

NW ADASS Response: Consultation on Funding Reform for Supported Accommodation Sector

Summary:

North West Association of Directors of Adults Social Services (NW ADASS) is a regional branch of the Association of Directors of Adult Social Services (ADASS) which is a charity. Our membership is the same as ADASS which includes current and former directors of adult care and social services and their senior staff. ADASS' objectives include:

- Furthering comprehensive, equitable, social policies and plans which reflect and shape the economic and social environment of the time
- Furthering the interests of those who need social care services regardless of their backgrounds and status and;
- Promoting high standards of social care services

Supported housing for care and health, plays a critical role in promoting independence and reducing the burden on high cost health and care services, thus the need for it to be commissioned as part of a wider health and social care commissioning framework is fully recognised. Given the ageing population and increase in adults with disabilities an ongoing expansion in supported housing provision is much needed. Any change that threatens existing provision and fails to support the required expansion in the sector is of great concern to NW ADASS.

It is suggested that allowing appropriate rent levels for supported housing within the future benefit system would best meet future need, provide the support direct to the individual, give confidence to developers, and minimise bureaucracy & duplication.

If the proposals go ahead then the following principles should be followed:

- Arrangements should follow person centred approaches
- Social Services authorities to hold funding and commissioning responsibilities
- Local government and adult social care budgets are not further adversely impacted
- Existing governance, commissioning, and quality monitoring mechanisms are utilised
- LAs retain maximum flexibility, including to jointly commission and pool budgets
- Provide opportunity and incentive to increase supply
- Ensure people are not adversely affected during any transition period

Question 1:

The local top-up will be devolved to local authorities. Who should hold the funding; and, in two tier areas, should the upper tier authority hold the funding?

We believe that should these proposals go ahead then upper tier authorities i.e. those with social care responsibilities should hold the funding. The funding should be held within social care budgets with maximum flexibility for each LA to consider the most appropriate arrangements, including the ability to pool funding with partner organisations, alongside the Better Care Fund (BCF). The agreed arrangements must not place additional administrative burden on local authorities.

Question 2:

How should the funding model be designed to maximise the opportunities for local agencies to collaborate, encourage planning and commissioning across service boundaries, and ensure that different local commissioning bodies can have fair access to funding?

Collaborative / integrated arrangements between Social Care, CCG, Public Health and Strategic Housing Partnerships, etc, would be required to effectively manage the Supported Housing 'market' to ensure sustainability and development. Building on the recommendations of the Local Government Association, Health and Wellbeing Boards (HWB's) would seem well placed to determine and agree priorities for supported housing. This would have the benefit of drawing strategic housing planning into the HWB process and complimenting the BCF arrangements where funding for Disabled Facilities Grants already sit as part of joint planning arrangements. Where they don't already do so, HWBs have the ability to draw in other local partners (For example: Service User Groups, Voluntary Sector Partners, Youth Justice Boards, Police and Crime Commissioners, etc) as they consider local supported housing needs.

Expanding existing integrated commissioning arrangements, where necessary/appropriate, would be a pragmatic and cost effective method of undertaking joint area based commissioning.

Funding needs to be based around the person's needs, so the flexibility is around their movement. Flexibilities would be need to ensure that appropriate levels of funding are available for each individual property, for example: Learning disability challenging behaviour within a wider 'commissioning' framework.

The agreed funding model should be designed in such a way that allows flexibility for it to sit within existing local arrangements, were deemed appropriate, therefore enhancing cross service provision which offers better outcomes.

Question 3:

How can we ensure that local allocation of funding by local authorities matches local need for supported housing across all client groups?

We feel that funding must support the needs of the local population and importantly ensure that local authorities have sufficient funding, both revenue and capital to meet growing need. Any projections of need should be based on an agreed and consistent demographic modelling, taking into account future projections of need, for example: population data, social care need, health prevalence, deprivation and homelessness data.

Local areas need to be given the flexibility to best meet local need in their area, and the process of undertaking Joint Strategic Needs Assessments (JSNAs), as used in the creation of health & wellbeing strategies involving all stakeholders is well developed. We also advocate using local Market Position Statements which support commissioning strategies.

We feel there should be a national mechanism for such assessments to ensure that there is consistency across the country. Based on this each LA can then determine who and how much to fund based upon local needs.

As strategic changes are made, where there is any impact on existing tenants, there will need to be transitional protection.

Because of the massive variance in Local Housing Allowance (LHA) levels, particularly pertinent in the North West, the overall distribution of the grant will need careful consideration to ensure equity of opportunity for areas to appropriately meet the needs of their population.

Question 4:

Do you think other funding protections for vulnerable groups, beyond the ring-fence, are needed to provide fair access to funding for all client groups, including those without existing statutory duties (including for example the case for any new statutory duties or any other sort of statutory provision)?

Local authorities with social services responsibilities and the duties of HWBs already require that there is fair access in meeting need, and delivering outcomes for people and communities (including the responsibility to implement preventative approaches). The grant needs to sit alongside other funding streams, with the ability for it to be pooled when considered appropriate, to support joint working and 'joined up' solutions. Further ring fencing is not required and would restrict flexibility and innovation in meeting needs, and may well have unintended consequences.

Question 5:

What expectations should there be for local roles and responsibilities? What planning, commissioning and partnership and monitoring arrangements might be necessary, both nationally and locally?

Should the proposals be implemented, upper tier authorities should coordinate the identification of priorities through the arrangements (JSNAs) that already exist in relation to HWBs. They should ensure that housing is adequately involved in the arrangements and that the planning also informs local housing and planning strategies.

We would advocate for some advance funding to allow things to be set up to accommodate the new arrangements. There is not sufficient capacity to do this within existing structures and allow effective co-production between stakeholders – where possible monitoring arrangements in relation to quality and value for money should be included in existing commissioning systems. Over time, if necessary, and when they are reviewed, amendments could be made to the national health and social care outcomes frameworks.

Question 6:

For local authority respondents, what administrative impact and specific tasks might this new role involve for your local authority?

The suggested funding model will impact on local authorities through a variety of additional tasks. There will be an ongoing commissioning responsibility, with the additional burden to local authorities, of negotiating annually the costs for rent and the amount coming from the top up to providers. There will need to be review and appeals processes and equality impact assessments will need to be completed. There may also be an increased take up of Welfare Rights services and legal challenges because of the changed arrangements. The new funding arrangement would require adequate resources in each Local Authority to administer and monitor. The skills and roles are

already in place through Commissioning and governance arrangements, however the capacity would need to be increased, which would require an administration grant which LAs could access.

There will be a need for transitional arrangements to protect existing tenants. This will require some element of dual system operating for a period which will create the need for further administrative systems.

Question 7:

We welcome your views on what features the new model should include to provide greater oversight and assurance to tax payers that supported housing services are providing value for money, are of good quality and are delivering outcomes for individual tenants?

As stated in answers to the earlier questions, the link to existing systems used by local authorities will provide the necessary oversight, both in relation to value for money and that outcomes are being met on both an individual and community level – the creation of new systems is unnecessary and will be a drain on existing resources.

The link to personal budgets will monitor individual outcomes, and the outcome frameworks at a client group and area level should be utilised. Additional Key Performance Indicators (KPI's) could be included in a national framework relating to value for money, quality and outcomes for individuals and these should be determined in consultation with stakeholders.

We feel it is also necessary for supported housing providers to be able to demonstrate added value and to promote continuous service improvements and this could be embedded through existing quality monitoring and scrutiny processes.

The overall system will be open to public scrutiny through the usual processes of the HWB, the local authority scrutiny committee system, and Healthwatch.

Question 8:

We are interested in your views on how to strike a balance between local flexibility and provider/developer certainty and simplicity. What features should the funding model have to provide greater certainty to providers and in particular, developers of new supply?

There will inevitably be a period of uncertainty and lack of confidence amongst investors, developers and providers until the new arrangements are embedded. The current position has already produced uncertainty and a stalling of new developments – together with some providers reviewing existing provision. A NW LA (Confidential) has seen a key provider pulled out of a multi-million pound development as it felt the risks for this type of housing have become too high. This has happened in other NW LAs to varying degrees.

Clarity must be sought around the amount of the top-up, the length of the ring-fence and the basis of projections for future need.

Clearer direction will need to be given in local areas as to their future intentions, through a joined up approach to planning, housing strategies, health and wellbeing strategies, and commissioning intentions across health and social care. A demonstration of co-ordinated strategic intent in an area is likely to build confidence, particularly as budgets and revenue streams in local areas are aligned to

local plans. A strong Government commitment to ongoing provision of appropriate levels of revenue funding is therefore essential. Also, failure to provide a comprehensive and adequately resources capital programme for supported housing could result in unmet needs and additional costs to social care and health in future years.

In addition to ongoing support costs, supported housing often requires higher rent levels. This is due to the higher costs of building in the required infrastructure, and space standards to ensure accessibility, and that the need for support and care is minimised i.e. independence designed into the building, including the easy availability of digital technology services.

Question 9:

Should there be a national statement of expectations or national commissioning framework within which local areas tailor their funding? How should this work with existing commissioning arrangements, for example across health and social care, and how would we ensure it was followed?

As referred to in earlier questions, existing frameworks should be used and if necessary, amended following review, such as health and social care outcomes frameworks, together with the JSNA process and market position statements.

We would welcome a statement of expectations; albeit do make the best use of existing commissioning arrangements to ensure funding is allocated to the appropriate places. Both commissioners and providers would benefit from clear definitions of the support requirements of the various client groups. This must be arrived at by engagement with all providers and user group representatives. It must however be flexible enough to adapt to changing circumstances, local solutions and recognise new models of support that are emerging in the sector (strengths based approaches, trauma informed, etc).

Question 10:

The Government wants a smooth transition to the new funding arrangement on 1 April 2019. What transitional arrangements might be helpful in supporting the transition to the new regime?

Transitional protection for existing tenants will be required. The fund should see year on year increases linked to the growth in the groups requiring supported housing (in line with the appropriate increase that would have been seen in Housing Benefit).

Guidelines for LAs, funding details known in advance, certainty regarding existing provisions, and clarity for LAs and housing providers around the process to de-commission existing non value for money projects will all help to prioritise and reduce funding gaps and help with a smooth transition. ICT system changes will require a long lead in time and effective project management.

We request sufficient notice to allow any changes in commissioning arrangements to be made with the least disruption to our service users.

Question 11:

Do you have any other views about how the local top-up model can be designed to ensure it works for tenants, commissioners, providers and developers?

Once the understanding of how things will operate is clearer, then fuller consultation would be needed, as generally speaking little has happened to date. Any discussions with providers have only reflected their concerns about what the changes will look like so far and again there is little evidence of discussions undertaken with service users at this point.

For areas of high deprivation where the market rent (LHA) is lower there will be a disproportionate risk to developers for development projects and any refurbishments – a particular issue across the North West given our demographics challenges.

Delays in Universal Credit payments cause rent arrears and smaller providers will suffer as a result. Support will be needed to ensure that LHA/UC is paid appropriately. Anyone on an alternative payment arrangement (APA) cannot get a DHP top up. Regulations need to be aligned so that vulnerable people are not disadvantaged.

In relation to infrastructure, greater responsibility could be required of local commissioners to better strategically plan the volume of supported housing needed therefore this needs to be considered when developing the new arrangements.

There is general concern that the funding will reduce year on year placing more financial pressures on services and in some instances, create homelessness – again assurances are sought this will not happen.

Question 12:

We welcome your views on how emergency and short term accommodation should be defined and how funding should be provided outside Universal Credit. How should funding be provided for tenants in these situations?

There is difficulty in tying a definition to a specific time period as people have different needs and will take different amounts of time to be ready to move on. Short term should be defined around the purpose of the accommodation, rather than tenure or length of stay, for example: Accommodation with support that is provided for people with nowhere else to live and who need support to access and attain independent housing. The definition should include temporary accommodation for the discharge of homelessness duties – due to issues associated with Universal Credit.