

Supporting People Its impact in Scotland

Providers of housing support acknowledge that the £421 M secured in Scotland for the 2003/04 Supporting People Programme is a remarkable achievement and has had a major role in service expansion. This is having a direct impact on the lives of the people they are working with and on the choices they can make.

"In my view", says Peter Millar, Chief Executive of The Richmond Fellowship Scotland, "Supporting People heralds a new dawn for the people we support in services. They are now really beginning to see themselves as tenants and citizens with enhanced status, better income, more control and greater choice".

Supporting People Funding

Whilst some providers acknowledge that Supporting People funding enables them to plan further ahead than other funding has allowed in the past, many others are expressing concern about how to maintain current capacity.

In 2003/4 inflation was built into contract sums of 2.9% making it difficult to keep pace with salary expectations and thereby impacting on staff retention and recruitment. Providers are also facing other financial pressures which currently the Supporting People grant is not able to shield them from. The recent announcement on 2004/05 funding makes this a more pressing issue.

Future funding

Scotland : 2004/05

The Scottish Executive made Supporting People grant offers to local authorities for 2004/05 on 3rd March 2004 amounting to £408M. Generally local authorities are being offered the amounts as for 2003/04, with no inflation. There are 2 exceptions: Argyll and Bute, along with West Dunbartonshire have been offered grants for 6 months only pending further consideration. It is anticipated they will be made further offers of grant to cover the second half of the year after the Scottish Executive has reviewed their current Supporting People programmes.

This announcement presents a significant challenge for providers and local authorities working towards agreeing realistic contract sums for 2004/05 whilst maximising service capacity.

The situation in England and Wales

The announcement in Scotland comes in the wake of that made on 12th February 2004 by the Office of the Deputy Prime Minister regarding funding in England and Wales. £1.8

billion has been secured for Supporting People in England and Wales for year 2004/05 again, the same as for 2003/04. It is being awarded, however, on the basis that local authorities will make 2.5% 'efficiency savings'.

The stated aim of this approach is to 'improve value for money'. The Office of Deputy Prime Minister, in its news release, stated that a 'proportion of the savings will be reallocated to councils to fund services which have come on stream in 2003/04 and are reaching unmet need.' As such this represents a cut in Supporting People funding-in line with the findings and recommendations made in Robson Rhodes' review of the 2003/04 Supporting People Programme in England and Wales

Reviewing the Programme in Scotland

The Scottish Executive is undergoing a review of the use of the Supporting People grant in 2003/04. This will inform the allocation of grant in 2005/06.

The Review will check :

- Appropriateness and quality of service provided by local authorities and service providers contracted by them
- Expenditure is properly focused on the types of services the Supporting People Programme was intended to fund

There is recognition that varying levels of charges between services cannot always be explained. This is something that the Review is likely to consider.

The Review is being overseen by a Reference Group for the Review of Supporting People Services this group includes representatives of providers, local authorities and other stakeholders. Part of the task of reviewing the use of the Supporting People grant in 2003/04 will be carried out by consultants to be appointed by the Scottish Executive.

It is expected that the work of the Review Group will be completed in May 2004 to enable funding announcements for 2005/06 to be made in the summer.

Information gathering

It is likely that the Review will seek further information from local authorities to quantify the sorts of service provided under Supporting People. This may result in providers being asked for information. The Unit has asked for early notification of any likely information requests so that providers can be alerted.

As a general guide on information local authorities are required to gather from providers, see the Scottish Executive's guidance:

Folder 1: Strategic Guidance and Interim Guidance/ Section 8:Quality and Monitoring/8.5 Supporting People and the Duty of Best Value

supportingpeople

enabling unit

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Funding for new projects

The recent announcement on funding for 2004/05 does not include funding for new projects due to open in 2004/05. The Scottish Executive has decided that all 2004/05 'pipeline' projects will be included in its Review and be subject to the same scrutiny as outlined above for the 2003/04 programme. Decisions about these 'pipelines' projects will be included with the 2005/06 funding announcement in the summer this year. This means that local authorities are left to decide whether to go ahead with new projects before then and bear the risk that funding may not be agreed through Supporting People. The Unit is becoming aware that local authorities have become very cautious about proceeding with these 'pipeline' projects. It is likely that high cost projects in particular will be put on hold pending the announcement.

The Scottish Executive has confirmed that those projects already agreed as 'pipeline' schemes initially due to come on stream prior to 31st March 2004 but which have not become operational within 2003/04 will receive funding to enable them to proceed and open in 2004/05. For further details about 'pipeline' projects which have 'slipped' see the letter from the Scottish Executive to local authorities dated 2 February 2004 on their website:

www.scotland.gov.uk/housing/supportingpeople under 'What's new?'

Rising Costs

Voids and unallocated capacity

Under the Transitional Housing Benefit regime, providers could include in their hourly rate, the costs of vacant properties and unallocated services. Guidance from the Scottish Executive regarding Supporting People changed this. It was decided that services would be funded on the basis of the occupancy level on 31.3.03.

The way that local authorities have accounted for the costs of void or unallocated capacity in a service, varies across the country. Ian Bruce, Chief Executive of The Abbeyfield Society for Scotland Ltd comments "Abbeyfield has societies in 25 different local authority areas and has noticed that the local authorities have a very different approach to voids. This lack of consistency can cause real problems for organisations trying to work on a national basis."

The Supporting People Forum has taken up this issue as have local authorities through the Supporting People Network with a view to promoting standardisation. In the meantime some providers are facing a shortfall in the contract sum they were hoping for from Supporting People.

Staffing and administration costs

Employers' National Insurance contributions were increased by 1% from 1 April 2003 - the timing means that funding through the Transitional Housing Benefit system did not reflect this cost and so has not

automatically been reflected in Supporting People contract sums.

Also, many providers feel that the administration costs associated with Supporting People are greater than those they faced under the Transitional Housing Benefit system, although most have not actually produced figures summarising these costs.

National Care Standards

The National Care Standards provide a new focus for Providers across the country in relation to staff training. Training is crucial to the successful implementation of the Care Standards, and the values and attitudes that underpin them.

Donald MacKinnon of Key Housing Association highlights the importance with which staff development is being approached "Each staff member who works over 20 hours per week receives a five day induction and then eight additional days throughout their first year. Service users contribute as trainers throughout this foundation course, which emphasises the importance of treating our service users with dignity and respect. National Care Standards are written in terms of what the service user can expect and we think this is important." The Supporting People funding, being based on Transitional Housing Benefit, does not reflect the training costs associated with the new standards.

Registration Fees

Care Commission registration fees represent another new cost to providers which was not incorporated into THB claims and hence does not feature in Supporting People contract values.

Annie Gunner of Community Care Providers Scotland (CCPS) comments "Care Commission fees represent a significant new cost burden for providers and they have no choice but to pass that burden onto their purchasing authorities, who in turn receive their grant from central government. CCPS has always argued that it would be much simpler for the Care Commission to be funded directly by the Scottish Executive to avoid this 'recycling' of public money."

The membership of Community Care Providers Scotland has expressed concern about the cost of the Care Commission's registration fees and CCPS is currently undertaking research to see how different local authorities approach the issue.

The impact of registration fees is becoming clearer as the Care Commission defines 'branches' of service that must be registered. As each branch incurs a separate registration fee providers are keen to minimise the number of service branches they must register. A branch is identified on the basis of the manager of the service being no more than 3 tiers away from the service user. The Commission has stated however, that it will take a flexible approach where there are 'tall structures' such as support worker, senior support worker, deputy manager and manager.

Taken together the rising costs associated with delivering housing support services are significant and pose a real challenge to commissioners and providers of housing support services.

Contracts

Background

The development of contracts between local authorities and providers is an important part of the implementation of Supporting People. The intention is that full contracts will replace interim contracts and/or letters of agreement following a service review, which all services should go through by 2006.

The Scottish Executive made provision in its Supporting People guidance for interim contracts to cover the period up to 2006 and required these to be in place by 1.4.03 so as to 'enable payment to service providers from 1 April 2003 until the introduction of the Supporting People (full) contract.' To assist in this task, the Scottish Executive provided a model interim contract. In recognition of the difficulties in developing acceptable interim contracts by many local authorities, the Executive has advised that **letters of agreement will continue to be sufficient to allow payment of grant to continue.**

The Executive has also recognized the importance of developing guidance for local authorities in relation to full contracts, and in particular the need to develop as much standardisation as possible to assist providers working across several local authority areas.

Progress so far

The task of drawing up interim contracts has been protracted. In addition to difficulties in agreeing terms of contract, local authorities have faced difficulties in establishing contract values, and this is still ongoing in a number of areas. Letters of agreement have been entered into in the meantime and in some areas these will continue until a full contract is drawn up foregoing the need for an interim contract altogether.

For a significant number of providers, housing support services are delivered as part of a wider social care service, with funding from Supporting People grant as well as Social Work and other funding streams. A number of local authorities are seeking to develop integrated contracts, often based on existing contractual arrangements for social care services. This adds to the complexity for providers across the country, and is another challenge that needs to be addressed by the Executive's guidance on contract development (see later).

Contract development around the country

A group of housing associations operating around the country has provided the following picture across 30 local authority areas.

Type of agreement/contract	Local Authorities
Interim contracts in place	6 ^①
Letters of agreement in place and interim contract being negotiated	15
Letters of agreement in place but not negotiating interim contract	8 ^②
Neither a letter of agreement nor interim contract in place	1 ^③

- ① 1 is negotiating full contract
- ② 1 may go straight to full contract
- ③ In this case negotiations on a full contract are taking place

This highlights the considerable difficulty local authorities have had in developing interim contracts. The impact of this on providers is that many are still working under letters of agreement - a less secure framework than anticipated at this stage of the Supporting People programme.

Approaches being taken by providers

The approach to contract development taken by providers does vary and reflects previous experience of contracting with their local authorities.

Organisations used to entering contracts for care services may start off from a more comfortable position regarding local authority contract documents.

Other organisations for whom a contractual relationship with local authorities is something new have brought different perspectives to the issues.

The combined impact of experience and willingness to scrutinise means that there is some robust examination and redrafting of contracts going on around the country. Inevitably there are resource implications for providers. Some have been diverting staff energies to this task from other priorities and others, typically larger organisations, are creating new posts to consolidate the work.

Action being taken at a national level

1. A collective approach to contract negotiation has been taken by Housing Associations providing sheltered housing for older people. A group of 17 housing associations have been working together since November 2002. They have been coordinating contract negotiation across 30 local authority areas. The group have recently employed Queens Counsel to develop an indemnity clause.

2. Various groups have met under the auspices of the Scottish Executive to consider different aspects of full contracting. A wide range of stakeholders have been involved in this including representatives of Community Care Providers Scotland and Scottish Federation of Housing Associations.

3. The Scottish Executive is funding a consultant to give a steer on how best to promote the development of full contracts - consolidating some of the work the above groups and others have been undertaking. Geof Cox of Strategies for Training has been taken on to carry out this piece of work. Workshops were held in Edinburgh, Glasgow and Dundee at the beginning of March to enable providers and other stakeholders to have an input. Geof comments, "Having now completed the three workshops there is a considerable degree of consensus on the issues and the way forward which bodes well for the immediate future". Geof Cox has presented his findings and recommendations to the Scottish Executive.

4. Solicitors from 22 local authorities met on 16 February 2004 to discuss a proposal to work together to create model contracts for Supporting People services. It was also proposed that Glasgow City Council acts as Lead Authority. 24 Councils have now agreed to take part in this work. The Solicitors group hopes to meet at the end of April to discuss draft clauses.

5. Community Care Providers Scotland members have collectively negotiated the content of an interim contract in Glasgow.

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The role of the SP Enabling Unit

The Unit can offer advice and assistance to providers experiencing difficulty negotiating contracts by:

- helping interpret Scottish Executive's guidance
- help networking with others who have faced similar issues
- keeping providers up to date with national developments in contracting

Registration and Inspection of Housing Support Services

Moving with the times

On 1 April 2002 the Care Commission became responsible for the registration and inspection of care services in Scotland where previously these services were regulated by Local Authority Registration and Inspection Units. One of the aims of moving to a national organisation is to achieve a consistent approach to regulation across Scotland. 'Passporting' information to other regulatory bodies such as Communities Scotland may be possible.

Registering housing support services

Providers are dealing with the challenge of operating within a new and developing regulatory framework. Housing support services must be registered with the Commission by 1st April 2004.

The Commission began the registration process in August 2003. After 'expressions of interest' were invited from organisations applications were submitted and have been scrutinised - particularly in terms of size of service (or 'branch') and the sort of service being provided (via its service specification).

Maureen Gray of East Lothian Women's Aid said "At first the prospect of registration seemed a bit daunting but so far it has proved to be straightforward. Having guidance from Women's Aid national office certainly helped the process run more smoothly for us. It would have been more time consuming if we had had to do all our negotiations at a local level. We had a positive meeting with the local registration officers and feel we have enough information to complete the registration process".

Any organisation that has not already begun the registration process should contact the Care Commission urgently. The Care Commission has divided its operation across the country into five regions and has set up a number local offices in each area. To find out about the office nearest to you, look at the Commission's website www.carecommission.com or phone 0845 60 30 890.

Preparing for inspection

Housing support services will be inspected between April 2004 and April 2005. The Commission anticipates that the first inspections will take place after the first quarter of the year to enable the inspection framework to be finalised.

Each year the Commission will select standards to focus on. For 2004/2005 the selected housing support standards are:

1. Informing and deciding
2. Your legal rights
3. Management and staffing arrangements
4. Housing support planning
7. Exercising your rights

The Commission has recognised that the new regulatory process may seem a bit daunting to providers who have not been subject to inspection before and commented to the SP Enabling Unit that '...many services currently operating may not have all the policies and procedures in place or be meeting the regulations. This will be discussed with providers throughout the application process and **time will be given to providers to ensure that the essential policies, procedures and practices are in place.**'

The SP Enabling Unit asked the Commission what advice they would give those preparing for their first inspection. 'Providers should review the Regulation of Care (Scotland) Act 2001 and its associated regulations and review their compliance against these. They should also obtain copies of the National Care Standards and review how well their service is working towards meeting these standards.'

The Commission produces a quarterly newsletter Care News in which guidance and best practice around regulation are covered. For a copy contact 0845 60 30 890. The Commission's website now has a 'minisite' on housing support which includes a frequently asked questions area.

“*We had a positive meeting with the local registration officers and feel we have enough information to complete the registration process*”

Regulation of registered social landlords

Communities Scotland is commissioning a piece of research on Regulation and Registered Social Landlord Information Requirements.

This has come about as a result of concerns expressed by registered social landlords that the Supporting People Programme adds to the burden they already face in providing information for regulatory, funding and legal purposes. Registered social landlords are required to provide information to:

- local authorities (regarding Houses in Multiple Occupation, Supporting People and trading standards)
- Scottish Social Services Council
- Care Commission
- Health and Safety Executive
- Financial Services Authority (for Industrial and Provident Societies)
- Office of the Scottish Charity Regulator (OSCR)
- Ombudsman

The research will have 2 phases. The first phase will be a desk top exercise - the consultant will map out the information currently gathered and chart the use made of it eg whether is it published, shared between departments, and / or shared with other organisations. The second phase will be a series of structure interviews between the consultant and housing associations around the country. Their choice of associations will be important in trying to reach a representative sample across size, type and location of organisations.

The research will be managed by Communities Scotland whilst an advisory group will oversee it. The advisory group will consist of representatives from key stakeholders, including: Convention of Scottish Local Authorities (CoSLA), Scottish Federation of Housing Associations (SFHA), the Care Commission, the SP Enabling Unit, the Scottish Executive, the Office of the Scottish Charity Regulator and Communities Scotland.

The contract was awarded in February to Carole Oatway of Oatway Solutions. It is expected that

the final report will be completed by 16th April 2004.

A Memorandum of Understanding has already been drafted between the Care Commission and Communities Scotland. The Memorandum is not legally binding but does identify areas of overlap where the organizations will seek 'to show proper regard for each others' activities'. These areas of overlap include:

- Registration of 'fit persons' to manage housing support services
- Inspection
- Complaints

Negotiation of the Memorandum continues and it is anticipated will be agreed by the end of March 2004 in preparation for the first housing support inspections in 2004 / 05.

The Care Commission has also negotiated a Memorandum of Understanding with CoSLA which local authorities can use as a basis in establishing their relationship with regional offices of the Care Commission.

Finding out from you...

The Unit is finding out how a variety of providers have found the implementation of Supporting People so far. A questionnaire survey is being conducted with a numbers of organisations to establish how confident they feel about the Programme at the end of its first year. The Unit will use this as a baseline for future comparison every 6 months or so. The questionnaire is being conducted over the phone and will take no more than 10 minutes to complete. Thank you to those of you who have agreed to take part.



The production of this bulletin has been funded by Hanover (Scotland) Housing Association

The Supporting People Enabling Unit

The Scottish Executive has funded the establishment of the Supporting People Enabling Unit for 2 years, to assist and support independent service providers in the implementation of the Supporting People Programme.

What the Unit is for

The Unit is being set up in the belief that:

- an informed and coordinated approach to issues service providers face will enable effective and constructive negotiations to take place with local authorities and with the Scottish Executive and
- providers will benefit from regular news, updates, briefings and the sharing of experiences of providers across the country.

What the Unit will do

The Unit will:

- collate and disseminate information and updates for providers
- act as a central point for enquiries from providers
- organise briefing and training events
- identify issues of common interest or concern to providers and work on finding solutions in partnership with other stakeholders
- monitor the progress of implementation of the Supporting People Programme and the impact on providers and their service users

It is envisaged that the Unit will work on the following issues : contracts, service reviews, referral, assessment and allocation, regulation and compliance, medium and long term funding issues, IT systems and benchmarking.

The Unit consists of:

Yvette Burgess, Unit Director

Moira Weir, Development and Information Officer

Heather Martin, Administrative Assistant

The Unit is a joint initiative between Community Care Providers Scotland (CCPS) and the Scottish Federation of Housing Associations (SFHA). The Unit is being set up to work with all independent providers of services through Supporting People, not only those who are members of CCPS or SFHA.

Executive Committee

The work of the Unit is being overseen by an executive committee comprising representatives of:

Community Care Providers Scotland (CCPS):

- Annie Gunner, Director, CCPS
- Malcolm Matheson, Chief Executive, Key Housing Association
- Peter Millar, Chief Executive, The Richmond Fellowship Scotland
- Dennis Trueland, Director, Barony Housing Association

Scottish Federation of Housing Associations (SFHA):

- David Bookbinder, Policy and Practice Coordinator, SFHA
- Stewart Kinsman, Chief Executive, Hanover Scotland Housing Association
- Ysanne Miller, West of Scotland Area Housing Manager, Margaret Blackwood Housing Association

Scottish Council for Single Homeless (SCSH):

- Simon Laidlaw, Managing Director, Dundee Cyrenians and Director of SCSH

Scottish Executive

- Pat Bagot, Branch Head, Housing, Scottish Executive

Convention of Scottish Local Authorities (CoSLA) observer on the Committee

- Margarita Morrison, Community Resourcing Team Leader, CoSLA

The majority of the committee members are themselves providers of housing support services.

SP Enabling Unit website

The Unit is establishing web pages within the existing CCPS website at: www.ccpscotland.org/spunit

You can find details about the Unit on it, who we are and how to contact us. There is a bulletin board called Open Forum for you to share your views, queries, comments with others. Briefings and bulletins produced by the Unit will be posted on the website so we hope you find it a useful site to keep an eye on!

Do let us know if you have any comments or suggestions about the site.

Contacting the Unit:

To update us on your contact and mailing details contact:

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For other issues contact:

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Yvette Burgess, Tel 0131 346 3147 or email: yvette.burgess@ccpscotland.org

Other useful websites

Care Commission

www.carecommission.com

Scottish Social Services Council

www.sssc.uk.com

Scottish Council for Single Homeless (SCSH)

www.scsch.co.uk

Scottish Federation of Housing Associations (SFHA)

www.sfha.co.uk

Convention of Scottish Local Authorities

www.cosla.gov.uk

Communities Scotland

www.communitiesscotland.gov.uk

Supporting People in Scotland

www.scotland.gov.uk/housing/supportingpeople

Supporting People in England

www.spkweb.org.uk

Office of the Scottish Charity Regulator

www.oscr.org.uk

Office of the Deputy Prime Minister

Www.odpm.gov.uk