

Report to the Cabinet

Meeting to be held on Thursday, 7 November 2019

Report of the Head of Service - Policy, Information and Commissioning (Live Well and Age Well)

Part I

Electoral Division affected:
(All Divisions);

Maximising Occupancy in Supported Housing Consultation Document

(Appendix 'A' refers)

Contact for further information:

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Executive Summary

The Maximising Occupancy in Supported Housing Consultation Document sets out the council's proposals to review supported housing vacancies, and the procedure that will guide decisions about non-viable supported households. The consultation document is presented to Cabinet for approval of an eight-week public consultation.

Recommendation

Cabinet is asked to approve that a public consultation be carried out on the Maximising Occupancy in Supported Housing Consultation Document, as set out at Appendix 'A'.

Background and Advice

The county council routinely conducts ongoing reviews of its adult services policies, procedures and guidance, and identifies key policy documents for development and/or revision as part of a phased programme to ensure effectiveness, value for money, and compliance. This phased programme continues with the submission of a revised policy, procedures and guidance document for consultation on:

- **Maximising Occupancy in Supported Housing**

Summary of revised document for consultation

The consultation document proposes a revised policy to update the existing *Under Occupancy in Supported Tenancies and Protocol to Review Tenancies* internal policy.

The consultation document sets out the county council's proposed approach to reviewing supported housing where there are vacancies, and the procedure that will guide decisions about non-viable supported housing schemes. The proposals provide a mechanism to review the sustainability of supported housing schemes and decommission schemes that are no longer viable.

The proposals commit the county council, where a property is considered to be non-viable, to complete a supported housing review on a case by case basis, with the needs of individual tenants considered and legal advice where appropriate.

The document reflects current legislation, regulation and guidance as well as other county council policies and procedures previously approved by Cabinet, including:

- The Care Act 2014
- The Housing Act 1988
- The Housing Act 1996
- Specialised Housing Guidance – National Fire Chief Council (May 2017)
- The county council's Housing with Care and Support Strategy (September 2018)

A copy of the policy is set out at Appendix 'A'.

Consultations

Cabinet approval is sought for an eight-week online public consultation on the Maximising Occupancy in Supported Housing Consultation Document. Consultation responses will be considered before any further decisions on the proposals are brought forward.

Implications:

This item has the following implications, as indicated:

Workforce

Our support for Lancashire residents is guided by the county council's adult social care policies, procedures and guidance. The accuracy and relevance of these documents is essential to support practice and the delivery of high quality services.

These documents have been reviewed and cleared by the county council's legal team before being presented to Cabinet for the approval of a period of public consultation. All documents will be publically accessible as part of this process, with the aim of reducing legal challenge and complaints due to a lack of understanding or transparency.

Equality and Diversity

Policies and procedures guidance documents are primarily intended as a guide for social care employees in applying the law and attendant regulation and guidance and in ensuring delivery of quality care and support. It is an intrinsic requirement that these are applied objectively and fairly to all people with protected characteristics (age, disability, gender identity, sex/gender, race, religion or belief, sexual orientation, pregnancy and maternity and marriage or civil partnership status) and that, where necessary, reasonable adjustments are made to assist disabled people to participate in the process, or that other steps are taken to meet the requirements of the Equality Act 2010.

Furthermore, in line with the Public Sector Equality Duty, each policy, procedures and guidance document has been considered by the Equality and Cohesion Manager and a short appendix added to highlight the aims of the Public Sector Equality Duty and protected characteristics in a proportionate manner. It is intended that this will provide staff with a bespoke summary of how each policy, procedures and guidance document may impact on groups with protected characteristics and that this is a proportionate means of showing due regard in relation to each individual policy, procedures and guidance document.

Financial

There are currently approximately 160 supported tenancies (out of approximately 700) across Lancashire carrying one or more vacancies and approximately 225 vacancies in total. Vacant tenancies place a financial strain on the remaining tenants and sometimes on the housing and support provider, and on the resources of the county council.

Strenuous efforts continue to be made to find suitable people to fill these vacancies. Many have been vacant for a considerable length of time with no realistic hope of ever filling the vacancy. The creation of the proposals in this consultation document provides a mechanism to review the sustainability of supported housing, and decommission schemes that are no longer viable to minimise under occupancy and utilise public resources more effectively.

A person's eligibility for care and support provided by the county council will be determined following a proportionate assessment. Information is provided during the assessment period as to the potential financial implications to the person receiving care and support. When the outcome of the assessment has been determined and agreed by both the assessor and the person being assessed, and/or a suitable person, e.g. family member, advocate and/or attorney this will detail how a person's contribution to care is worked out. Where an assessment determines that any care needs would be best met in a residential setting, it describes the implications to the person if they own a property and the deferred payment options offered by the council.

Following the assessment stage, the individual's estimated personal budget must be shared with the individual when the care and support plan is being drafted.

Any financial implications that result from a needs assessment or care and support plan are addressed via the specific commissioning, delegation and funding arrangements governing each individual social care service, if so required.

Risk management

Many aspects of the law, including the Care Act, state that the county council should develop and maintain policies in relation to a number of subject areas covered by legislation. The county council may be at risk of future legal challenges if the recommendations to develop policy documents are not taken forward.

List of Background Papers

	Date	Contact/Tel
Paper		
None		
Reason for inclusion in Part II, if appropriate		
N/A		