

7 January 2019

Agenda Item: 7

REPORT OF SERVICE DIRECTOR, STRATEGIC COMMISSIONING, SAFEGUARDING AND ADULT ACCESS

USE OF CAPITAL FOR THE AWARD OF GRANTS FOR BESPOKE SUPPORTED ACCOMMODATION REQUIREMENTS

Purpose of the Report

1. To seek approval for the award of two separate grants to enable properties to be secured for two individuals with complex needs relating to Learning Disability and Autism and Pathological Demand Avoidance (PDA) so that they can receive care in more appropriate and cost effective settings.

Information

2. The Committee is informed that the Council does not and will not own the properties discussed below but will have a legal charge to enable capital funding to be returned in circumstances such as property sale or breach of the funding agreement. Provision of the properties, located in the Gedling area, will enable significant savings in the cost of supporting these individuals.

Department of Health and Social Care Funding

3. The first property will be fully funded by the grant. In 2017 a bid was made to the Department of Health to secure £273,000 funding for the purchase of an individual property in order to be able to deliver appropriate care and support to an individual who was not able to share accommodation or support with others. The individual who the funding had been obtained for was subsequently unable to move into the community from hospital and therefore this funding was not spent in year. The Department of Health and Social Care has confirmed that they would expect the funding to be utilised for the procurement of a property to support an individual with similar needs. Another individual, who requires a single person service due to the complexity of his needs, has since been identified.
4. A tender process has been carried out to find a registered housing provider who will procure a property, make any adaptations required and then provide the housing management for the property.

5. The funding will be awarded to the provider as a grant up to the value of £273,000 for the purchase and necessary adaptations and furnishings. A nominations agreement will be entered into with the provider for five years, which allows the Council 100% nominations rights should the original tenant leave.
6. The funding is protected by a legal charge on the property purchased. Clawback of the property purchase price or sale at market value (whichever is the lower) is available to the Council in respect of certain events such as no completion of purchase and adaptations by a longstop date, misuse of funds, impropriety by the housing provider, failure to grant nominations rights, breach of contract or sale of the property.
7. The property would be solely owned by the Registered Housing Provider who will be responsible for all maintenance of the property and the housing management and therefore the rent will be payable directly to them from the tenant.

Shared ownership grant

8. The second property requires a grant to enable a deposit. A grant of £19,400 is proposed to allow an individual with Autism and Pathological Demand Avoidance (PDA) to enter into a shared ownership agreement with a Housing Association.
9. The funding for this comes from release of a previous shared ownership tenancy, which the Council had an interest in. £30,000 was returned to the Council on sale of the property following the death of the tenant.
10. The current proposal enables the individual to have part ownership of a property suitable for their needs. The individual will obtain a mortgage for his share of the property (repayable with help from the Department of Work and Pensions) and the other part of the property will be owned by a Registered Housing Provider that will receive Housing Benefit to cover the cost of the rent.
11. A shared ownership arrangement has been deemed the best option for this individual as having control and responsibility over their own environment helps manage behavioural issues caused by having to abide by somebody else's rules and also means that they can have a property which is suited to their environmental needs, and allows them to develop their interests and hobbies.
12. The property would be owned by the individual and a Registered Housing Provider.
13. The grant would cover the deposit for the property which is £14,400 as well as £5,000 towards, brokerage, legal and estate agency fees. The grant would be repayable should the individual sell the property and the Council will have a legal charge to protect its interest.

Other Options Considered

Department of Health and Social Care Grant - Bespoke single person service - for person with severe autism

14. Many other forms of social care and accommodation have been looked at and considered but the service user has a very clear need for an individual service, within a very specific

locality. Other forms of care have been explored at a cost over £5,000+ per week due to the high level of support and impact that this person would have in a shared setting.

15. Current accommodation has shown that in a single person environment, with a skilled and familiar support team, this person's needs can be met. The grant will enable the creation of a bespoke service in the right locality, that will meet his environmental challenges, potentially reducing the amount of support he requires, ultimately leading to savings in this person's support package. There will be an immediate saving of £576 per week on his current package which is covering rental void costs due to his currently being the only occupant of a four person service.

Shared Ownership Grant

16. Residential Care would not be appropriate due to the individual's resistance to this form of care. The cost of support would be in the region of £2,800 per week due to the individual's antipathy to this form of care and his likely level of challenge and disruption to other residents.
17. Due to the individual's high level of challenge, a place in a supported living plus service was tried. This cost £2,000 per week and only lasted 3 months. It caused a high level of distress and disruption to other vulnerable tenants and the individual had to be moved from the service into their own rented accommodation. This subsequently broke down due to the way in which the individual's condition determines their behaviour. As a tenant the individual still did not have full control over the property and did not recognise the authority of the landlord as valid. Savings against this individual's current temporary housing and support solution, which is a two person property, incurring a rental void cost will be approximately £18,000 a year. This is a saving on both housing cost and support as in the right environment his support costs will be lower.
18. In both cases, other housing with support options have been considered but due to the bespoke needs of the individuals, the solutions offered above have been deemed the most suitable.

Reason/s for Recommendation/s

19. Funding for the grant to purchase one property has been secured through a bid to the Department of Health for the purpose of ensuring suitable housing for a person with complex needs and if not spent will need to be returned to them.
20. Funding for the grant for the shared ownership property is from the return of a similar grant, issued over 10 years ago from Learning Disability Development Fund money which was central government grant to support developments in learning disability services and therefore spending it in the same way as the original money was spent would be appropriate.
21. In both cases, a range of alternatives have been tried and/or considered and the solutions proposed are considered the most likely to enable the individuals to be sustained long term outside of a secure hospital setting.

22. In both cases, savings on existing packages will be realised as a result of the more appropriate housing solutions proposed.

Statutory and Policy Implications

23. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

24. Potential to reduce instances of criminal damage and aggressive behaviour through provision of the right environment. Both these individuals have a risk of admission to a secure hospital if their needs are not appropriately managed within the community.

Data Protection and Information Governance

25. Information regarding the individuals is only given to the housing provider and the support provider for the purposes of ensuring the right support is provided. This is covered in the contractual relationship with both parties.

Financial Implications

26. Savings of £18,000 a year against a one off capital spend of £19,400 (funded from the return of a similar grant) for the shared ownership. This funding is protected by legal charge and repayable if the individual is in default of the contract or ceases to need to property.
27. Savings of £30,000 a year for the bespoke single person service based on rental costs alone. It is anticipated that there will be further savings in actual support costs over time as the individual feels more settled in his environment. Capital spend is from Department of Health and Social Care grant and therefore does not incur any cost to the Council. The Council's investment is protected by legal charge and the Council has claw back rights on the funding in the event of default by the housing provider or sale of the property.

Implications for Service Users

28. In both cases the individuals are struggling to be appropriately supported in their current accommodation. It is anticipated that provision of the right environment will enable both individuals to have a higher degree of independence, reducing instances of challenging behaviour and allowing them to remain living within the community.

RECOMMENDATION/S

That Committee:

- 1) approves the grant of £273,000 from the Department of Health and Social Care to be awarded to the preferred housing provider following the tender undertaken.
- 2) approves the grant of £19,400, recycled from previous grant monies, to the individual to allow the purchase of a shared ownership property.

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Constitutional Comments (AK 17/12/18)

29. The recommendation falls within the remit of the Adult Social Care and Public Health Committee.

Financial Comments (KAS 21/12/18)

30. The capital funding earmarked to fund these two projects is approved within the current Adult Social Care and Public Health capital programme. All other financial implications are summarised within paragraphs 26 and 27 of the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None.

Electoral Division(s) and Member(s) Affected

All Gedling Electoral Divisions.

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