



Energy Company Obligation: Help to Heat

Local Authority Flexible Eligibility Statement of Intent

Local Authority Name: BCP Council

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Status: BCP Council is the local authority for the towns of Bournemouth, Christchurch and Poole.

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1. Introduction

BCP Council (“the Council”) welcomes the continuation of Flexible Eligibility (“FE”) in the Energy Company Obligation phase 3 (“ECO”). 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 ECO grants. 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 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. In doing so, BCP Council aims to help the Government achieve its stated targets of at least an energy rating of C for all fuel poor homes by 2030 and as many homes as possible by 2035, as set out in the Clean Growth Strategy.

The Council is a partner in the Local Energy Advice Partnership (“LEAP”) - an outreach service, funded by energy companies under the Warm Home Discount (“WHD”) Industry Initiatives fund. LEAP will serve as both the means of identifying homes that would benefit from a FE energy efficiency measure; and of verifying that the household meets the eligibility criteria, as set out in the Council’s Home Energy Conservation Act (HECA) Progress Reports.

Reports available at: <http://www.bpcouncil.gov.uk/greeneconomyleader>

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 ECO targets.



2. Identification of Eligible Households

The ECO legislation and the Department for Business, Energy and Industrial Strategy (“BEIS”) guidance in relation to FE outline three categories of eligibility:

1. FP: Households with low income and high heating costs, not in receipt of ECO qualifying benefits
2. LVC: Households with low income who, because of health, disability, age or other reason, are vulnerable to the impact of living in a cold home
3. 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 relate to household income, we set out below the criteria we intend to use to identify and target low income, as part of the identification of FP and LVC. Note that, under 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. For ease of reference, eligibility criteria are set out ‘at a glance’ in Appendix 1.

a. Criteria for identifying low income

The Council intends to utilise as indicators of low income:

- (a) household gross income levels as self-certified by the householder (being not more than the income matrix below); or
- (b) a member of the household receiving certain (non-AW qualifying) benefits; or
- (c) significant and persistent debt problems including energy debt;

For private rented sector properties, the income of the resident (tenant) household is considered rather than that of the landlord.

The gross income thresholds that apply in the assessment of low income are set out in the table below. These are taken from the ECO3 Child Benefit self-declaration form, and increased by 10% to account for the higher cost of housing in the South of England: “The affordability of property has worsened quite markedly over the past 15 years” - increasing by 217% (Bournemouth Strategic Housing Market Assessment, 2015).

Household	Number of children or young persons under 18 in the household				
	0	1	2	3	4 or more
One adult	£15,400	£20,350	£25,300	£30,250	£35,200
Two adults	£23,100	£28,050	£33,000	£37,950	£42,900

The Council also intends to extend eligibility for FE to all private sector households in receipt of means-tested benefits not included in the broader AW criteria. These are:

- Housing Benefit
- Pension Credit (Savings Credit)
- Council Tax Support (not Single Person Discount)

The Council reserves the right to flexibility when determining eligibility around the thresholds and criteria set out above, where there is evidence that residents are struggling financially.

b. Criteria for identifying FP households

The legislation and guidance state that those households in private housing, combining low income with high home heating costs should be eligible for FE in this category. The income

component of eligibility is set out in (a) above. The criteria to be used as indicators of high heating costs are:

- The home has an EPC with a D, E, F or G energy efficiency rating (D and E only if the home is privately rented)
- The home has no or a maximum of 100mm loft insulation
- The primary heating source for the home is not a mains natural gas central heating system
- The home is large – with four or more bedrooms
- The main wall type of the home is uninsulated solid wall or cavity wall
- The home is a flat above business premises
- The home is a system-built property
- The household uses a prepayment meter
- Through disability, health or other condition the home is occupied for long periods or needs to be heated to abnormally high temperatures. (Note that most residents in this category will also qualify under the LIVC criteria set out below)

If the LEAP Home Energy Advisor ascertains that the annual household fuel bill is more than £800, the household will also be classified as having high heating costs.

c. Criteria for identifying LIVC households

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 income component of eligibility is set out in (a) above. The criteria to be used as indicators of vulnerability to cold reflect the National Institute for Health and Care Excellence (“NICE”) 2015 guidance on excess winter deaths and illness caused by cold homes, ECO FE Guidance (BEIS, 2017), recommendations from Booster Fund projects and the LEAP eligibility criteria. These are:

- Cardiovascular condition (incl. coronary heart disease, stroke, hypertension, transient ischemic attack)
- Respiratory condition (incl. COPD, asthma)
- Neurological or neurobiological condition (incl. dementia, Parkinson’s disease, MS, epilepsy, fibromyalgia, ME)
- Musculoskeletal conditions (incl. arthritis, limited mobility, recently attended hospital due to a fall)
- Blood conditions (incl. Sickle cell disease, thalassemia)
- Cancer
- Moderate to severe mental illness (incl. schizophrenia, bipolar disorder and depression, where receiving regular treatment)
- Severe learning disabilities
- Autoimmune or immunodeficiency diseases (incl. lupus, diabetes, HIV)
- Terminal illness
- Other illness exacerbated by cold (confirmed by GP)
- Victim of domestic violence
- Recent bereavement

- Moving in and out of homelessness
- Recent immigration or asylum seeker living in private tenure
- Physical or sensory disability
- A medical exemption certificate (Medical or War Pension Exemption)
- Pregnant women
- People with addictions
- The resident family has small children below school age (under the age of 5)
- The resident homeowner/private tenant is an older person (over the age of 65).

d. Additional eligibility routes for FP Sole Qualification

The Council recognises that the intention of flexible eligibility is to enable Councils to be flexible in approach to reach those in need, and therefore is adopting two additional eligibility categories for FP:

- **Park Homes:** Park home residents have been excluded from many past grant schemes and financial assistance initiatives, such as the Warm Homes Discount. The Government has recently addressed some of these issues and it is now possible for park homes to have Energy Performance Certificates and residents to claim WHD. The Fuel Poverty Strategy for England: 'Cutting the Cost of Keeping Warm' (DECC, 2015) identified park homes as "high-cost homes" and those living in them as "badly affected by fuel poverty". Furthermore, a 2018 study by Gloucestershire Clinical Commissioning Group on park home sites examining hospital admission and GP activity found that park home residents admission rates are higher than Gloucestershire average rates, particularly for respiratory and circulatory diseases. The Government's provision of ECO Flexible-Eligibility is a further opportunity to deliver assistance. Accordingly, all BCP Council's park home residents are eligible for Declarations under this Sol.
- **Privately Rented properties with an EPC rating of D or E:** The private rented sector is well documented as being the hardest sector to improve in energy efficiency terms. "Amongst EPC F and G rated properties in the sector... 45% of households are classified as fuel poor" (The Domestic Private Rented Property Minimum Standard – BEIS, 2017). This is being addressed by the implementation of the Minimum Energy Efficiency Standard, but further help is required for tenants in other low-rated privately rented properties. Accordingly, in line with BEIS FE Guidance 2019 recommendations and Clean Growth Strategy national targets to raise EPC ratings, the tenant of any privately rented property with an EPC rating of D or E is eligible for Declarations under this Sol.

e. Solid wall insulation "in-fill" projects

Where potential solid wall insulation 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 February 2019.

Declarations for non-ECO-funded works

There are fuel poverty schemes operating in the area covered by this Sol that include ECO-Flex eligibility in their own eligibility criteria, even though they do not utilise ECO funding. These schemes include the Warm Homes Discount-funded 'Emergency Central Heating Offer' (ECHO). To facilitate works under these schemes, the Council will issue Declarations for ECO-Flex eligible properties when requested.



3. Governance

Responsible officer: The BCP Council officer named below will be responsible for signing Declarations on behalf of the Council.

Name: Neil Short Job title: Sustainability Manager – Green Economy & Energy
Telephone: 01202 454857 Email: neil.short@bcpcouncil.gov.uk

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. The governance mechanism that will be used to ensure that this is the case, is LEAP. All referrals will be channelled into the LEAP service (see section 4 below) and their eligibility verified.

Eligibility for LEAP, which is funded under the Warm Home Discount Industry Initiatives scheme, has been approved by Ofgem as being in line with the requirement that it is provided 'to domestic consumers who are in fuel poverty or in a fuel poverty risk group'.

Therefore, where:

- i) a non-social housing, domestic customer has been referred into the LEAP service and their eligibility has been verified through the LEAP service; and
- ii) the dwelling in question has been assessed during a visit and a potential ECO measure has been identified; and
- iii) it is not eligible for AW funding through qualifying benefits; and
- iv) LEAP confirms (following any further checks necessary) that, in addition to being eligible for LEAP, the household also meets the FE eligibility criteria set out in sections 2.a to 2.e above;

then the Council will be minded to issue a Declaration under the FE mechanism for that property. LEAP eligibility has been closely aligned with FE eligibility, therefore the extra effort and customer inconvenience involved in FE eligibility checking is minimised. Furthermore, if households are eligible under this Sol but are not included in standard LEAP eligibility criteria, this Sol will make them eligible for the LEAP service, thus delivering assistance to a higher number of FP and LIVC households.

The LEAP team will provide reports to the Council as required, in order that the Council can meet the requirements set out in section 5. Reports will include information on all ECO measures (including those under FE) identified, and on actual ECO installations that have taken place, for monitoring by the Bournemouth, Christchurch and Poole Affordable Warmth Partnership.

4. Referrals

The Council is keen to secure the maximum number of energy efficiency measures, including but not limited to those funded through FE, for the area. The Council views FE as an important component of this and will therefore generate direct referrals and self-referrals using several different methods – set out further on in this section.

The Council has partnership arrangements with AgilityEco and Ridgewater Energy Ltd to deliver the LEAP scheme and ECO-funded works to residents. All FE referrals will be channelled through the LEAP service rather than directly referring households for a FE declaration. Operating FE declarations through the LEAP service brings several benefits:

- The household will gain the broader benefits of the LEAP service (simple energy efficiency measures, help in switching energy tariffs, income maximisation support, follow-up local support)
- The need for an ECO-funded measure such as cavity wall insulation, loft insulation or heating works can be verified during the home visit, to ensure that Declarations are only produced where there is a reasonable prospect of a funded measure being installed
- The customer's eligibility under the FE Statement of Intent will be checked as part of the LEAP process (through the initial LEAP referral, the LEAP appointment booking phone call, the home visit or a follow-up phone call where required), before a Declaration is produced, as set out in section 3 above. This will also involve checking that the household does not qualify under the normal AW rules
- The household's desire for an ECO/FE referral is determined prior to a Declaration being issued – this is important for customer consent and data protection purposes.

The strategies for generating LEAP referrals are: targeted promotion generating self-referrals from eligible clients and direct referrals by members of the Bournemouth, Christchurch and Poole Affordable Warmth Partnership (including Citizens Advice, Ridgewater Energy Ltd, Department for Work and Pensions, Age UK, NHS, Wiltshire and Dorset Fire Service and many other local organisations). This approach has proven to be effective, since having commenced in early 2017, LEAP has helped over 1,200 households to save over £1.4million in energy bill reductions and increased benefits.

Independent referral organisations and companies installing ECO-funded measures can also use this Sol to obtain a Declaration of eligibility to install a measure in a property they have identified as suitable and requiring it, with a client proven to be eligible. Please refer to the comprehensive 'Guidance Note for Referring Organisations' at Appendix 2.

Cold calling: As identified in the BEIS FE guidance, the Council aims to avoid distress to vulnerable residents from aggressive and unscrupulous cold-calling marketing practices, which has been of concern during past ECO funding rounds. To achieve this, **the Council will only progress referrals and issue Declarations for works that have come via the LEAP scheme.** Please refer to the comprehensive 'Guidance Note for Referring Organisations' at Appendix 2.

Any referrals for insulation works falling outside the above FE criteria will, with client's permission, be passed to the Public Health-funded Healthy Homes Dorset scheme.



5. Evidence, monitoring and reporting

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

- i) Prior to any property being included in a Declaration, the Council will require information from the LEAP service on the FE criteria that each household meets along with supporting evidence. This will have been gathered by the LEAP team through an initial telephone call with the resident, the home visit and further information collected to check eligibility.
- ii) As a data protection agreement is in place between the LEAP service provider and the Council, required data will be made available to the Council to ensure that a clear audit trail is available. This will be retained for a minimum of three years, or such periods required under the relevant legislation.
- iii) As households, including those included in FE declarations, proceed through the ECO process, the Council will be updated in regular reports on the progress of each household.
- iv) Details of households reached through FE will be made available to the Council to record the number of households assessed, how many were deemed eligible and ineligible, and how many received heating and insulation improvements under both Flexible Eligibility and broader ECO funding.
- v) The Council will audit a sample of households to confirm eligibility and review this Statement of Intent if found to be necessary.

6. Signature

Signed

A handwritten signature in blue ink that reads "Bill Cotton".

Bill Cotton
Corporate Director
Regeneration and Economy
BCP Council

Eligibility for BCP Council ECO-Flex Declarations – at a glance

Criteria set out in the Statement of Intent that households must meet (either a + b (FP) or a + c (LIVC) or sole FP qualifications d or e)																													
a) Low income and either:		b) Fuel Poverty (FP) or		c) Vulnerable to Cold (LIVC)																									
Housing Benefit Pension Credit (Savings Credit) Council Tax Support (not Single Person Discount) Persistent debt problems Household gross income levels being not more than those in the income matrix below:		Owner-occupier with EPC of D, E, F or G 0mm - 100mm of loft insulation Primary heating source not a mains natural gas central heating system Four or more bedrooms Uninsulated solid wall or cavity wall Flat above business premises System built property Prepayment meter Home occupied for long periods or heated to abnormally high temperatures. Annual household fuel bill is more than £800		Cardiovascular condition Respiratory condition Neurological or neurobiological condition Musculoskeletal conditions (incl. hospitalised after fall) Blood conditions Moderate to severe mental illness Severe learning disabilities Autoimmune or immunodeficiency diseases Cancer Terminal illness Other illness exacerbated by cold (confirmed by GP) Core Group WHD recipient Victim of domestic violence Recent bereavement Moving in and out of homelessness Recent immigration or asylum seeker (priv. tenure) Physical or sensory disability Medical Exemption Certificate Pregnant women People with addictions Children under the age of 5 Resident over the age of 65																									
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Guidance Note for Referring Organisations

Background

This Guidance Note is to be read in conjunction with the BCP Council Flexible Eligibility Statement of Intent (Sol) published on the Council website. It provides instructions for installers of ECO-funded measures who wish to use the Sol to obtain a Declaration of eligibility to install a measure in a property they have identified as suitable and requiring it, with a client proven to be eligible, and proven not to be in receipt of 'Affordable Warmth' ECO qualifying benefits. See the current Sol for full eligibility criteria, which is liable to occasional revision at the instruction of UK Government.

Please take careful note of these instructions. The process has been designed with protection of the customer foremost. BCP Council reserves the right to refuse to issue a Declaration or to not issue a Declaration to the requesting organisation if it is discovered that any of the conditions stated in the Sol or this guidance note have been contravened in any way. The Council Responsible Officer's decision is final.

BCP Council uses LEAP (the Local Energy Advice Partnership) as the gateway to ECO-Flex. Use of this service ensures that the household gains the maximum benefit from the interaction (energy advice, simple energy efficiency measures, income maximisation support), which we are keen for residents to receive. The visit also verifies the property suitability and requirement for a potential (i.e. not previously installed) ECO-funded measure such as cavity wall insulation or heating system replacement.

The Referral Process

When an eligible household has been identified, and proven not to be in receipt of 'Affordable Warmth' ECO qualifying benefits, they can be entered on the LEAP portal to receive a visit. This can be found at: <https://www.applyforleap.org.uk/> Whilst entering client information, the referring organisation can make a Declaration request and enter their own contact details in the box titled 'Referrer's Comments'. A suggested format is: *'This client is referred to LEAP so that an ECO-Flex Declaration can be issued. The reasons for their eligibility are XXXX. The potential ECO measure(s) we state are required are XXXX. Please issue the Declaration to: Contact name/ Company Name/ Company address/ Phone number/ Email'* (see Appendix A). The referring organisation will be contacted to provide proof of the benefits check they must have conducted at the start of the process to establish that an 'Affordable Warmth' ECO grant could not be obtained. A Householder Data Sharing Agreement Form (see Appendix B) is available to obtain permission to share this information. Once this signed Householder Data Sharing Agreement Form is received, along with a copy of the benefit check results, a Declaration can be issued. The Declaration will be emailed to the referrer at the address supplied.

Please note the following conditions:

1. The client **must not** have been identified using any 'cold-calling' methods
2. The client **must have confirmed** why they are eligible for ECO-Flex, so this question can be completed on the portal (e.g. name of benefit received, health condition)
3. The client **must have given permission** to be referred into the LEAP scheme, understand what it entails and the following data sharing permission **must have been read to them** so it can be confirmed as 'True' by the referrer:
"I consent to you sharing my contact information with AgilityEco who are running the LEAP programme with the support of the council / housing association. I understand that a member of staff at AgilityEco will telephone me to ask me further questions to confirm my eligibility for the scheme and arrange a home energy visit. I understand that this may include questions regarding my health and financial status and/or that of members of my household. I understand that my personal information will not be shared with or used by anyone outside this programme without my explicit consent unless the law allows for the sharing of information for the purposes of prevention and detection of crime or where I or another person would otherwise be at risk of serious harm."
4. The referring organisation's details **must be entered correctly** at the time of referral
5. **Proof must be provided** when requested of the benefits check confirming that an 'Affordable Warmth' ECO grant could not be obtained
6. **No works are to be commenced** until a Declaration is received by the referrer
7. **No claims are to be made**, verbally or in print, that a referring organisation is 'working in partnership', 'on behalf of' (or any similar terms) with BCP Council, LEAP, or any of the organisations involved in its delivery. Use of logos/brands of the aforementioned organisations is not permitted on promotional material, printed electronic or otherwise.
8. **If a client declines the LEAP visit, no further action will be taken** and no Declaration will be issued. It is recommended that referring organisations maintain contact with clients to ensure this does not happen.
9. In the interests of customer care, if a client contacts the Council, LEAP and the organisations involved in its delivery, stating that **they are unhappy with the conduct or service** provided by a referring organisation, the Council reserves the right to connect that client with another organisation that it considers will meet their needs satisfactorily, without any consultation with the original referring organisation.
10. BCP Council, LEAP and the organisations involved in its delivery accept no liability for the failure to issue a Declaration for any reason. **It is the responsibility of referring organisations to ensure Declarations are received by them before commencing any works**, or to find out the reason for non-issue by contacting the Responsible Officer, as detailed in the Sol.

If any of the above conditions are suspected/demonstrated to have been contravened, the Council reserves the right to refuse to issue a Declaration or to not issue a Declaration to the requesting organisation. Furthermore, no future Declaration requests will be considered from that referring organisation.

How to apply for an ECO-Flex Declaration using the LEAP portal

LEAP Referrals Form

Are you applying to the scheme for yourself or referring someone else? Applying for myself Referring someone else

Scheme Area *

Local Council

LEAP Partner (if applicable)

Referrer Name

Referral Organisation

Referrer's Email

Eligibility stream Benefits Income Health Vulnerability

Do you certify that this applicant meets the eligibility criteria of LEAP? Yes No

Referrer's comments (concise and relevant please)

Applicant's Postcode

Click to Verify Post Code

Verify Address

Property Address

Postcode

Applicant Contact

Title

First Name

Surname

Primary Contact Number *

Secondary Contact Number

Email

Is there anyone (e.g. a carer or relative) who should be the primary contact used to arrange the visit? Yes No

"I consent to you sharing my contact information with the AgilityEco who are running the LEAP programme with the support of the council / housing association. I understand that a member of staff at AgilityEco will telephone me to ask me further questions to confirm my eligibility for the scheme and arrange a home energy visit. I understand that this may include questions regarding my health and financial status and/or that of members of my household. I understand that my personal information will not be shared with or used by anyone outside this programme without my explicit consent unless the law allows for the sharing of information for the purposes of prevention and detection of crime or where I or another person would otherwise be at risk of serious harm."

Please tick below to confirm that you read the consent statement out to the applicant and that they agreed to you sharing their information with us.

Consent given? * TRUE

Example text: "This client is referred to LEAP so that an ECO-Flex Declaration can be issued. The reasons for their eligibility are XXXX. The potential ECO measure(s) we state are required are XXXX. Please issue the Declaration to:
 Contact name/ Company Name
 Company address/ Phone number/ Email"



Householder Data Sharing Agreement Form

Referring Organisation Details:

Title..... First Name..... Surname.....
Position.....
Company Name.....
Address of Registered Office
Town..... Postcode
Email.....Telephone number.....
Method used to make the householder aware of the scheme.....
ECO Measure(s) to be installed.....
Signed Date.....

Householder Details:

Title..... First Name..... Surname.....
House Name/Number Street Name
Town..... Postcode
Telephone number.....

Privacy notice: I, the above named, hereby confirm that I consent to the 'Referring Organisation' named above sharing the outcome of my ECO-qualifying benefits check with BCP Council to confirm my eligibility for ECO-Flex funding. I understand that my personal information will not be shared with or used by anyone outside this programme without my explicit consent unless the law allows for the sharing of information for the purposes of prevention and detection of crime or where I or another person would otherwise be at risk of serious harm. I understand that the Council may contact me to verify the above information. The information I have provided will be retained under the Data Protection Act 2018 in accordance with the Council's Privacy Statement, available at: https://www.bournemouth.gov.uk/Privacy/PrivacyStatement.aspx

Signed Printed Name
Date.....