

# Bulletin

March 2005 Issue 6

## SP Grant allocation

The consequences of the recent grant allocation announcements are still being considered by local authorities. The allocation figures for 2005/06 may be amended upwards in some cases due to the Scottish Executive's commitment to offer unclaimed pipeline funding from 2003/04 to local authorities for 2005/06. This will mean, in effect, further transitional support for some authorities that will not be repeated in future years. The base line figure will not be changed as a result.

## How are local authorities dealing with their allocation for 2005/06?

12 local authorities are facing the maximum reduction next year of 7.5% in SP grant. 3 of these have already indicated that they have found ways of accommodating this for 2005/06 and are looking ahead to what needs to be done in the light of 2007/08 funding levels. Grant levels, however, are not a sure guide as to how individual providers will fare in the coming financial year. The Unit is aware of examples where providers are being offered an inflationary increase next year despite the local authority grant level remaining unchanged or reducing. However, in at least 2 other areas providers are being advised of blanket cuts. The picture will continue to develop over the next few weeks. Some local authorities have already held meetings with their external providers to discuss the implications for them and have circulated reports that they have taken to elected members.

## National look at the Service Review process

In line with the Scottish Executive's announcement in December 2004 a review is taking place of the Service Review process to be used under Supporting People.

The Scottish Executive has met with representatives from local authorities, CoSLA, providers, the SP Enabling Unit and the Care Commission to take this forward. Alisdair McIntosh, Head of Division responsible for Regeneration, Fuel Poverty and Supporting People at the Scottish Executive has recently taken over responsibility for Supporting People from Geoff Huggins. Alisdair chaired the meeting and welcomed the opportunity to work on this issue together. The Scottish Executive aims to issue the revised guidance by 31<sup>st</sup> March 2005. It is not anticipated that dramatic alterations will be made to the already comprehensive guidance in place. Local authorities on the group have been asked to assess how realistic the current deadline of April 2006 is for completion of service reviews.

## Tracking and monitoring at a national level

This same Group will be used to carry out another task that Malcolm Chisholm, Minister for Communities, has set - that is to find a way of tracking the impact of the funding changes over the next 3 years.

The task presented to the Group was 'to assist the Scottish Executive to put in place appropriate arrangements for tracking and evaluating the full impact of the service review process and the budget changes across Scotland. This would address the impact on management/administrative overheads and front line services, including the impact on existing service users, new service users and levels of unmet need.' Part of the purpose of this task is to help inform the Spending Review process at the beginning of next year.

## Funding

### Model Contract Framework

### Scottish Social Services Council

### Direct Payments

### Freedom of Information

### Crossing Boundaries

The production of this bulletin has been funded by:



SCOTTISH EXECUTIVE

The Supporting People Enabling Unit is a partnership initiative between Community Care Providers Scotland (CCPS) and the Scottish Federation of Housing Associations (SFHA), funded by the Scottish Executive.

## SP: it does what it says on the box!

At the SITRA Supporting People Conference in London on 11<sup>th</sup> February, Chris O'Leary from Matrix Research and Consultancy Limited outlined the findings of his recent research.

Matrix was commissioned by the Office of the Deputy Prime Minister to establish the economic value of the benefits of the Supporting People programme in England. The results of the research have been published in a report called Supporting People : Benefit Realisation of the Supporting People Programme. Chris O'Leary explained that a desk-based review of evidence and economic models were used. Matrix considered its benefit to individuals, to the community and to the exchequer. Matrix considered the benefits to 8 client groups accounting for £1.46bn out of the £1.8bn SP Programme in England in 2004/05.

The findings of the research in terms of the financial benefit of Supporting People to Government Departments and its contribution to Government targets are encouraging. The costed benefits to Health, Crime Reduction, Homelessness, Social Services and Independent living total £1.33bn almost equal the cost of the SP programme in England.

In addition to this, Matrix acknowledges there are substantial intangible benefits to the individual.

Chris O'Leary suggested that whilst the principles of Supporting People are sound and his research has shown that it is worth the money being spent on it, this still leaves significant challenges for commissioners and providers of services to pursue value for money and demonstrable outcomes. In doing this the benefits of Supporting People would be maximized. He stressed the importance of objectives and targets for Supporting People being set in terms of the strategies it underpins eg Health.

For a summary of the report go to:  
[http://www.spkweb.org.uk/Subjects/Supporting\\_People\\_independent\\_review/Benefits+Realisation+of+the+Supporting+People+Programme+-+Summary.htm](http://www.spkweb.org.uk/Subjects/Supporting_People_independent_review/Benefits+Realisation+of+the+Supporting+People+Programme+-+Summary.htm)

For the full report go to :  
<http://www.spkweb.org.uk/NR/rdonlyres/A2F845C1-D316-493B-93F6-09B12383334A/1839/bkmarkedfinal21104SupPeop.pdf>

Whilst there has not been similar research conducted in Scotland about the impact that Supporting People is having, the Scottish Executive is currently considering how it will track and monitor the programme.

## Making Comparisons

In Scotland some local authorities have started to develop cost comparison tools to help inform funding decisions across services in the coming year. Providers in these areas have expressed concern that any comparison of costs should also reflect service type, quality and outcomes.

In England the ODPM has commissioned Pricewaterhouse Coopers (PWC) to produce a benchmarking model for providers to consider using. For sometime the ODPM has been encouraging providers to get together to conduct benchmarking exercises. From a provider's point of view, however, there are risks associated with taking part in such exercises so it is important that a commonly agreed framework is agreed before taking part. PWC anticipates that they will have a first draft ready for consultation in the spring.

## Small Providers

The Supporting People Enabling Unit is keen that smaller providers have the opportunity to shape and influence the Supporting People programme. It is also aware that the new regulatory, funding and monitoring framework providers work in may have a particular impact on how small providers deliver their services.

From time to time the Unit's staff are asked to comment on aspects of the SP programme and its impact. The Unit is keen to set up a Small Providers Focus Group that could be contacted on particular issues to gather views and information.

The Unit is aware that small providers do not have the resources to comment on every issue so it plans to have a large group. That way the workload can be divided up and it does not become another burden. Group members would not be contacted on every issue and if they are too busy to deal with something they can say so and another member will be approached.

It is anticipated that the group would mainly communicate through email and telephone unless the group felt an issue merited meeting up in person.

The Unit is particularly keen to gain representation from across Scotland so as to gauge impact in different areas. If you are interested in hearing more about the Small Providers Focus Group then please get in touch with [moira.weir@ccpscotland.org](mailto:moira.weir@ccpscotland.org)

# Allocations 2005-2008

Local Authority	2004/05 Year Two £M	2005/06 Year Three £M	Yr 3 compared to Yr2		2006/07 Year Four £M	2007/08 Year Five £M	Yr 5 compared to Yr 2	
			no inflation	adjusted for inflation			no inflation	adjusted for inflation
			Aberdeen	12.31			12.31	0%
Aberdeenshire	9.37	9.37	0%	-2.9%	9.44	9.71	3.5%	-4.6%
Angus	6.4	6.4	0%	-2.9%	6.46	6.69	4.4%	-3.7%
Argyll & Bute	14.9	13.78	-7.5%	-10.4%	13.26	12.22	-18.0%	-26.1%
Clackmannanshire	3.09	3.09	0%	-2.9%	3.24	3.85	24.5%	16.4%
Dumfries & Galloway	15.08	13.95	-7.5%	-10.4%	13.42	12.37	-18.0%	-26.1%
Dundee	11.67	11.67	0%	-2.9%	11.75	12.06	3.3%	-4.8%
East Ayrshire	6.18	6.18	0%	-2.9%	6.46	7.61	23.0%	14.9%
East Dunbartonshire	5.53	5.44	-1.6%	-4.5%	5.24	5.24	-5.3%	-13.4%
East Lothian	9.37	8.66	-7.5%	-10.4%	8.34	7.68	-18.0%	-26.1%
East Renfrewshire	6.26	5.79	-7.5%	-10.4%	5.57	5.13	-18.0%	-26.1%
City of Edinburgh	44.69	41.34	-7.5%	-10.4%	39.78	36.66	-18.0%	-26.1%
Eilean Siar	0.36	0.48	26.3%	24.1%	0.58	0.59	39%	35%
Falkirk	8.28	8.28	0%	-2.9%	8.44	9.11	10.1%	2.0%
Fife	28.33	26.21	-7.5%	-10.4%	24.51	24.51	-13.5%	-21.6%
Glasgow City	71.77	71.77	0%	-2.9%	73.16	78.85	9.9%	1.8%
Highland	13.89	12.85	-7.5%	-10.4%	11.73	11.73	-15.6%	-23.7%
Inverclyde	8.12	7.98	-1.8%	-4.7%	7.68	7.68	-5.4%	-13.5%
Midlothian	6.07	5.62	-7.5%	-10.4%	5.4	4.98	-18.0%	-26.1%
Moray	6.92	6.4	-7.5%	-10.4%	6.16	5.68	-18.0%	-26.1%
North Ayrshire	14.71	13.6	-7.5%	-10.4%	12.24	12.07	-17.9%	-26.1%
North Lanarkshire	24.84	24.84	0%	-2.9%	25.04	25.86	4.1%	-4.0%
Orkney	0.36	0.45	20.6%	18.3%	0.48	0.54	33%	28.3%
Perth & Kinross	6.22	6.22	0%	-2.9%	6.4	7.09	13.8%	5.7%
Renfrewshire	18.35	16.97	-7.5%	-10.4%	16.33	15.05	-18.0%	-26.1%
Scottish Borders	5.96	5.96	0%	-2.9%	5.75	5.75	-3.5%	-11.6%
Shetland	0.79	0.79	0%	-3.0%	0.81	0.93	17.4%	9.3%
South Ayrshire	8.17	8.17	0%	-2.9%	7.98	7.97	-2.4%	-10.5%
South Lanarkshire	23.42	23.19	-1.0%	-3.9%	22.33	22.33	-4.6%	-12.8%
Stirling	3.8	3.8	0%	-2.9%	3.97	4.65	22.3%	14.2%
West Dunbartonshire	17.5	16.19	-7.5%	-10.4%	15.58	14.35	-18.0%	-26.1%
West Lothian	9.76	9.76	0%	-2.9%	9.78	9.87	1.1%	-7.0%
Totals	422.47	407.50	-3.6%	-6.5%	399.20	400.70	-5.1%	-13.2%

Offer of grant letters have now been received by local authorities. There have been some small adjustments to the distribution across the 3 years but the total for each area remains the same as announced in December.

The columns for Year 3, Year 4 and Year 5 show the grant that local authorities were allocated. The columns entitled "% difference from year 2" show the percentage difference between the grant local authorities were allocated from the grant they received in year 2 (2004 - 2005)

The column entitled "% difference adjusted for inflation"

shows the percentage difference between what local authorities were allocated and what they would have received if the grants awarded in year 2 had continued with an annual 2.9% inflationary increase and subsequent years had an inflationary rise of 2.5%

**Please note: The figures for 2005/06 do not take into account any additional sum that local authorities will be able to claim from the Scottish Executive for delayed pipeline completions. The Scottish Executive hope to advise each local authority of this additional sum for 2005/06 by the end of April 2005.**

## Model Contract Framework

The LA Solicitors Group finalised the Core Clauses of the SP Contract in December.

These Core Clauses were subject to wide consultation in September. The LA Solicitors Group responded to all the comments and suggestions that they received. The table of comments and their response are available on the Units web pages at [www.ccpscotland.org/spunit](http://www.ccpscotland.org/spunit)

The Scottish Executive has incorporated these Core Clauses into the Contract Framework document and issued them for limited consultation in February over a 2 week period. This draft includes all the Variable Clauses for the first time.

The Unit collated comments from a cross section of providers. In addition to this the Group of 20 Housing Associations also submitted comments after having gained legal advice from their solicitor. The Final Draft will be issued in early March for wider consultation. Watch out for this document on the Scottish Executive's website at: [www.scotland.gov.uk/housing/supporting people](http://www.scotland.gov.uk/housing/supporting%20people)

### Providers' responsibilities in contracting with local authorities

Whilst providers have been consulted on the content of the Model Contract Framework it is not the case that providers should be regarded as having agreed to it's content in the same way that participating local authorities can generally be regarded as having done. There will still be a need for individual negotiation between local authorities and providers. It is ultimately the responsibility of individual providers to decide that the terms of any contract are appropriate and fair before they enter into it.

### Expectations of local authorities

The consultation process served to clarify some of the areas where the expectations of local authorities continue to cause some providers concern eg the sharing of personal information that may be required and the degree of control over staffing arrangements that may be exerted.

These are areas that will need further discussion locally to agree sensible working arrangements.

## Scottish Social Services Council

The Scottish Social Services Council (SSSC), the regulatory body for the social services workforce, is taking steps to prepare for the registration of the housing support workforce. The aim of registering social service workers is to ensure that people who use services and carers can rely on a workforce that is properly trained, appropriately qualified and effectively regulated

No date has been set for introducing the registration of the housing support work force and no decisions have been made on what kind of qualifications workers will have to hold in order to register. The Care at Home workforce will be registered at a later date.

Wendy Johnston, Project Officer with the SSSC has researched the housing support workforce and estimates that there are 13000 - 14000 housing support workers in Scotland. The qualifications range from none to honours degrees.

During April June 2005 Wendy Johnston will carry out consultation to discuss with housing support staff, providers and service users:

- Meeting client's housing support needs
- Job titles of housing support workers
- What qualifications should be expected for different roles

Once views and ideas have been gathered the SSSC will be in a better position to make recommendations for the qualification and registration of the housing support work force.

Wendy Johnston is interested in gathering a wide variety of views and opinions from all those affected by the registration process. To find out how to contribute to the process please email [wendy.johnston@sssc.uk.com](mailto:wendy.johnston@sssc.uk.com) or telephone on 01382 207186.

## Unit News Flash Service

The Supporting People Enabling Unit has a news flash service that updates providers on important developments in the SP programme. You can register for this service online at [www.ccpscotland.org/spunit](http://www.ccpscotland.org/spunit) by going to the mail section on the homepage. Or, by contacting [heather.martin@ccpscotland.org](mailto:heather.martin@ccpscotland.org). A postal service is available for those without email or whose IT system is incompatible with the newsflash service. Contact the Unit for more information.

## Sheltered Housing

The Scottish Federation of Housing Associations has produced a discussion paper entitled 'Sheltered Housing's Future'.

This discussion paper presents an overview of the current issues facing sheltered housing for older people in Scotland and outlines the myriad factors influencing its provision. It aims to assist providers in considering the current and future role of their sheltered housing, with the need to contemplate future options brought into sharp focus by the challenges of the Supporting People regime.

The changing demographic and socio-economic circumstances of the present older population and the projections for the next 30 years need to be seen in the context of other considerations such as the growth in owner occupation mainly through the right to buy - and the potential for significant problems for older purchasers in meeting repairs costs. The progressive process of closure of care homes and continuing care hospital beds across Scotland and the lack of adequate pension cover of many people approaching retirement, are other issues which may influence the future provision of housing and support for older people.

This paper is being produced in advance of planned Scottish Executive work to undertake a review of sheltered housing, and is expected to start in the second half of 2005. This paper will hopefully assist sheltered housing providers to constructively contribute to that review. The SFHA's paper also has some links to the Scottish Executive's drive for integrated service planning, through 'joined up' working and joint services as outlined in the framework consultation, 'Better Outcomes for Older People' paper which concluded in October 2004.

Furthermore, the Executive is currently revising the 2002 draft strategic framework paper 'A Country for All Ages', looking towards an Ageing and Older People's Strategy for Scotland and a review of services for older people.

At a local level, local authorities are currently likely to be developing a strategic view of what they want from the sheltered housing provision in the area: this strategy may be part of a broader one relating to older people's services in the authority's area.

You can access the paper through the SFHA's website at [www.sfha.co.uk](http://www.sfha.co.uk) if you are a member of SFHA or you can contact SFHA by email to request a copy: [dbookbinder@sfha.co.uk](mailto:dbookbinder@sfha.co.uk)

## Direct Payments

As of 1 April 2005 older people will be able to use Direct Payments. This is part of the rolling out of Direct Payments to community care groups beyond people with disabilities. A working group was set up last year to consider how best to implement Direct Payments for older people.

Issues that have been raised:

- individualised budgets are easier for Direct Payments to manage
- block contracting poses a challenge under Direct Payments
- direct payments are more straightforward if the housing provider and the support provider are separate

### Future guidance

The Scottish Executive will be issuing draft guidance in March for consultation.

**There are currently no plans to roll out Direct Payments to other groups such as homeless people, people using drugs or alcohol, refugees, women fleeing domestic violence.**

### Quick Reference:

#### History:

- LA have been able to offer Direct Payments since 1997. Since 2003 they have a duty to offer Direct Payments.

#### Who can use direct Payments:

- People with disabilities and parents of a child with disabilities can receive Direct Payments.
- Older People will be able to receive Direct Payments from 1.4.05

#### Steps to take:

- An assessment of need is required
- A person has to be assessed as willing and able to manage a Direct Payment, with support. Part of this considers how stable a person's situation is.

#### What a Direct Payment can be used for:

- Direct Payments can be used to employ a Personal Assistant(s), buy an agency service, buy a Local Authority Service, buy the service already being used or purchase equipment

#### Nature of Direct Payment:

- Direct Payments cannot cost more than previous service provision
- Health cannot give money for Direct Payments but can transfer funds to a Local Authority to then offer as part of a Direct Payment.

# Freedom of Information

The Freedom of Information (Scotland) Act 2002 came into force in January 2005. The SP full contract will lay out how providers are expected to assist local authorities in dealing with requests for information under this Act.

The Act gives the public new legal rights to see information held by Scottish public authorities.

The Act is designed to allow the public greater information on how public authorities spend money and how decisions are made.

## Public Authorities

Under the Freedom of Information (Scotland) Act the public has the right to get information from Scottish public authorities. This includes all local authorities, the Scottish Executive and the Scottish Parliament. A list of all current public authorities can be downloaded from <http://www.itspublicknowledge.info/Documents/docSPAsJan05AD.pdf>

## Publication Schemes

Every public authority in Scotland must produce a publication scheme. These schemes describe the information that the authority publishes, in what form it is published, and details of any charges for providing the information. Details of publications that are available can be found on <http://www.itspublicknowledge.info/pscheme.htm>.

The public (including individuals and organisations) must make a written request if they wish access to items that are not available on the publication scheme. The public authority then has 20 days to produce the information requested.

## Supporting People Contracting Framework and Guidance

This has some implications for providers of housing support. The Supporting People Contracting Framework and Guidance includes a core clause on Freedom of Information whereby providers of housing support will be expected to assist the local authority produce information within 20 days.

Providers will also be able to make requests for information themselves.

## Exempted Information

Some information is exempt from the Freedom of Information Act for example, personal information under the Data Protection Act. Other categories of information may be exempt in certain circumstances where the authority can prove there would be real and significant damage to the authority or to other people if the information were made public.

The public authority is required to give written reasons for declining access to a piece of information.

In deciding whether it is in the public interest to provide information, authorities should not take into account:

- the possibility of embarrassment to officials
- the possible loss of confidence in the authority
- the seniority of the people involved, or
- the risk of the information being misinterpreted.

Local authorities hold financial information on contracts and services. Currently, it is not clear if this information is exempt from being released or not.

## Costs

The charging structure for information is based on how much it costs a public authority to produce. Information costing less than £100 to produce will be free of charge.

## Data Protection

The Freedom of Information Act is designed to work alongside the Data Protection Act. So, if a service user or any other individual wishes to obtain information about him/herself, then the Data Protection Act 1998 will apply. However, if the information required is in relation to a public authority, then the Freedom of Information Act 2000 will apply.

More information on costs, data protection and all aspects of the Act is available on the Scottish Information Commissioner's website on [www.itspublicknowledge.info/index.htm](http://www.itspublicknowledge.info/index.htm)

A full briefing is available on the Unit website [www.ccpscotland.org/spunit](http://www.ccpscotland.org/spunit)

# Crossing Local Authority Boundaries

## Preparing to cross boundaries

In the course of providing housing support for people with mental health problems one provider has alerted the Unit to the problems they are facing when service users decide to move to another area because of relationship breakdown, or to be near family or friends.

Providers are finding it difficult under Supporting People to help facilitate such moves, particularly where a person has longer term support needs and where provision does not tend to be accessible through self referral. This particular provider's concern has been to help a person plan their move and to access support straightaway rather than being left without any support or with inadequate levels of support after they move.

## What the Guidance says

At the onset the SP Guidance states that :

'Authorities are expected to provide for the needs of all clients ordinarily resident in the area.'

The term ordinarily resident is one that has been used to help decide a local authority's responsibility to fund a person's care package, particularly in residential settings. There are signs, however, that this concept is being used to apply in other situations as well.

The Scottish Executive's Supporting People Guidance does anticipate moves between local authorities and states they should be encouraged:

At 7.1.5 it says ' Sometimes people may wish to move to another part of the country to reduce their isolation or to be close to a community of people from their background. Given the importance of informal support from family, friends and community groups these moves should be facilitated, not discouraged.'

The Guidance continues, ' these arrangements would only require cross-authority provision if the exporting authority had already assessed the person as needing housing support, and made the arrangements for them to receive these services in the new authority'.

By 'crossauthority provision' the Guidance is referring to the arrangements whereby one local authority is paying for support provided in another local authority area.

Where an individual has undergone a needs assessment with the authority where they currently reside, then it is down to that authority (as the 'exporting authority') to pay for support in the other authority (the 'host authority') but only if there is not a place available in that area already funded through Supporting People.

## The experience of providers working in more than one local authority area

Under the THB system providers working in both the 'exporting' and the 'host' authorities would have been able to arrange for a person to move between areas by moving the funding. This would have been done by a person ending the THB claim in one area and making a new THB claim in the other.

Under Supporting People the following issues have to be considered:

- whether there is spare capacity within a service that is funded through Supporting People
- what referral arrangements are in place for the service
- where there is no spare capacity (or not enough) would one of the local authorities agree to fund additional hours?
- whether either local authority has carried out an individual needs assessment

Whilst the guidance suggests that the 'exporting local authority' who has conducted an assessment should pay for support (not already funded by Supporting People in the 'host' authority), the guidance does not set any time limit on this arrangement.

## Difficulties in helping service users secure support in another area

Providers can feel as if they are acting as a broker between local authorities in an effort to help service users plan for their housing support provision in another area. There are a few reasons why such situations are difficult to resolve:

- a local authority may be unwilling to enter into an open ended arrangement and may seek to limit their undertaking
- the standstill SP grant allocations last year and the overall reduction in allocation next year means that many local authorities have little if any funding not already committed to services. This has an impact on their ability to pay for provision in another area or their ability to increase provision within an existing service
- the difficulty in some areas to arrange an individual needs assessment and to determine who is responsible for managing a person's care and support

## Draft protocols

Local authorities have recognised these difficulties and a group has been formed to draft protocols to assist them in such situations. These protocols will be considered by local authorities more widely in the next month or so.

# For Your Noticeboard

## Supporting People: Sustaining and Developing Housing Support Services

Wednesday 27 April, The Marriott Hotel, Glasgow

This CIH in Scotland seminar is aimed at those from all sectors with an interest in Supporting People and housing support services. Delegates will hear from the Scottish Executive, the Care Commission, housing organisations, housing support providers and specialist consultants on:

- the reasoning behind the recent changes and the Scottish Executive's expectations for the future including maintenance of diversity of support services;
- progressing local authority service reviews and what to expect from Care Commission inspections;
- good practice in including supported tenants in service review and planning;
- linkages between the Joint Future framework and housing support services;

## Publications

**The Scottish Executive** appointed Pricewaterhouse Cooper LLP (PWC) on 30 March 2004 to undertake an analysis of the funding arrangements relating to Supporting People expenditure carried over from Transitional Housing Benefit (THB) as at 31 March 2003.

The full report is available on the Scottish Executive's website  
[www.scotland.gov.uk/housing/supporting/people/afasp.pdf](http://www.scotland.gov.uk/housing/supporting/people/afasp.pdf)

**Acas** have produced information booklets on the Employment Equality (Religion or Belief) Regulations 2003. More information can be found on the Acas website [www.acas.org.uk](http://www.acas.org.uk) or by calling the helpline 08457 47 47 47.

Acas have also produced information on the separate regulations that protect people from discrimination on the grounds of sexual orientation. More information can also be found on the Acas website.

## Website News

The Supporting People Enabling Unit's website is reviewed on a regular basis and is the best place to find the most up to date information on SP. Many of the articles within the Bulletin are summarised from briefings that are already posted on the website. So, if you would like to read about a subject in further depth, you can look it up by typing its title into the Word Search on the home page. If there is a briefing on the topic you should be taken straight to it.

Please do not hesitate to contact the Unit if you have any problems accessing information on the website.

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