cell Disease, Thalassemia etc.)
- Diabetes
- Those with a diagnosed mental health condition
- People with disabilities - that is the consequence of an impairment that is physical, cognitive, mental, sensory, emotional, developmental, or some combination of these
- People who are terminally ill<sup>4</sup>
- People with suppressed immune systems (e.g. from cancer treatment or HIV)<sup>4</sup>
- People with addictions<sup>4</sup>
- People who have attended hospital due to a fall<sup>4</sup>

**Note: Applicants over 65 years, particularly those with cardiovascular or respiratory conditions, will be a particular priority for support as are those living in non-gas areas**

#### (B) Wellbeing Conditions

- ii) Have responsibility for one or more children 0-16yrs living with them (up to 20 years if the child is in full-time education – other than higher education)
- iii) Be pregnant.
- iv) Recent immigrants, asylum seekers and refugees (if living in private tenure)<sup>4</sup>
- v) People who move in and out of homelessness<sup>4</sup>

### (d). Income or benefit status:

Eligible individuals for Warm Homes on Prescription must also:

Have a gross household income less than the higher figure of less than or equal to £16,010 per annum, excluding PIP / DLA and savings of less than £16,000 or a Low Income (LI) household as

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<sup>4</sup> As recommended in Energy Company Obligation: ECO3, 2018 – 22 Flexible Eligibility Guidance, Annex 7

defined at 2A above (all subject to periodic review). Rushcliffe Borough Council however reserves the right to vary this where it determines there are exceptional circumstances.

**OR** be in receipt of an eligible benefit<sup>3</sup>

#### **4. Installer Competency**

Rushcliffe Borough Council will only work with installers who can demonstrate they are competent to carry out the work, for example by having a quality standard e.g. PAS2030 certified installer, MCS accredited contractor or a competent person scheme member<sup>5</sup> etc. However the declaration of eligibility for ECO flex belongs to the property owner and may be used by the householder with whichever installer they choose.

#### **5. Acting on behalf of another Local Authority**

We are not acting on behalf of another local authority.

#### **6. Joint Statement of Intent**

This Statement of Intent is not produced in association with another local authority.

#### **7. Referral process**

The Council will identify eligible households through referrals made to the council by property owners and tenants, installers and energy companies', the voluntary and community sector plus statutory partners. Submission proforma attached in appendix B.

#### **8. Decision Process and Monitoring**

The declaration of households meeting the council's flexible eligibility criteria will be decided by the Environmental Sustainability Officer and monitored by the Community Development Manager. Any disputes will be adjudicated by the Executive Manager – Communities. A report of this work will be provided annually to the Portfolio Holder for Community and Leisure (or other appropriate portfolio holder), and published within the Home Energy Conservation Act 1995 Progress reports.

#### **9. Signature**

Signed on behalf of Rushcliffe Borough Council



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Name..... Craig Taylor.....

Title...Community Development Manager...

Date.....01/01/20.....

#### **10. Contact details**

For further information about this scheme please email [environmentalissues@rushcliffe.gov.uk](mailto:environmentalissues@rushcliffe.gov.uk)

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<sup>5</sup> <https://www.gov.uk/guidance/competent-person-scheme-current-schemes-and-how-schemes-are-authorised> and <https://www.competentperson.co.uk/existing-competent-person-schemes.aspx>

## **Appendix A – Flowchart for ECO-Flex consideration**

**1a) ECO-Flex Declaration proforma, with High Cost Questionnaire and / or ECO-flex Self Declaration from Resident**



**1b) Declaration checked against eligibility criteria**



**1c) If eligibility criteria met, declaration signed and returned to resident for their use, if eligibility not met, letter sent with explanation to resident**

**2a) ECO-Flex Declaration proforma received from ECO installer plus High Cost Questionnaire and / or ECO-flex Self Declaration signed by eligible Resident**



**2b) Declaration checked against eligibility criteria**



**2c) Self Declaration checked for permission to share data with Eco Installer**



**2d) If eligibility criteria met and permission provided, declaration signed and returned to Eco installer, if eligibility not met or permission not supplied, letter sent to Eco installer with explanation**



<b>Local Authority Declaration (this part for RBC use only)</b>	
<b>I declare that:</b>	
<input checked="" type="checkbox"/>	the Statement of Intent (Sol) for this local authority was published on or before the date this declaration was made and is currently available to view at the above location.
<input checked="" type="checkbox"/>	the local authority has been consulted on the installation of a measure ("heating qualifying action") at the premises listed above. We confirm this consultation took place prior to the installation of measures.
<input checked="" type="checkbox"/>	in the opinion of the local authority, the premises listed above are occupied by a household(s) either: <ul style="list-style-type: none"> <li>a) living in fuel poverty, OR</li> <li>b) are occupied by a household(s) living on a low income and vulnerable to the effects of living in a cold home.</li> </ul>
Local authority officer name	Paul Phillips
Local authority officer signature	
Date	
Job title	Environmental Sustainability Officer
Local authority address	Rushcliffe Borough Council Rushcliffe Arena Rugby Road West Bridgford NOTTINGHAM NG2 7YG
Local authority telephone number	0115 9819911



## **Appendix C - High Cost Questionnaire<sup>6</sup>**

<b>At least one household member at home for most of the day</b>	<b>score</b>
Yes	1
No	0
<b>Number of bedrooms</b>	
1	0
2	6
3	12
4	21
5 or more	27
<b>Property type</b>	
Purpose-built flat	0
Converted flat	4
Non-residential building	4
Mid-terrace house	4
End-terrace house	10
Semi-detached house	10
Detached house	20
<b>Year of construction</b>	
Post 2002	0
1991-2002	3
1981-1990	4
1975-1980	7
1965-1974	12
1945-1964	13
1919-1944	18
1850-1918	24
pre1850	27
<b>Main heating fuel type</b>	
Gas	0
Electricity	20
Other	5
<b>Central heating</b>	
Yes - central heating working	0
other	11
<b>Electricity bill - method of payment</b>	
Direct debit	0
Pre payment	6
Standard credit	7

Scores over 40 will be considered as High Cost households.

<sup>6</sup>as per BEIS (2019) *Energy Company Obligation: Eco3, 2018 – 22 Flexible Eligibility Guidance*

## Appendix D - ECO-Flex Self Declaration

Name of Homeowner(s): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name of Eco Installer (if known): \_\_\_\_\_

### Part 1: The property is need of:

Heating that is operational, controllable, and capable of heating each room efficiently. Please state measure(s) to be installed (e.g. 'A' rated combination boiler, programmer, room thermostat, thermostatic radiator valves (TRV'S)): \_\_\_\_\_

Insulation measures (where there is an adequate heating system as above). Please state measure(s) to be installed (e.g. Solid Wall Insulation (SWI), Cavity Wall Insulation (CWI), replacement door / window units etc.): \_\_\_\_\_

### Part 2: Qualifying conditions (an individual in the household with at least 1 of the below):

Individual living with a diagnosed long-term health conditions made worse by the cold

Health Conditions: \_\_\_\_\_

Be pregnant and on a low income

Be over 70 and on a low income

Have children (0-16years, up to 20 years if child in full time education, other than higher education) and living at home and on a low income

Household with low income and high costs (LIHC) [evidence to be supplied]

Living in a mobile home / park home

Other welfare need (please state): \_\_\_\_\_

### Part 3: Household

Household Composition		Income (£)	
Adults (no. resident):	Children (no. resident and ages):	Annual	Monthly

Electricity Use (in £ or kWh):		
Gas use (in £ or kWh):		

Benefits (please state): \_\_\_\_\_

Name of vulnerable person (if not homeowner): \_\_\_\_\_

.....  
**Data Protection Privacy Notice**

The personal information you provide will only be used by Rushcliffe Borough Council, the Data Controller, in accordance with General Data Protection Regulation 2016 / Data Protection Act 2018 for the purposes of the Energy Company Obligation Local Authority Flexible Eligibility Scheme.

The basis for processing this information is to enable the council to undertake a public task or to provide the service that you are requesting.

Your personal information will only be shared with other ECO scheme organisations and will not be shared with any other third parties; for use in connection with the above purpose. Your personal data will be kept in accordance with the Council's retention policy and schedule. Details of which can be found on the Council's website at [http://www.rushcliffe.gov.uk/retention\\_schedule/](http://www.rushcliffe.gov.uk/retention_schedule/)

For further details about how your personal information may be used or about your rights under data protection legislation, please see <http://www.rushcliffe.gov.uk/privacy/>

**I confirm, I agree to my data being stored and used as above and that all the information supplied is accurate to be the best of my knowledge. I agree that the ECO installer named above may receive a copy of my Declaration of Eligibility.**

Homeowner's signature: \_\_\_\_\_

Date: \_\_\_\_\_

If not the homeowner, the vulnerable person's signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **Appendix E - Flowchart for WHOP consideration**

**a) Referral received from partner organisation or self-referral from Resident**



**b) Referral checked by RBC / our agents against eligibility criteria**



**c) If eligibility criteria met home visit authorised; if eligibility not met referee informed**



**d) Home visit documentation checked by RBC / our agents against eligibility criteria**



**e) If eligibility criteria met contractor authorised to provide quote; if eligibility not met referee informed.**



**f) If quote acceptable, purchase order raised and works authorised; if eligibility not met referee informed.**