

**Report
To the Housing Management Sub Committee
meeting on 12th October 2011.
For approval**

Author: Graeme Watson, Housing Support Manager.

1.0 Subject

Outcome of consultation on draft Housing Support Policy 2011.

2.0 Summary

The purpose of this report is to analyse responses to the consultation exercise on the review of the above policy and to seek formal approval for the policy document.

The Housing Scotland Act 2001 requires specific consultation to be carried out on policy documents when being reviewed and in particular to highlight any significant changes to those policies.

A letter, questionnaire, copy of the policy document and a table showing the key changes made to the policy were issued to tenant panel members and the members of 4 Registered Tenants Organisations of the Co-operative. Appendix One is a copy of the questionnaire issued to members. Appendix Two is the copy of the table showing the key changes made to the draft policy.

3.0 Link to Business Plan

Consultation with members supports the following objectives in the Co-operatives Business Plan:

2) As a fully mutual Co-operative, to maximise the involvement of members and promote co-operative benefits and principles

4.0 The Results of the Consultation

Consultation packs issued to Tenant Panel Members	59
Returned	6
% response	10%
Consultation packs issued to Registered Tenant Organisation Members.	17
Returned	7
% response	41%

From the feedback received the following key conclusions are drawn:-

- The vast majority of respondents agreed with the aims and key principles of the policy.

- In terms of understanding, the vast majority of respondents found the policy clearly set out, easy to read, easy to understand and free from jargon.

Comments on feedback questionnaires:

There were only two that had additional comments on them as follows:

- 👤 One stated that there was too much to understand. I have already tried to reduce, edit and use plain English wherever possible and cannot see how I can shorten the draft policy without omitting something important.
- 👤 The other questioned the inclusion of housing support tasks 14 & 18. We are only able to note this comment as we do not set the tasks.

Both have been written to thanking them for their comments and answering their points. There were no changes required to the draft issued.

The final draft of the policy for approval is attached at Appendix 3.

5.0 Impact on Financial Viability – Medium.

The Co-operative has two housing support contracts, one with Aberdeenshire and one with Aberdeen City councils. We also have a number of tenancies where members receive support through housing support contracts. The decision to provide bid to provide housing support would require clear business planning and risk management. Existing contracts are a different matter. Contracts could be lost, or the value of the contract makes the service unviable to the Co-operative. The current financial climate has restricted budgets to the point where deficits are likely to continue to occur as contracts fail to keep pace with budgets. So the **likelihood** of housing support being an issue that threatens our viability is medium, given the low value of contracts as part of our overall budget. (score 6/10).

The **impact** of members losing housing support could be very high. But again, in context of the overall number of members of the Co-operative, the impact is medium. (score 6/10).

In summary, housing support can have a medium impact (score 36/100) on the Co-operative's financial viability which is a medium risk.

6.0 Risk Assessment

By carrying out consultation on policy documents the Co-operative adheres to its statutory duties and its legal obligations. It also fulfils the strategic and operational aims of its Business Plan to involve members in policy formulation.

7.0 Sustainability

Having an updated robust Housing Support policy in place will assist the Co-operative to manage situations where decants are required, which by their

very nature are either an emergency requirement or as part of a large scale capital contract.

8.0 Staffing Issues

Following approval of the policy document staff training will be required.

9.0 Equal Opportunities

A statement on the above has been included in the policy document.

10.0 Recommendations

It is recommended that the members of the Housing Management Sub Committee agree the following:-

- To approve the contents of this report
- That the reviewed draft Housing Support Policy at Appendix Three is approved
- That the results of the consultation exercise are made available to all members via the newsletter and the Co-operative's Website.

Appendix 1

Tenants First Housing Co-operative

Registered Tenant Organisation Member Consultation on the Draft 2011 Housing Support Policy

Responses due by 10th August 2011.

Please answer the questions below after reading the Policy.

1. Do you agree with **all** aspects of the aims of the Policy on Page 2?

YES/NO

(if NO, please provide an explanation at no 6 below)

2. We have identified the central elements of the Policy as follows.

Please indicate whether you agree with the inclusion of each element below.

(if you answer NO to any question, please provide an explanation at no 6 below)

POLICY ELEMENT		
3.0 Housing Support.	Yes	No
Definition of Housing Support?		
Housing Support – 21 tasks?		
The difference between accommodation based and floating support?		
4.0 Local Authorities.	Yes	No
The local authorities role in Housing Support?		
5.0 SCSWIS	Yes	No
The Change from the Care Commission to the Social Care and Social Work Improvement Scotland?		
6.0 SSSC	Yes	No
The role of the Scottish Social Services Council?		
7. The Co-op's role.	Yes	No
How and when we should provide housing support?		
8. Third Party Specialist Providers.	Yes	No
How we govern our relationship with other providers?		
9. Risk Management.	Yes	No

The limitations of the contracts?		
Requirements of Registration?		
Financial viability?		

3. Do you think there is anything we could add to this list? **YES/NO**

If YES, please state what these are.

.....
.....

4. Do you agree that the Policy should be reviewed every 3 years **YES/NO**

If NO, please state why

.....
.....

5. What do you think of the way we have written the Policy?

	Yes	No
Is it clearly set out?		
Did you find it easy to read?		
Did you find it easy to understand?		
Is it free from "jargon" or technical terms?		

If NO, please state why

.....
.....

6. Do you wish to make any other comments about the Policy?

.....
.....
.....
.....
.....
.....

Name:.....

Address.....

Thank you for taking the time to participate in the Draft 2011 Housing Support Policy consultation and complete and return this questionnaire.

If you prefer to respond verbally to this questionnaire please telephone Graeme Watson, Housing Support Manager on 01224 628 400.

Appendix 2

Changes to the Draft Policy following consultation.

None.

**Appendix 3
Tenants First Housing Co-operative Limited**

Housing Support Policy 2011

Draft: 20th April 2011

Index

1. Policy Aims	9
2. Objectives.....	9
3. Supporting People	Error! Bookmark not defined.
4. Housing Support	Error! Bookmark not defined.
5. Local Authorities.....	11
6. Care Commission.....	Error! Bookmark not defined.
7. Scottish Social Services Council	12
8. The Co-operative as a Provider of Housing Support Services	12
9. Third Party Specialist Housing Support Providers.....	12
10. Partnership Working	13
11. Risk Management.....	13
12. Performance Management	15
13. New Projects.....	15
14. Equal Opportunities	15
15. Monitoring and Reporting	15
16. Review	16
17. Legal Framework.....	16
18. References.....	16
19. Related Policies/Documents	17

[Return to Main Policy Index](#)

1. Policy Aims

The aim of this policy is to set how the Co-operative will operate within the Housing Support framework to deliver housing support to our membership either directly or via partnership with specialist housing support providers.

By delivering housing support, we will ensure that members can remain as independent as practical, in their own home, for as long as possible, fulfilling the Co-operative ethos of a home for life.

2. Objectives

Reference is made to the Co-operative's Business Plan, and in particular to the following strategic objectives:

- ii) As a Fully Mutual Co-operative to maximise the involvement of Tenant Members.
- iii) To promote Social Inclusion and Equality of Opportunity for our members and their communities.
- iv) To manage and develop the business in an innovative way providing high standards and maintaining financial viability.
- v) To be recognised as an organisation which promotes excellence.

3. Housing Support.

Housing Support replaced the previous Supporting People regime in 2008.

Local Authorities commission housing support from approved providers via a contract. This includes the Co-operative and other third party providers.

All Housing Support contracts must stand alone and cannot receive cross subsidy from any other Housing Support contract or from rent. No Housing Support functions are eligible for housing benefit.

This Policy and associated procedures will outline how the Co-operative will address these issues.

The Concordat between the Scottish Government and CoSLA in 2008 removed the statutory obligation for local authorities to fund housing support according to the 21 prescribed tasks stated in Scottish Statutory Instrument 2002/444. Local authorities are free to set their own priorities for housing support. However, several local authorities still relate to the 21 tasks. Which are:

Item Number	Description of Housing Support
1	General counselling and support including befriending, advising on food preparation, reminding and non-specialist counselling where this does not overlap with similar services provided as personal care or personal support.
2	Assisting with the security of the dwelling required because of the needs of the service user.
3	Assisting with the maintenance of the safety of the dwelling
4	Advising and supervising service users on the use of domestic equipment and appliances.
5	Assisting with arranging minor repairs to and servicing of a service user's own domestic equipment and appliances.
6	Providing life skills training in maintaining the dwelling and curtilage in appropriate condition.
7	Assisting the service user to engage with individuals, professionals and other bodies with an interest in the welfare of the service user.
8	Arranging adaptations to enable the service user to cope with disability.
9	Advising or assisting the service user with personal budgeting and debt counselling.
10	Advising or assisting the service user in dealing with relationships and disputes with neighbours.
11	Advising or assisting the service user in dealing with benefit claims and other official correspondence relevant to sustaining occupancy of the dwelling.
12	Advising or assisting with resettlement of the service user.
13	Advising or assisting the service user to enable him or her to move on to accommodation where less intense support is required.
14	Assisting with shopping and errands where this does not overlap with similar services provided as personal care or personal support.
15	Providing and maintaining emergency alarm and call systems in accommodation designed or adapted for and occupied by elderly, sick or disabled people.

Item Number	Description of Housing Support
16	Responding to emergency alarm calls where such calls relate to any of the housing support services prescribed in the Regulations, in accommodation designed or adapted for and occupied by elderly, sick or disabled people.
17	Controlling access to individual service users' rooms.
18	Cleaning of service users' own rooms and windows, where the service user is not able.
19	Providing for the costs of resettlement services.
20	Encouraging social intercourse and welfare checks for residents of accommodation supported by either a resident warden or a non-resident warden with a system for calling that warden where this does not overlap with similar services provided as personal care or personal support.
21	Arranging social events for residents of accommodation supported by either a resident warden or a non-resident warden with a system for calling that warden.

Housing Support can either be accommodation based or floating.

Accommodation based is where the support is directly linked to the accommodation. For example in sheltered housing.

Floating Support is where the support is linked to the individual. For example a person with specific needs who move from place to place with their support following.

Housing Support does not fulfil any care function. Additional care functions such as home care, personal care or nursing care are funded predominately by Social Work, health services, or directly via the Scottish Government.

4. Local Authorities

Local authorities are the commissioner, regulator and financier of housing support services within their area of operation. The Co-operative will work in partnership with local authorities within our area of operation to develop housing support projects that meet these strategic objectives or any other previously unidentified, unmet need.

All providers of housing support will be contracted by their local authority to deliver support. In doing so, the Co-operative recognises that local authorities have a duty of care towards those in receipt of housing support and are

required to ensure that best value is achieved in the commissioning and regulation of support services. The Co-operative will not enter into a contract where the financial package does not fulfil the requirements of the contract.

5. Social Care and Social Work Improvement Scotland (SCSWIS)

The Care Commission was replaced by the SCSWIS on 1 April 2011. The Co-operative will work with the SCSWIS to ensure that the National Care Standards for Housing Support Services are upheld, will comply with routine inspections of every service and will publish a publicly available report on the quality of the service and how it compares to the various National Care Standards.

6. Scottish Social Services Council

The Scottish Social Services Council (SSSC) has the responsibility of regulating and monitoring housing support staff. The SSSC have set a minimum qualification framework for staff employed within housing support services.

All housing support staff will be required to register with the SSSC. The Co-operative will work with the SSSC to comply with the requirements of registration which will include meeting the minimum qualification framework, meeting the code of practice for housing support staff and ensuring that staff are employed within the terms of their SSSC registration.

Registration for managers of registered housing support services is pending at present. Managers will have until 31st December 2014 years from the initial date of registration to gain full registration.

7. The Co-operative as a Provider of Housing Support Services

Tenants First will endeavour to be the primary provider of housing support services to its membership where it has the skills and attributes necessary to provide the services.

In tendering for contracts to provide services to members, the Co-operative will highlight the considerable benefits of being both the landlord and support provider.

8. Third Party Specialist Housing Support Providers

The Co-operative recognises that some members require specialist housing support that the Co-operative is unable to provide directly. In these instances, a third party support provider may be contracted to provide housing support to assist the member to live independently in the community.

Local authorities will commission and regulate these services, which will normally be combined with other contracts for personal and domestic care. Therefore, in all cases, the Co-operative cannot take part in the decision making process to appoint such a contractor, but will need to work with whichever contractor secures a contract to provide services to its members.

However, the Co-operative has a duty to ensure that members in receipt of housing support receive a suitable and safe service. In order to confirm that the Co-operative's members in receipt of housing support services receive a service that meets the national care standards, the Co-operative will have a protocol with each of these providers to satisfy these needs.

9. Partnership Working

The Co-operative recognises the need to work with commissioners, financiers, and regulators of housing support. The Co-operative will work with the above groups and other providers of housing support to share and develop best practice to ensure the long term viability of Co-operative delivered housing support services.

10. Risk Management

The Housing Support introduced several key risks to the provision of housing support services that did not exist prior to inception.

These risks are:

Local Authority Housing Support Contracts.

The local authority contracts with the housing support providers to provide services. These contracts are time-limited and will be reviewed or renewed depending on the support provider meeting key criteria, including best value. There is no guarantee that the Co-operative will always be the housing support provider re-selected for services it currently provides.

The Co-operative must be able to demonstrate that the services provided within the terms of the contract meet the performance criteria and provide best value for the commissioner, and its members.

Through the terms of the contract, the local authority can terminate the contract with the provider who supplies the support. The Council can also require the removal of an individual member of staff where that member of staff has been found to have breached the terms of the Supporting People contract.

Registration of Housing Support Services.

The SCSWIS will inspect all housing support services on a periodic basis. They have the right to investigate any complaint regarding the service. The service can be deregistered after a judicial hearing if the SCSWIS finds that the support provider has committed a serious breach of the registration criteria. In this scenario, the service provider will be prevented from providing housing support.

The SCSWIS can also require an individual member of staff to be removed from the service.

Registration of Housing Support Staff.

The SSSC is responsible for the registration of all housing support staff. Staff providing housing support will need to register. Registration will be dependent on the applicant either meeting, or working to achieve minimum qualifications. Staff will also need to have a suitable enhanced disclosure certificate. Registration will need to be renewed periodically as will the disclosure certificates.

Any member of staff failing to meet these criteria will not be permitted to provide housing support.

Financial Viability.

All housing support contracts must stand alone. They cannot be cross subsidised from another support project, or supported by subsidy from rent. Housing support is not housing benefit eligible.

Budgeting constraints are significant. Downward pressure from the UK and Scottish Government has restricted, and in real terms reduced, funding since 2003. The current spending cuts are accelerating the underfunding of housing support.

The support provider must also balance the cost of providing the service with the follow on cost to service user.

In order to address this risk, the Co-operative has a financial review framework which highlights the contract value against cost to ensure that the Co-operative can operate within the contract value whilst providing services at an affordable cost to our members.

The Co-operative will also ensure that any future financial liabilities likely to become active during the course of a contract are provided for within the funding of the contract.

Staffing.

Housing Support introduces new restrictions on the staff the Co-operative can employ to carry out direct housing support functions. The Co-operative

recognises that staff who fail to meet the qualifications, both educational and otherwise, set out in the Housing Support contract, the SSSC minimum standards and the terms of SCSWIS registration will have to be removed from the housing support service in order to allow the service to continue.

11. Performance Management

The Co-operative has specific objectives and key performance indicators to monitor and evaluate the services provided to its members.

Where a member receives services from a third party specialist housing support provider, the provider will be asked to provide evidence they are meeting these indicators as part of their relationship with the Co-operative. However, the Co-operative recognises this to be a voluntary step as the contract to provide support to the member is between the local authority and the contractor.

12. New Projects

The need for the provision of new housing support services can be highlighted from a number of sources.

In considering the merits of potential new projects, the Co-operative will develop a new project evaluation tool to ensure projects are feasible and viable.

13. Equal Opportunities

Housing Support is designed to promote equality of opportunity. By providing housing support services to member with particular needs, the Co-operative will ensure that all members have an equal ability to access their right to participate.

The Co-operative will ensure that all members receive an equal opportunity where they receive a housing support service, or are identified as a member who could benefit from housing support.

14. Monitoring and Reporting

Monitoring and reporting of housing support services can be broken down into three main categories:

New Projects.

The Committee of Management will be required to approve any new projects before any tender is submitted. These reports will be submitted on an ad-hoc basis, as and when necessary.

In the event that a Committee of Management meeting is not timetabled until after a tender is due, the decision is delegated to the Chairperson and two other Committee Members, provided the matter is homologated at the next available meeting.

Co-operative Provided Services.

Annual reports will be submitted to the Housing Management Sub Committee on how the services of the Co-operative compare to the key performance indicators.

Third Party Specialised Provided Services.

An annual report of the performance of each specialist support provider against the key performance criteria set out in the protocol will be presented to the Housing Management Sub Committee.

15. Review

The Housing Support Policy will be reviewed in 2014. The Policy will be reviewed sooner, if there is a significant change in legislation or contractual compliance requirements.

16. Legal Framework

Housing (Scotland) Act 1987
Housing (Scotland) Act 2001
Housing (Scotland) Act 2010
Control of Payments and Benefits: Schedule 7 of the Housing (Scotland) Act 2001
Data Protection Act 1998
Matrimonial Homes (Family Protection) (Scotland) Act 1981
The Equality Act 2010
Human Rights Act 1998.

17. References

National Care Standards for Housing Support Services.
Raising Standards in Housing – Chapter 10 – Housing with Support
Communities Scotland - Self Assessment Tool – Housing with Support.
Local authority letters of agreement for the provision of housing support.

Model full contract for sheltered housing services.

18. Related Policies/Documents

Strategic Development Funding Plan

Allocations Policy.

Data Protection Policy

Equality & Diversity Policy

Business Plan