

Consultation questions

We want your views on the issues discussed in this consultation.

City of York Council is in principal in agreement with the proposal to separate the rental element of the service so that specialist needs are separate from general market rent.

However comprehensive feedback is problematic due to more detailed clarification of the proposals being required.

Although the principal in correct the method proposed to implement these changes goes against the personalisation agenda due to the broad brush approach. Having a standard national rate for conventional supported housing also goes against the localism agenda.

The feedback in this document shows how the aims of the proposal can be achieved while also recognising the localism and personalisation agenda by providing the required level of flexibility to implement individual rent levels above the standard LHA rate.

This is a list of questions which we would particularly like your views on.

Conventional supported housing

Question 1. What types of supported housing are available and how do you suggest they should be identified and grouped?

These are the types of supported accommodation that is available in York:

Temporary or short term accommodation (up to two years) – this is predominantly for excluded groups with resettlement provision. Services are categorised into three tiers:

Independence tier 1 – this consists of front line hostels and refuges. This normally consists of the most vulnerable customers and will normally have 24 hour staffing with more than one member of staff on site at any one time. Support is normally for around 6 months but can be up to two years. These services tend to have both the highest support and rental charges and are usually a multiple occupancy provision. The main client

groups are: homeless; ex-offenders: domestic violence; mental health and young people.

Independence tier 2 – these are supported housing schemes of multiple occupancy. This service is predominantly for people from hostel provision once they have started to develop independence skills. Services normally have day cover only, with one member of staff. Support and rental costs would expect to be less than independence tier 1. The main client groups are: homeless; offenders: domestic violence; mental health and young people.

Independence tier 3 – this is floating or visiting support. Where this is the end of a resettlement process it would be anticipated that there is little or no difference to the market rent. However allocated properties are used to meet specific needs of customers that have not gone through the resettlement process eg/ trainer flats for young people; dispersed homelessness properties; perpetrators of domestic violence to remove them from the family home. These can have significantly higher rental charges to meet the risk of evictions, abandonments, damages etc.

Longer term more intensive supported housing

These are predominantly for people with long term needs and include the following client groups: Learning Disabilities and Physical or Sensory Disabilities. These services can be multiple occupancy or individual properties. Normally these properties have specific adaptations and mobility requirement which effect the level of rental charge. Most of this service include both support and care with many requiring 24 hour provision.

Long term low level supported housing (sheltered)

This usually consists of a cluster of properties either with a shared front door or individual properties. The provision will have a communal room as well as other provision like a laundry, hairdressing and staff office. Some sheltered properties are classified as sheltered with extra care which will normally include a greater quantity of communal facilities and a shared entrance. Level access and mobility standards may affect the core rent with the service charges reflecting the level of communal provision.

However, for the purposes of defining suitable rent levels, we do not feel there is any merit in grouping services. To do so would go against the personalised agenda and put more unique or smaller services at risk.

York's proposal is to use the LHA across all supported housing services with an addition fixed percentage that would apply to any supported housing scheme (for example 10%). The remaining supported housing rents above this cap is pooled per LA. The LA would then administer any additional provision on a case by case basis through transparent assessment criteria which will be determined locally or nationally.

Question 2. Should there be different geographical rates for each type of mainstream supported housing, such as hostels, sheltered housing or refuges or should a single rate be applied?

There will be geographical considerations to be made between provisions for the same client group. However there are many other factors to consider which affect the difference in rental charges.

If this question is referring to the rent less the specialist provision then there will still be difference in core rent for example: size of the schemes; size of rooms; capital funding of the service etc.

Question 3. What types of additional activities or resources are typical of supported housing and how should these be quantified into a weekly amount per unit?

The report identifies there are over 400 different charges made in the allocation of core rent for supported housing. There will also be significant variances between these elements of charge from one service to another. Also the level of detail in the breakdown of these charges will vary tremendously from scheme to scheme. Some of these categories you have rightly identified as:

- providing 24 hour housing management cover
- providing more housing related support than in mainstream housing
- organising more frequent repairs or refurbishment
- providing more frequent mediating between tenants;
- providing extra CCTV and security services

Other key areas that would create a difference in rent to general needs accommodation would include:

- Meeting mobility requirements

- Court costs/voids/ notice procedures/ behavioural agreements etc.
- Communal/office areas for meetings and development of lifeskills

It would not be possible to create a fixed cost for each category.

Question 4. Should an amount for the additional help be worked out using a flat rate addition representing typical additional costs or should a different method be used? Please tell us what you think are the advantages of your preferred option.

If there is a flat rate then this can only be at the lowest denominator. Anything above this then needs to be done on an individual or scheme basis.

Scheme specific – this would be a LA determined rate regardless of the current customer/s individual needs. This would be based on the type of service commissioned (eg the requirement for a communal room for learning lifeskills). However the rate would need to be determined per specific property and therefore can only realistically be assessed by the LA using either local or national criteria.

Individual – this will not apply in all cases but there may be an additional figure required to meet the specific and individual needs of the customer. This could be done on an exceptional basis with an assessment made through the LA based on local or national criteria. This for example could be part of an individual budget assessment and could include for example that the rooms are all of a size to meet mobility standards.

Some examples of the reasons why having a fixed rate for the full rent would be inappropriate and would put services at risk are:

- Some services are not furnished, part-furnished or fully furnished
- Some services have shared kitchens, some are self-contained
- Some services have shared entrances with or without alarms some have their own front door
- Size of the scheme
- Levels of security equipment and cover vary tremendously
- There is a significant variety in required communal provision including: laundry; meeting rooms; offices; treatment rooms; hair dressing, lifts, ramps etc

- The throughput of services varies tremendously from scheme to scheme effecting void levels, as well as time and expense in getting the unit ready for the next person.

Specialist individual housing

Question 5. What types of supported housing would fall into this group and how do you suggest they should be identified?

N/A as we are proposing that there is not a specific benefit in dividing services up, particularly in the way specified. If there is a consensus that services should be divided up then I would suggest this is done as specified in question 1.

If implemented in this way they could have a specific baseline:

- Independence tier 1 – LHA + 40%
- Independence Tier 2 – LHA + 10%
- Independence tier 3 – LHA + 10%
- Long term support – LHA + 20%
- Long term low level support – LHA + 15%

(these are only guide percentages to demonstrate the approach)

Any additional requirements to the cap would then be assessed by the LA using the pooled budget.

Question 6. What types of higher housing costs are typical of this type of supported housing that are over and above adaptations or specialist equipment, which have funding sources elsewhere and how should these be quantified?

There are higher housing costs associated with what we have termed 'long term more intensive' and 'individual tier 1' categories. These properties would have, for example,

- specific adaptations for mobility and access,
- additional security (e.g. for domestic violence refuges) and/or CCTV,
- lifts if more than one floor,
- 24 hour staff cover (an element of which is related to the accommodation as well as ineligible support),

- Communal facilities/provision,
- More intensive repairs/replacement of furniture
- More intensive communal cleaning

These would need to be quantified on a property by property basis taking into account the specific needs of the occupants/client group. A flat rate approach would not work but local knowledge and experience could help establish comparative benchmarks to ensure local continuity.

Question 7. Would the additional help for those with very individual housing needs be better met from separate funding administered by local authorities, expert in providing housing and/or care in the community?

Yes, however this should be across both your specified categories as the rent levels for, for example hostels can often be as high or higher than specialist individual accommodation for, for example a person with learning disabilities.

If a fixed rate (section 7 of your report) is going to be determined for additional rent above LHA then this will need to be set at a lower denominator with an additional variable rate based on service or individual need. This will create a more flexible, responsive and cost effective process.

There is no benefit therefore in separating these two types of provision. The simplest and most effective approach would be to have a standard national approach of LHA+x% for all supported housing. The remaining excess should be pooled and allocated to each LA based on a cost neutral approach. LA's will then allocate addition provision based on scheme and/or individual need and to fit into the local commissioning approaches.

Any growth in service provision may need to be met though efficiency savings achieved by the LA in rationalising these processes.

There is unidentified risk of un-commissioned support services and the rent levels attributed to these. This is potentially a wider issue to the brief of this consultation but needs to be taken into consideration with respect to budgets if administration is localised.

There may need to be some recognition in the increased administrative requirement of each LA to introduce and monitor this process.

Question 8. Which tier of local government should have responsibility for deciding how extra help should be allocated? And, which department within a local authority do you think is best placed to manage the allocation of this funding?

York is a unitary authority so the first question does not apply.

The adult services commissioning team (Integrated Commissioning) would be best placed in York but this needs to be determined by each LA. For example some LA's Supporting People teams are separate from adult services and are in the housing department.

Question 9. Should a different method be used? If so please explain.

Please see question 1 & 7

Question 10. How can funding be made sufficiently flexible to changing caseloads and demands without being unlimited or increasing unit costs compared to the existing system?

Please see question 1 & 7.

Wider reform

Question 11. Is there a case for considering housing costs more fundamentally within a wider context by having the additional costs associated with supported housing taken out of Housing Benefit altogether and administered locally in the same way as Personal Budgets?

Yes this would be the most effective approach across both categories of provision. However as stated previously, in York, we would need the flexibility of using individual budgets and/or scheme payments depending on service provision.

Question 12. Would this sort of approach only be appropriate for those that live in more specialised or adapted properties?

No this could work across both categories of provision as long as the LA had flexibility in how they developed their assessment processes.

Supported housing of registered providers and social landlords

Question 13. Should the supported housing of registered providers be treated in the same way, for Housing Benefit purposes, as their mainstream housing?

Yes.

Question 14. What do you think of the proposed categorisation of supported housing; is there a sound basis for treating these three types of supported housing differently? (registered providers, those who can be identified by their accommodation type and those with more intense, individual needs)

This question is not clear to us as the report previously has two categories. There is a wide and complex plethora of services for vulnerable people to meet people's specific needs. Categorising these for the purpose of approved rental levels is not helpful. The LHA will determine the standard rent level and the commissioning teams of each LA should then assess the service using their own criteria to determine what additional payments should be made. This would create a transparent, needs based approach which will maximise value for money.

Question 15 Is the process of rent-officer referral sufficient to ensure that only 'reasonable' supported accommodation costs are met in the registered provider sector? Are there ways in which the rent referral process could be improved?

Referral to the Rent Officer could provide a degree of independence and continuity if certain safeguards were built in to the process. Presently rents from social landlords can be referred to the RO if the HB section regards the rent as being 'unreasonably high'. There would be a concern, if referrals were not compulsory but was dependant upon local 'tests', that some LAs could refer all rents by default to the RO. An appeal process would be useful to allow a claimant or landlord to challenge the decision to refer to the RO.

Any RO valuations must take into account the market rent for comparable supported accommodation services and not just those of the general needs market. They should reflect all the services included.

There would also be a case for not restricting their market analysis to the present BRMAs because there may not be a sufficient sample size of similar rentals available to make a comparison/arrive at a valuation. A regional approach may be more appropriate (for example, using the Yorkshire and Humberside cluster of LAs for LAs within that region).

Transitional arrangements

Question 16. How do you think the new rules should be introduced?

The approach used with the introduction of Supporting People should be used as a good practice approach. There was a interim period to enable LA's to assess and determine all the services effected by these changes and the current funding arrangements. Based on the current LHA, this will provide an "As Is" value.

The LA's can then consult on a localised assessment tool and carry out prior assessments so they are ready to implement any changes.

It would be beneficial to facilitate a benchmarking club that would help LA's to identify what type of services need to looked at more closely and what charges are "reasonable".

Clarification is required in respect to how these proposals effect service charges as these are not part of the core rent but can be predominantly eligible for HB. With a large proportion of services being of multiple occupancy there are frequently higher levels of service charges to general needs accommodation.