

# Energy Company Obligation: Help to Heat

## Local Authority Flexible Eligibility Statement of Intent

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**Status:** Angus Council is not acting on behalf of any other local authorities or delegating to any other local authority in relation to Help to Heat Flexible Eligibility.

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### 1. Introduction

Angus Council (“the Council”) welcomes the introduction of Flexible Eligibility (“FE”) in the Help to Heat (also known as “ECO”) obligation. Further details about Flexible Eligibility are set out in the BEIS publication, ‘Energy Company Obligation – ECO3, 2018 – 2022 Flexible Eligibility Guidance, February, 2019. FE has been created to enable local authorities to make declarations determining that certain households, that are not on Affordable Warmth (“AW”) qualifying benefits are still deserving of AW. This is on the basis that they are either in Fuel Poverty (“FP”) or are considered low income and vulnerable to the effects of living in a cold home (“LIVC”). This facility can be used for up to 25% of the Affordable Warmth target, nationally.

This Statement of Intent sets out the criteria the Council intends to use to target households under FE, in line with the eligibility criteria set out in the ECO legislation. The Council is keen to utilise the FE mechanism to ensure that deserving households that do not otherwise meet the AW criteria can benefit from energy efficiency measures wherever possible. An additional benefit of using the FE route is the inclusion within it of the in-fill mechanism which allows ineligible properties to attract ECO as long as 50% of adjacent properties DO qualify.

The Community Plan (2017-30) is the Angus Community Planning and Locality Implementation Partnership tool put in place to tackle the things that matter most to people and will make a positive difference to people in Angus. The vision, which aligns with the implementation of FE, is to ensure ‘Angus is a great place to live, work and visit’. Underpinning our vision are three key priorities:

- reducing child poverty
- improving mental health and wellbeing
- improving accessibility and connectivity

Feeding into the priorities there are a number of local plans and strategies which reinforce Angus Council's commitment to Flexible Eligibility:

- Housing Strategy 2017-2022
- Angus Development Plan 2016-2026
- Financial Inclusion Strategy 2019-2022
- Climate Change Strategy 2012-2016 (currently under review)

The Council's ECO flexible eligibility scheme will be delivered in accordance with existing and forthcoming guidance from Health Protection Scotland on preventing the spread of COVID 19. This will be relevant to how households are engaged through this scheme and arrangements in place to ensure that measures are installed safely. Arrangements for the assessment of eligibility for the scheme will adhere to social distancing guidelines. The Council will only make declarations of eligibility, where it believes that appropriate procedures are in place to ensure the safety of the public and those involved in installing measures. Where a member of the household is shielding or is in regular contact with someone at extremely high risk of severe illness, the Council will not support installation of measures until it is safe to do. Furthermore measures will not be installed where a household is isolating due to possible infection with COVID 19.

*"All contractors delivering measures via the Council's ECO Flex scheme must make sure that tenants and householders, subcontractors and workers, together with their families, are protected against the risk of transmission of COVID-19 and that the published Scottish Government health protection guidance followed".*

**IMPORTANT NOTE:** Inclusion in a Declaration of Eligibility issued by the Council will not guarantee installation of measures. The final decision on whether any individual household will receive an offer of funded energy efficiency measures rests with obligated energy suppliers or their contractors. The final decision will depend on identification of eligible measures, the supplier or contractor's assessment of the cost-effectiveness of installing measures and whether the obligated energy suppliers have achieved their Help to Heat targets.

## 2. Identification of Eligible Households

This section sets out the criteria that the Council intends to use to identify and target households that may benefit from the installation of measures under FE. The ECO legislation and the BEIS guidance in relation to FE envisage three categories of eligibility:

- FP: Households with low income and high heating costs
- LIVC: Households with low income who, because of health, disability, age or other reason, are vulnerable to the impact of living in a cold home
- Solid wall insulation "in-fill": Eligibility criteria to facilitate solid wall insulation schemes including households that are not necessarily in fuel poverty or vulnerable.

Since the first two of these eligibility routes both relate to household income, we first set out here the criteria we intend to use to identify and target low income, as part of the identification of FP and LIVC.

The Council notes that, under the ECO legislation and BEIS guidance, FE is only open to those living in owner-occupied or private rented sector housing (collectively “private housing”) and is not open to those in social housing. Furthermore, there is a restriction on private rented properties, to reflect the separate landlord requirements to meet the minimum energy efficiency standards in the private rented sector. As such, only solid wall insulation and renewables will be eligible for EPC Band F and G properties. Declarations will not be made in relation to social housing.

SCARF the Council appointed agent will be engaged to assist with the LA flex programme. LA flex guidance makes clear they will be responsible for promoting the scheme to vulnerable householders in the region and collecting household data on behalf of the Council to determine Flexible Eligibility.

Households will be targeted by SCARF and appointed agent during the sign-up process for programmes. They will also check that the householder is happy for their data to be shared with partners in the scheme.

**a. Criteria for identifying households in Fuel Poverty FP**

Fuel poor eligible households will be identified as those that:

- have an income of £27,500 or less; AND
- score 8 or above in their responses to the following high cost questions:

Question	Response	Score
<b>Was the home built before 1983?</b>	YES	10
	NO	-5
<b>Is the home of a non-traditional construction e.g. solid wall?</b>	YES	8
	NO	-4
<b>What type of home is it?</b>	Detached	4
	Semi-detached	2
	End Terrace	2
	Mid Terrace	0
<b>What is the main heating fuel?</b>	Gas	-10
	Electric	0
	Oil or other	8
<b>Does the property have three or less bedrooms?</b>	YES	6
	NO	-2
<b>Does at least one member of the household spend most of the day in the home?</b>	YES	4
	NO	0

Eligibility does not guarantee funding. Exceptional cases not meeting the above criteria will be considered on a case by case basis.

**(b) Criteria for identifying low income and vulnerability to cold LIVC**

The legislation and guidance state that those households in private housing, combining low income with health, disability, age or other conditions that result in a vulnerability to the effects

of living in a cold home should be eligible for FE in this category. The Council will identify eligible households on low income and vulnerable to the effects of living in a cold home. Eligible householders must:

Have an annual household income of less than £27,500	YES	NO
And answer YES to one of the following three questions:		
Are there any household members over the age of 60?	YES	NO
Are there any dependent children aged 18 or younger?	YES	NO
Does one or more member of your household have:		
A limiting long term or terminal illness?	YES	NO
A mental health illness?	YES	NO
A respiratory condition?	YES	NO
A disability?	YES	NO

Please note that eligibility does not guarantee funding. Exceptional cases not meeting the above criteria will be considered on a case by case basis.

**b. Additional eligibility routes for FP/LIVC**

The Council recognises that the intention of flexible eligibility was to enable Councils to be flexible in approach, to reach those in need. The Council is therefore adopting two additional eligibility categories for FE Declarations, area-based and individual circumstances.

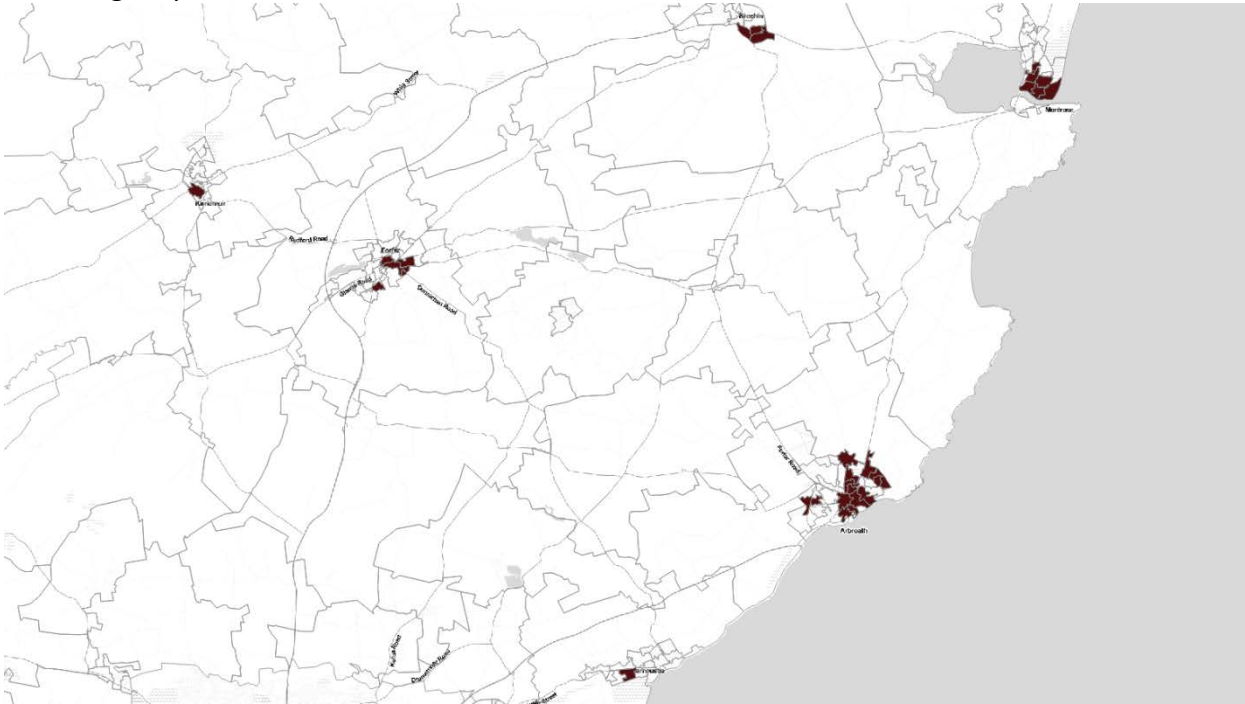
Area-based:

The Council recognises that widespread area-based eligibility for targeting FE would not be in line with the intent that FE is targeted specifically on FP and LIVC, given that most geographical areas will be home to both FP/LIVC and more well-off residents. However, we have identified a small number of geographical areas where the extent of deprivation is extreme, and the Council believes that there will be a very high proportion of FP/LIVC households. By including all residents in these areas as eligible for Declarations (where suitable energy efficiency measures are identified), it will be possible for the Council to target and engage on an area-based community level to increase the impact of schemes and the benefit to residents. This will also enable FE to work more closely with other area-based activities in Scotland such as HEEPS ABS.

It is currently estimated that around 20% of Angus households are living in fuel poverty, slightly less than the Scottish average (25%) (Scottish House Condition Survey, 2016-18 - <https://www.gov.scot/publications/scottish-house-condition-survey-local-authority-analyses/>)

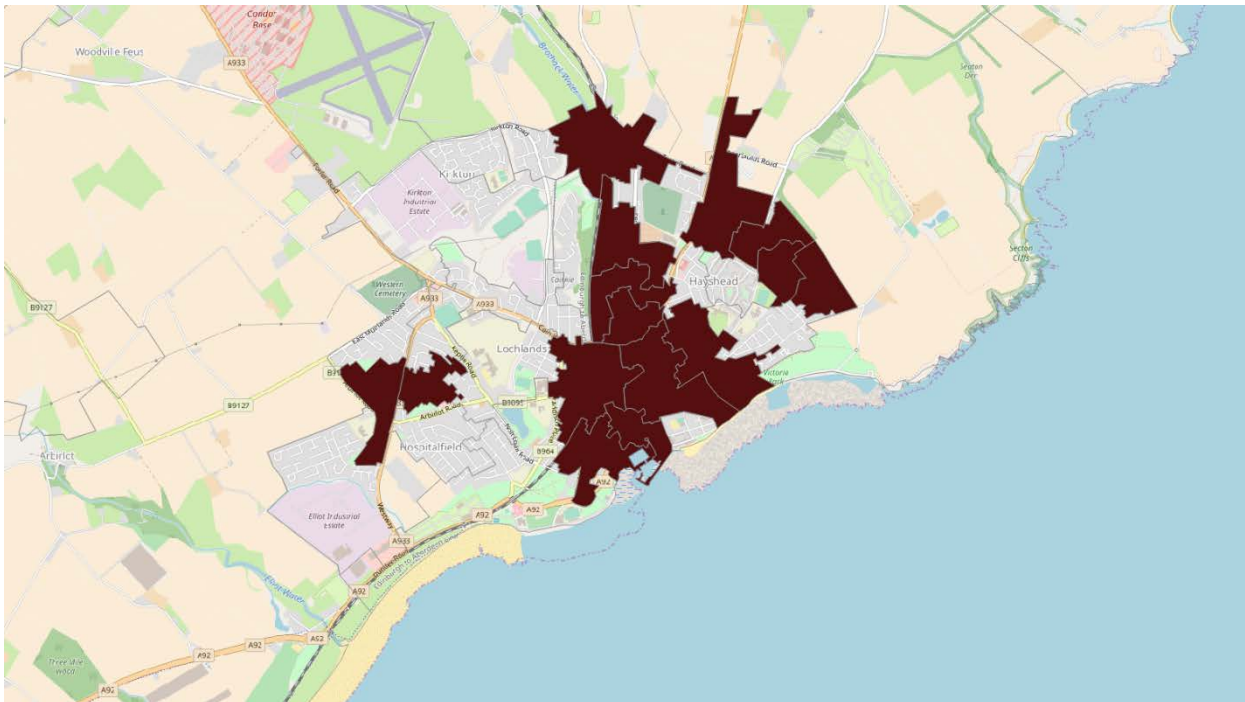
In order to determine areas that are most suitable for area-based approaches, the Council has utilised data from the Scottish Index of Multiple Deprivation dataset (<http://www.gov.scot/Topics/Statistics/SIMD>). The Council has included all “Data Zones” (the Scottish equivalent of Lower Super Output Areas) that are in the bottom 30% in Scotland on

income deprivation, employment deprivation and/or health deprivation. These are shown in the following map:



This comprises the following Data Zones: S01007209, S01007210, S01007211, S01007214, S01007177, S01007178, S01007254, S01007255, S01007256, S01007257, S01007184, S01007185, S01007260, S01007186, S01007187, S01007189, S01007192, S01007230, S01007231, S01007194, S01007232, S01007195, S01007196, S01007159, S01007197, S01007272, S01007198, S01007199, S01007202, and S01007208.

On these measures, by far the highest level of deprivation is found in Arbroath. These are shown in more detail below:



A significant proportion of Montrose is also covered:



In order to determine whether a household is within any of these Data Zones, the following tool can be used:

<http://www.gov.scot/Topics/Statistics/SIMD/SIMDPostcodeLookup/ScotlandPostcodeLookup>

The council may also designate further areas as qualifying for Flexible Eligibility under our area-based criteria, where that area is currently part of a HEEPS Area-Based Scheme and the Council has evidence that the area suffers a high incidence of LIHC/LIVC households.

#### Individual Circumstances:

The Council will reserve the right to flexibility when determining eligibility FE in both FP and LIVC categories, to take account of other income, fuel cost or vulnerability circumstances not listed above. In the event that the Council intends to include a household in a Declaration based on individual circumstances, it will produce a report to the signatory set out in section 3 below prior to a Declaration being produced.

#### **c. Details of Scheme Requirements for SWI “infill” projects**

Where potential works have been identified, households will be supported to take advantage of ECO funding for solid wall insulation under the “in-fill” category as set out in the guidance issued by BEIS in April 2017, and subject to the rules and restrictions set out therein, in particular in relation to the minimum number of FP/LIVC households being met. Further details of the rules and restrictions can be found at:

<https://www.gov.uk/government/publications/energy-company-obligation-eco-help-to-heat-scheme-flexible-eligibility>

Non-fuel poor vulnerable households eligible for solid wall insulation in-fill must be:

- In the same terrace as
- In an immediately adjacent building to, or
- Are in the same building as the household that does meet the criteria.

In-fill eligibility must meet the minimum percentages set out below:

Property Type	LA Declaration Requirements	In-fill Available
Property consisting of a pair of semi-detached houses or bungalows, or a building containing no more than 2 domestic premises.	At least one of the two properties must be declared by the Council as fuel poor/vulnerable according to above criteria i.e. 50% of the properties must be fuel poor/vulnerable.	The other property to which it is directly adjoined is eligible for solid wall insulation.
Project consisting of any premises that are contained in the same building (eg flats), immediately adjacent buildings (eg neighbouring detached properties) or in the same terrace.	At least one in two properties on the list must be declared by the Council as fuel poor/vulnerable according to above criteria i.e at least 50% of the properties are fuel poor/vulnerable.	The other (i.e. up to one half) of properties in the project are eligible for solid wall insulation, provided they are either in the same building, an immediately adjacent building or in the same terrace as the ones identified as fuel poor.

## 2. Governance

The officer(s) below will be responsible for signing Declarations on behalf of the Council:

Job Title	Team Leader Housing Technical	Policy Officer (Housing Strategy)
Telephone	01307 - 492196	
Email	<a href="mailto:MaciverLH@angus.gov.uk">MaciverLH@angus.gov.uk</a>	<a href="mailto:housingstrategy@angus.gov.uk">housingstrategy@angus.gov.uk</a>

The key governance consideration is confirming that households meet the eligibility criteria set out in this Statement of Intent prior to a Declaration being issued. In issuing Declarations, the officer above will consider eligibility evidence provided to it when requests for Declarations are made (for non-social housing residents), in particular in relation to the key referral routes set out in the next section.

Angus Council will make declarations on behalf of any households served by Energy Efficient Scotland and HEEPS:ABS programmes in which the Council is participating and where the Council has selected partners to deliver these. The Council will not make declarations available to all organisations that have access to ECO funding. The Council will only work with organisations selected or procured to deliver specific programmes in partnership with the Council. There may be instances where ECO flexibility eligibility criteria can be used to help lower income and vulnerable households access support for through the Warm Homes Discount scheme or SGN's assisted gas connection scheme and the Council will provide declarations for such schemes, where agreed with the funder and this could include social tenures as well as private tenures served by these schemes.

### 3. Referrals

With the exception of the delivery of Angus Council's HEEPS programme, referrals for ECO Flexible Eligibility Affordable Warmth funding will only be accepted from Home Energy Scotland (HES). HES is funded by the Scottish Government and delivered by the Energy Savings Trust. SCARF are their delivery agent for the Angus area. Telephone advisors can answer questions about heating and insulating your home, saving money and cutting costs. They can refer on to delivery partners where appropriate.

- HES phone number: 0808 8082282
- SCARF phone number: 01224 213 005

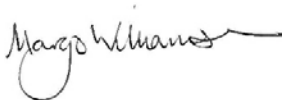
Referrals for ECO Flexible Eligibility Affordable Warmth funding will be accepted from our HEEPS works contractor.

### 4. Evidence, monitoring and reporting

The key elements of our evidence, monitoring and reporting process are set out below:

- i) Prior to any property being included in a Declaration, the Council will require information on the FE criteria that each household meets along with supporting evidence.
- ii) Any party providing such information and supporting evidence to the Council, the referring party needs to ensure that it has received an informed consent from the household, and that it is complying with the Data Protection Act 1998.
- iii) As households, including those included in FE declarations are proceed through the ECO process, the referring party should update the Council through regular reports on the progress of each household.

### 5. Signature



Margo Williamson  
Chief Executive, Angus Council