

# Report



meeting	SPECIAL SELECT COMMITTEE	
date	19 <sup>th</sup> NOVEMBER 2003	agenda item number

## **REPORT OF THE DIRECTOR OF SOCIAL SERVICES**

### **Supporting People Programme in Nottinghamshire**

#### **1. Purpose of the Report**

- 1.1 To outline the implementation and development of the Supporting People programme in the County.

#### **2. Information and Advice**

- 2.1 The Supporting People programme was implemented in April 2003. The programme is led nationally by the Office of the Deputy Prime Minister (ODPM) and governed locally by the Supporting People Partnership in Nottinghamshire.

- 2.2 The programme aims to:

- offer vulnerable people the opportunity to improve their quality of life by providing a stable environment which enables greater independence,
- deliver high quality and strategically planned housing-related support services which are cost effective and reliable, and complement existing care services,
- ensure that the planning and development of these services is needs led,
- deliver using a working partnership of local government, service users and support agencies.

- 2.3 The local commissioning partnership is made up of the County Council, which is the Administering Authority for the programme, the district councils, Primary Care Trusts and local Probation Service. This Partnership is responsible for planning, monitoring and allocating funding for housing-related support services across Nottinghamshire. Funding for these services is provided by the ODPM through a Supporting People Grant administered by the County Council. The local Grant for 2003/2004 is £28.5 millions.

## 2.4 Housing-related support services

2.4.1 Nottinghamshire has a diverse range of housing-related support services, all aim to promote individuals' independence or prevent the need for more intensive support or care services. Many of these are long-established services; others are recently established services, set up using an element of the social security benefits system – Transitional Housing Benefit. Local services within the Supporting People programme include:

- Warden and community alarm services to older people which can provide 'safety net' services including well-being checks, offering older people greater safety and security in their own homes,
- Support provided in homelessness hostels and young people's hostel accommodation which provide practical support and advice enabling individuals to establish more permanent homes,
- Supported living services for people with learning disabilities and mental health needs, providing support staff to help individuals to develop independent living skills, often in shared housing,
- Services to support women fleeing domestic violence, in refuges and the community, providing advice and practical support to enable women to move into more permanent and safe accommodation,
- Support services to ex-offenders and recovering drug and alcohol users, often in shared accommodation, enabling individuals the opportunity to rebuild their lives in a protected environment, with the aim of reducing the risk of further offending or drug/alcohol use.

2.4.2 Although the nature and scope of these services is broad, housing-related support services are carefully defined in the programme's Grant Conditions and are distinguished from care services which continue to be the responsibility of statutory Social Services Departments and Health bodies.

## 2.5 Supply of housing-related support services in Nottinghamshire

2.5.1 Housing-related support services are provided to around 20,000 people in the county. Around 88% of the recipients are older people receiving warden services or community alarms. 2.5% of service are provided to people with learning disabilities, 2.4% to people with mental health needs, 2.1% to homeless people.

2.5.2 Geographically, support services are unevenly provided across the county, with 20% of the county's services provided in Bassetlaw, 19% in Mansfield, 17% in both Ashfield and Newark & Sherwood, and 10%, 9% and 8% respectively in Broxtowe, Rushcliffe and Gedling.

## 2.6 History of the housing-related support sector

2.6.1 Housing-related support services have generally developed in a piecemeal and uncoordinated way. The Supporting People programme aims to address

this by merging these funding streams and administering the combined funding locally.

2.6.2 The funding streams the Supporting People programme combines were previously administered by:

- the Housing Corporation – through revenue funding for services provided by Housing Associations,
- district councils – in relation to their own provision, funded via their rent accounts,
- the Probation Service – through grant aid to a range of service providers,
- the ODPM – through Grant funding to Home Improvement Agencies, and,
- the Department of Work and Pensions (DWP) – through the benefits system, to the individual recipients of services.

2.6.3 All but DWP funding was planned and allocated on the basis of local need. However, 83% of Nottinghamshire's Supporting People Grant is funding transferred from the DWP. It is now the responsibility of the local Supporting People Partnership to ensure that future service development reflects local need; as a consequence, it is likely that the distribution and nature of these services will change over time.

2.6.4 Additionally, the quality of service provision has not been routinely monitored. Specifically, DWP-funded services were not assessed for quality or required to adhere to any minimum service standards. The Supporting People programme introduces routine performance monitoring and minimum service standards across the sector.

## 2.7 Supporting People Partnership in Nottinghamshire – Constitutional Arrangements

2.7.1 The constitutional requirements for the programme are laid out in the Supporting People (England) Directions 2003 and Grant Conditions, published in February 2003. These documents clarify the roles of the local Commissioning Body and Administering Authority.

2.7.2 The County Council, as Administering Authority for the Supporting People programme in the county, leads the implementation of Supporting People, carries responsibility for management of an Administration Grant which funds the team and infrastructure required to implement the programme, and is responsible for management of the overall Supporting People Grant.

2.7.3 The Supporting People Partnership's Commissioning Body is expected to agree strategic directions through a unanimously agreed Strategy and Annual Plan and to ensure that Supporting People is properly integrated with other strategic planning and development.

2.7.4 The Partnership agreed a Memorandum of Understanding, outlining the partners' roles and responsibilities, at its March 2003 meeting. This and other

matters, including the Portfolio Holder for Social Services' role as Chair of the Commissioning Body, were approved by Cabinet on 7<sup>th</sup> May 2003.

## 2.8 Supporting People Strategy

2.8.1 The Supporting People programme's Directions require that a five-year Supporting People Strategy is developed by November 2004. The Strategy will need to demonstrate how development priorities have been decided and how they link to other strategies. Those highlighted by ODPM are:

- ODPM rough sleeping and homelessness priorities, including district homelessness strategies,
- Home Office priorities to reduce the rate of re-offending,
- Department of Health health and social care priorities for mental health, older people, and drug misuse set out in the 'Priorities and Planning Framework 2003-2006', and,
- DfES priorities addressing teenage pregnancy, and social exclusion.

2.8.2 Work on this five-year Strategy has already started and initial priorities for service development will be identified over the next few months.

2.8.3 Statutory Guidance for the Supporting People programme indicates that it is intended that the Supporting People Strategy should form part of the Community Plan "in the medium term" and that joint working arrangements should fall within the framework of Local Strategic Partnerships.

## 2.9 Supporting People Grant 2003/2004

2.9.1 The Administering Authority was notified of the final award of Supporting People Grant for 2003/2004 on 16<sup>th</sup> October 2003. The award totals £28,456,904. This is the amount requested less a 'savings adjustment' of £397,000, announced in February 2003. A briefing note on particular aspects of the award is attached as Appendix 1. A more detailed paper regarding the Grant will be discussed at the December Cabinet meeting.

2.9.2 Previous papers to Cabinet have highlighted concerns regarding the risk of over commitment of Supporting People Grant this financial year. These risks result from the cost of the following, which were not allowed for in the Grant award:

- a) Extending the availability of subsidised housing-related support services beyond Housing Benefit recipients only, by linking the Supporting People and Fairer Charging policies,
- b) Increased entitlement to Pension Credit and therefore Housing Benefit, extending entitlement to free housing-related support services to between 5-10% more people than currently.

2.9.3 Work to mitigate these risks has been underway for some time. An amendment to the Supporting People Charging Policy, approved by the Supporting People Commissioning Body in March 2003 has effectively

reduced the risk of a) above. The risk outlined in b) above is being monitored but has not yet been realised, largely because of the staged way in which the Pension Service are encouraging take-up of the new Pension Credit, however, the impact is being closely monitored and is likely to become more apparent next year.

2.9.4 In addition, positive dialogue between the Supporting People team and Supporting People providers has led to a number of mutually agreed contract price reductions. It is anticipated that the continuation of this work will mean that the Supporting People Grant is likely to be adequate to meet the programme's financial commitments in the current year.

## 2.10 Supported Living for People with Learning Disabilities

2.10.1 The savings currently being realised by the Supporting People team will not all be made through the programme's Charging Policy and by negotiation with housing-related support Providers. The most costly local services funded by Supporting People Grant are those provided for people with learning disabilities, where the local average cost is 50% higher than the national average. Where these services have been commissioned from the PCT/County Council's Approved Providers of support and enablement services to people with learning disabilities, the average unit cost of services is nearly three times the national average. This makes the County Council as Administering Authority vulnerable to a current review of Supporting People funding being undertaken by the ODPM (details of the Terms of Reference of this review are attached at Appendix 1).

2.10.2 The ODPM's review will consider why the value of one of the programme's previous funding sources grew significantly in the months before the programme was implemented and whether this funding stream - Transitional Housing Benefit - was appropriately used. In Nottinghamshire the amount of THB grew from £12.8m to £24m during the period under review. The outcome of the review may impact on the future allocation of local funding for the programme therefore work to ensure this funding has been appropriately allocated has been given a high priority.

2.10.3 THB was rightly used locally as a key source of funding to support the development of independent living for people with learning disabilities, in line with the aspirations of 'Valuing People', the Department of Health's strategy for people with learning disabilities. However, to enable the Supporting People team and the County Council to ensure this funding is secure for the future it has been considered appropriate to undertake a robust review of the financing of local supported living.

2.10.4 Work has been taking place over several months, with Social Services and Health staff, to identify elements of services established using THB that may not now be defined as housing-related support. This work has led to the development of a clear definition of housing-related support for this user group, attached as Appendix 2. However, any reduction in Supporting People Grant eligibility for existing services may result in an increase in Social

Services expenditure - many of the elements of service considered not to be housing related support may be considered to be social care and fall to be met through Social Services CCSB funding. Whilst the overall financial risk to the Social Services Department of this work is not yet known, early work suggests that this work could bring local expenditure per person closer to the national average.

2.10.5 The overall intention of this work is not to reduce Supporting People expenditure on people with learning disabilities in supported living, which was recognised as a priority for the programme in Nottinghamshire in the programme's Shadow Supporting People Strategy, but to ensure funding is properly directed to support more people with learning disabilities; this will also reduce Supporting People-funded unit costs for supported living.

## 2.11 Future funding for Supporting People programme and service development

2.11.1 One element of the ODPM's current Supporting People review is to advise on the implementation of changes in funding arrangements, and lay out options to ensure "a more robust and fair distribution framework for the programme for 2004/05 and later years" and ensure "equity, value for money and efficiency".

2.11.2 Over the last two years Nottinghamshire has seen a large amount of growth in its housing related support services. The vast majority of this growth has been in the development of services for people with learning disabilities and mental health needs and services aimed at preventing homelessness and supporting homeless people, including vulnerable young people. There remain, however, significant gaps and shortfalls in provision.

2.11.3 Once the outcome of the ODPM's review of Supporting People funding is complete, in December 2003, the Supporting People Partnership's Commissioning Body is likely to face considerable challenges in developing new services within tight financial constraints. However, there is a real opportunity to refocus, reconfigure and build capacity within existing services to better meet the needs of vulnerable people within Nottinghamshire.

2.11.4 Cabinet will be advised of the outcome of the ODPM review and any implications for the development of Nottinghamshire's Supporting People programme once known.

## 3. Recommendations

3.1 It is recommended that Special Select Committee:

- a) Notes the work undertaken to implement the Supporting People programme for Nottinghamshire, including the constitutional arrangements now in place and the development of the Supporting People Strategy,
- b) Notes the development of Nottinghamshire's housing-related support sector in recent months,

- c) Supports the work currently underway to review the funding of supported living for people with learning disabilities,
- d) Notes the current review of the funding of the Supporting People programme currently being undertaken by the Office of the Deputy Prime Minister.

**Stuart Brook**  
**Director of Social Services**

## Supporting People Grant and Unit Costs in Nottinghamshire

The national data below was circulated by the ODPM as part of an analysis of the 2003/04 Grant awards to the 150 authorities in England responsible for administering Supporting People. This has been supplemented by local information.

	Authority Grant Total 03/04 £	Supporting People Average Costs			
		Average Cost £ per week:			
		per head of Population	per unit	per unit excluding Community Alarms	per unit excluding Community Alarms & Sheltered housing
<b>Nottinghamshire</b>	<b>£28,456,904</b>	<b>£0.73</b>	<b>£27.52</b>	<b>£28.24</b>	<b>£169.91</b>
East Midlands		£0.69	£24.96	£31.50	£88.82
England		£0.70	£28.30	£34.71	£76.37

### **Supporting People Grant** (out of 150 administering authority areas in England)

Nottinghamshire has:

- the 12<sup>th</sup> largest Supporting People Grant,
- the 5<sup>th</sup> largest Grant in a two tier area,
- the 2<sup>nd</sup> largest Grant in the East Midlands, after Nottingham.

### **Unit Cost information** (out of 150 administering authority areas in England)

Nottinghamshire has:

- the 62<sup>nd</sup> highest average cost per head of population,
- the 80<sup>th</sup> highest average unit cost,
- the 98<sup>th</sup> highest average unit cost excluding Community Alarms,
- the 8<sup>th</sup> highest average unit cost excluding Community Alarms and Sheltered Housing,
- the highest average unit cost in the East Midlands,
- the highest average unit cost within any two tier area.

### **Grant commitment and Unit Costs for key user groups**

User group	%age of total number of units	%age of total Grant expenditure	Average unit cost Nottinghamshire	Average unit cost England
Mental Health	2.5%	12.4%	£144.01	£126.62
Learning Disability	2.4%	30.8%	£364.90	£238.68
<b>SSD Learning Disability Approved Providers</b>	<b>0.9%</b>	<b>20.8%</b>	<b>£664.66</b>	
Homelessness	2.1%	14.7%	£198.68	£104.27
Women at risk of domestic violence	0.4%	3.1%	£222.43	£188.42
Older People (including community alarms)	88.5%	14.5%	£4.69	£6.51



## ODPM Independent Review - Supporting People

### Terms of Reference

#### Context

Supporting People provides housing related services to some of the most vulnerable groups in society. In order for these groups to receive the level of support they need, spending must be properly planned and services need to demonstrate equity, efficiency and deliver value for money.

The Supporting People programme in England combines resources from Transitional Housing Benefit (THB) and a number of other funding streams which have resourced supported housing for vulnerable groups. Since the original estimates of THB the overall budget has increased substantially, particularly over the last four months of the THB programme.

The size of the Supporting People budget reflects a number of key Government policies and the demand led nature of THB. The scale of the growth in a short time raised questions about value for money and the distribution of funding across the country.

There is a need to review the causes of growth in the Supporting People programme and the extent to which the expenditure is housing related spending and is being used to meet its original objectives, including identifying services that are beyond the remit of housing related support.

A study has already been commissioned by the ODPM to evaluate the development of Supporting People policy and costs. The study is being undertaken by an independent consultant and is due to report by 6 November. This study will focus on the programme to date and will inform this independent review of Supporting People funding to ensure the programme meets its original objectives.

#### Objectives

1. To provide a high level analysis by local authority of the current level of Supporting People funding having regard to the growth in funding, and the level, distribution, costs and value for money of these services by client group. The analysis should start with those authorities and providers with the highest growth rates since the original DWP THB estimate.
2. On the basis of this analysis to assess the appropriateness of services for which contracts have been put in place and to consider whether the activities funded are eligible and/or whether the programme has taken over the funding of activities previously supported by other programmes.

3. To advise on the implementation of changes in funding arrangements, and to advise our options on the grant regime which will ensure a more robust and fair distribution framework with appropriate controls for 2004/05 and later years. In particular the distribution framework should ensure equity, value for money and efficiency.

### **Approach**

Independent reviewer to be appointed by ODPM to be supported by official team (ODPM, Treasury, DH, HO, DfES, DWP).

### **Timescale**

Review to be complete by December 2003.

Review to be overseen and considered by the ODPM Minister responsible for the programme, Yvette Cooper, and to the Chief Secretary, who will forward their evaluation of the findings to the Deputy Prime Minister and the Chancellor of the Exchequer.



## **Housing Related Support Definitions and Eligibility for Supporting People Grant in Supported Living for People with Learning Disabilities**

### **Purpose**

1. This guidance has been drawn up by the Nottinghamshire Supporting People Team in conjunction with Nottinghamshire Social Services Department and has been agreed by the Nottingham and Nottinghamshire Supported Living Implementation Group which comprises representative from the Nottingham and Nottinghamshire Supporting People Teams, Social Services Departments, Primary Care Trusts and the Nottinghamshire Healthcare NHS Trust.
2. People funding for services will be made and, as such, it will be subject to change in the light of changes to the Supporting People Directions and Grant Conditions and will be subject to regular review.

### **Aim of Guidance**

3. This guidance is intended to assist the Supporting People Team, when reviewing services, to assess eligibility for Supporting People funding and strategic relevance. Where appropriate it will be used in conjunction with the Working Protocol between the East Midlands office of the National Care Standards Commission and the Nottingham and Nottinghamshire Supporting People Teams (attached as Appendix 1), the ODPM Supporting People Grant Conditions and Statutory Guidance.
5. It is also intended to assist Social Service Departments commissioning and reviewing care and support packages for people with Learning Disabilities in supported living and other settings.
6. Providers of supported living and other housing related support should also use this guidance to enable them to identify the services that can be identified as provided under their Supporting People contract.
7. This guidance is not intended to provide a definitive statement of services eligible for Supporting People funding, as such it will be subject to regular review. It is recommended that further specific guidance is requested from the Supporting People Team in the event of doubt.
8. In all cases, reference should also be made to the terms of each contracted provider's Supporting People contract, including current utilisation levels,

before assessing eligibility to provide services within the terms of a Supporting People contract.

## Legal Framework and Statutory Guidance

9. Services provided under a Supporting People contract must fall within the definition of “eligible welfare services”. These are “Support services which are provided to any person for the purpose of developing that person’s capacity to live independently in accommodation, or sustaining his capacity to do so”<sup>1</sup>.
10. Statutory Guidance<sup>2</sup> provides the following tests of whether a service can be described as eligible for payment under the terms of the Grant Conditions:

*“...would this person be unable to move to more independent housing, or be at risk of losing their home and moving to less independent care, if this housing related support was not provided?”<sup>3</sup>*

*“Where this type of support is already being provided (for example in institutional or registered care) and a move to more independent living takes place, the services provided under the Supporting People grant should be the new services most directly associated with the more independent housing arrangements, not the services which were previously in place and already paid for from other budgets.”<sup>4</sup>*

## Definition of Personal Care

11. The established, ordinary meaning of care, as defined by the Department of Health, includes four main types of care:
  - a. assistance with bodily functions
  - b. care which falls just short of assistance with bodily functions, but still involving physical and intimate touching.
  - c. non-physical care, such as advice, encouragement and supervision relating to the foregoing.
  - d. emotional and psychological support, including the promotion of social functioning, behaviour management, and assistance with cognitive functioning.
12. Whilst tasks falling within the first two points would trigger the organisation providing these services with registration under the Care Standards Act as a care home or domiciliary care agency, tasks falling under the second two points do not require registration and have given rise to the queries this guidance seeks to address.

## Housing-related support - Key Principles

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<sup>1</sup> Supporting People Programme Grants (England) Conditions 2003, Schedule para.2

<sup>2</sup> Supporting People Guidance, issued under section 93(8) of the Local Government Act 2000, 31<sup>st</sup> March 2003

<sup>3</sup> *ibid.* para. 50

<sup>4</sup> *ibid.* para. 51

13. Housing-related support is defined as support services which are provided to any person for the purpose of developing that person's capacity to live independently in accommodation within the community or sustaining his/her capacity to do so provided that:

The **service user**:

- i. has specific and identifiable vulnerabilities that render them in need of support services,
- ii. is aged or 16 over, except where the support is provided as part of a package for their parent/carer and the support provided to the under 16 year old has a direct impact on the effectiveness of the support provided to their parent/carer.

and, the **support service** provided:

- i. is principally focused on enabling the service user to secure or maintain their accommodation as independently as possible, within the community,
- ii. is the subject of a formal support plan/agreement,
- iii. is not provided in order to fulfil a statutory duty,
- iv. is supplementary to any housing management service provided by the same provider to the same service user,
- v. includes no element that would be defined as personal or social care,
- vi. includes no element of specialist counselling or training,
- vii. includes the provision of non-housing-related support on no more than a very occasional basis, where this is a minor part of an overall housing related support package and is not a regular or common activity.

### **Guidance on specific areas of difficulty in relation to service users with a learning disability**

14. The following tasks, providing other relevant elements of this guidance are taken into account, will generally be eligible for Supporting People funding.  
*Assistance with:*

- Cooking, cleaning, operating household appliances
- Shopping, budgeting, bill paying
- Accessing outside agencies
- Ensuring the security of the dwelling
- Benefit claims/form filling/help with correspondence
- Resettlement/moving on

The following guidance seeks to identify other key tasks and provide guidance in the context of the definition of housing related support:

### 15. Independent Living Skills

Where independent living skills are being developed the service user should be able to actively partake in the process, e.g. cooking a meal. It will not be considered adequate for the service user to choose the meal and be present while it is being cooked, they should be actively preparing and cooking the meal with supervision and prompting for this to be classified as housing related support.

As a service user gains more skills a shift from care, which may, for example, involve the provision of a meal, to support, which may involve overseeing meal preparation, may be achieved. It is therefore recognised that, as a service user gains independent living skills the level of support provided may increase whilst the provision of care may reduce. It is helpful if service commissioners consider what may be achieved over time, although support packages should reflect the needs of each service user at the point at which the support package is established.

### 16. Supervision

When considering the eligibility of supervisory services the reason behind the need for supervision needs to be considered. If it is required as a result of personal care needs or physical health issues then this will not be eligible. Supervision to oversee and support a person in housing related tasks is however eligible. If a physical disability increases the risk of undertaking housing related tasks this could be considered to be housing related support as the service user would not be at risk in a less independent setting where they would not be cooking for themselves.

The overall need for and composition of the package must be considered when assessing why supervision is required.

Supervising the taking of medication is unlikely to be considered to be housing related support, although it is acknowledged this is a difficult area and is likely to be a matter of degree. Reminding/prompting someone to take medication and providing a general welfare check is sufficiently low level to be eligible. However, where continual checking is required and in situations where staff control where medication is kept, re-order and administer medication, this cannot be housing related support and must be treated as a care service.

### 17. Household cleaning and undertaking minor repairs

Assisting a service user to undertake such tasks or supervising, encouraging or prompting will be defined as housing-related support. However undertaking such tasks on behalf of a service user, even with their understanding, will not

be considered housing-related support appropriately funded through the Grant in the context of supported living.

Undertaking minor repairs includes activities such as changing light bulbs, plugs etc. More major repairs are likely to fall within the housing provider's housing management function. Assisting in the arrangement of aids and adaptations falls within the definition of housing related support, handyperson activities do not.

#### 18. Arranging servicing of tenant's appliances

Where the appliances are owned by the housing provider, this is likely to be a housing management function. Where assistance is given in the interests of enablement and that the tenant is capable of a degree of meaningful participation and involvement, then this may be regarded as an eligible service. This would include reminding when and explaining why appliances should be serviced, helping to find phone numbers etc.

#### 19. Night time support

Sleeping night staff and on call arrangements are likely to be considered to provide eligible housing related support as their purpose is likely to relate to maintaining security of the dwelling. However waking night staff are generally provided to offer supervision which will not generally be deemed eligible.

#### 20. Health Care/Professional Support and Counselling

This is not housing related support and ineligible for Supporting People funding. Suggesting someone goes to the doctors and helping them make or reminding them of appointments is eligible. However, accompanying service users on appointments and on-going in depth liaison with medical staff or other professionals about non-housing related support issues is not eligible.

#### 21. Non-professional support/counselling

Support related to the housing situation, reassuring around new situations/skills or interpersonal skills to cope with living in a shared environment or with neighbours etc. is eligible housing related support. Behaviour management and intensive counselling would fall outside of Supporting People.

#### 22. Maintaining relationships with others

The extent to which this is a discrete area of housing related support is limited. It is more likely that such support will be provided in the course of good working practice to support someone to live independently.

#### 23. Chatting/social intercourse/arranging social events

This is eligible as long as it is incorporated into the general housing related support needs of the person. However, large amounts of time specifically

identified for these tasks would be considered inappropriate and ineligible for Supporting People Grant funding.

24. Security of dwelling/controlling access

Service users should have control of who is accessing their home but assistance may be required in terms of advice in order for service users to remain safe in their environment. Reminding and advice on locking doors and windows etc. would also be eligible.

25. Communication

Where service users have communication difficulties, it would be an eligible part of the service for support staff to make phone calls etc. on their behalf, as long as this is done with the knowledge and understanding of the service user affected.

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