

Supporting People Guidance: an update on procurement

For some time local authority SP Teams have been expressing concerns about the implications of the new Scottish procurement regulations that came into force in January 2006

This has created some uncertainty for service providers especially where they have been asked to continue to work under letters of agreement rather than a full contract. The Public Contracts (Scotland) Regulations 2006 has been introduced in Scotland to implement the European Union's directive on procurement of services by public bodies such as local authorities.

The Scottish Executive's recently produced guidance note clarifies what options are open to councils and clarifies that local authorities can proceed to full contracts from service review as envisaged under the original Supporting People guidance.

The new guidance note does acknowledge that local authorities may decide to tender existing services but also states that 'where existing services are meeting people's needs and the feedback from services users is positive these issues should be taken into account when carrying out the procurement risk assessment and entering into contracts.

Consistency, trust and positive relationships are important to many people who use housing support services.'

You can view the guidance note at: www.scotland.gov.uk/Topics/Housing/Housing/supportpeople/SPprocfactsheet

Piloting SP Outcomes

As reported in the March Bulletin the Scottish Executive has decided to pilot an outcomes model for housing support funded through the Supporting People programme.

Local authorities have been invited to volunteer to take part in the pilot and the Scottish Executive is deciding which 3 (or 5??) to choose. The Scottish Executive will also be asking providers in any areas chosen to take part how they feel about the pilot.

At a meeting with providers in Inverness in April the Unit asked providers whether they would be prepared to take part in such a pilot. The response was mixed although the majority said they would be willing to take part because they regard the pilot to be an important way of testing out the model.

One of the main concerns expressed about taking part, however, was that this would be an additional recording task that providers would find it difficult to fit into support time with service users.

Other providers have expressed a concern that a representative sample of providers are involved in the pilot given the diverse nature of housing support.

The Outcome Matrix can be viewed on the Scottish Executive's website at www.scotland.gov.uk/Resource/Doc/1035/0048540.xls"

The full report by DTZ Pineda has been published by the Scottish Executive at www.scotland.gov.uk/Resource/Doc/1035/0048536.pdf"

Meanwhile in England a different outcomes framework pilot is being undertaken. It will take place over a 6 week period and is being run by the Centre for Housing Research in St Andrews for the Department of Local Government and Communities.

supportingpeople

enabling unit

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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.

Spending Review

The Scottish Executive is gathering information about the achievements of the Supporting People programme to put before Ministers for the Comprehensive Spending Review in May. The decisions Ministers make alongside decisions from the Treasury will determine national SP grant levels over the next 3 years.

The monitoring returns from local authorities in October 2006 have now been analysed by GEN Consulting and have recently been published by the Scottish Executive at:

[Http://www.scotland.gov.uk/Resource/Doc/1035/0048536.pdf](http://www.scotland.gov.uk/Resource/Doc/1035/0048536.pdf).

The main purpose of these returns is to present a picture of how services have been impacted on by the changes to the SP grant since 2004/05.

In 2006/07, the report states, local authorities recovered 61% of the amount they were required to reduce spend by, by paying less for services without a corresponding decrease in service level. 19% of reduced spend was achieved by closing services and remodelling services whilst 20% of the reduced spend was achieved through 'budget restrictions' on providers.

Most of the savings local authorities are required to make in 2007/08 look set to come from 'external' providers (ie not from local authorities themselves where they provide services). At 62% this is slightly higher than the 59% projected SP expenditure on 'external' providers in 2007/8.

Local authorities submitted further returns to the Scottish Executive in March/April this year. These are currently being analysed with a view to providing further information about the programme for Ministers in May/June.

In addition to information from local authorities the Scottish Executive will also consider information from the SP Enabling Unit about housing support funding issues.

Care Commission

Care Commission Annual Returns

Housing Support providers have expressed some concern that in this year's Annual Return, the Care Commission is asking for details of names and salary levels of staff. The SP Enabling Unit has asked the Care Commission why they need to know this and what they will do with the information.

Here is the Care Commission's answer:

'This data item is part of the information which we collect and pass on about the social care workforce in Scotland. Our role in collecting this information is purely as a data processor, and it will be used by the Scottish Executive to inform them about pay and conditions within the sector. The data will be used at an aggregate level, and it will not be used to identify individuals.

It is not mandatory from our point of view, and if someone does not want to complete it, they should just enter a number (preferably "0") to get through this part of the form and on to the next section.

We agreed to collect this information for the Scottish Executive in order to reduce the number of different information requests that go out to service providers from different sources, seeking the same information from providers.'

As service providers, therefore, you do not have to provide salary levels of named staff members to the Care Commission in this year's Annual Returns. However, if you choose to, these returns can be submitted in a way that protects the identity of staff such as providing initials rather than names.

If you would like to see further information about the Annual Return you will find this on the Care Commission's website at: www.carecommission.com/index.php?option=com_content&task=view&id=4563 http://www.carecommission.com/index.php?option=com_content&task=view&id=4563

And if you need help or have further questions about your Annual Return please contact the Helpline.

Supporting People Client Statistics, 2005-06

Each year local authorities are required to provide the Scottish Executive with information about numbers of service users using SP funded housing support. The SE has recently published a report on national statistics derived from this information for 2005/06.

The overall figure for the number of people using housing support in Scotland apparently fell in 2005/06 by 4% compared to 2004/05.

The report, however, advises overall figures to be treated with caution because of anomalies in the way local authorities have calculated the numbers from one year to the next. Two local authorities, for instance, (Renfrewshire and Edinburgh) report a combined reduction of 15,673 service users which we are told does not reflect the actual situation due to changes in the way the calculations were made in different years. By contrast Argyll & Bute's figures show number of service users increasing by 1,833 but this is due, in part, to some people using homelessness services not having been included in the first 2004/05 figures.

Given that the overall reported reduction is just 6,826 such calculation changes may account for much of the apparent change in the overall number. This means that the apparent decline in numbers of service users may simply mean services have moved into and out of Supporting People funding and are continuing to be provided but through another funding source.

Is there any correlation between SP Grant change and service user number trend?

The SP grant changed between 2004/05 and 2005/06 - with an overall reduction of £15.17m (-3.6%) although the actual change each local authority faced varied. It might be expected that trend in service user numbers would correspond with grant level trends.

There does not, however, seem to be a straightforward relationship between SP grant changes and service user numbers trends. There are, in fact, some notable instances where SP grant remained the same between 2004/05 and 2005/06 but service user numbers increased eg Glasgow, North Lanarkshire, East Ayrshire and West Lothian.

Type of service provider

Local authorities submit information to the Scottish Executive about the sector the provider of services to individuals works within.

Sector	2003/04	2004/05	2005/06
RSL	27%	26%	16%
Local authority	53%	53%	59%
	Social Work 25% Housing 28%	Social Work 25% Housing 28%	Social Work 38% Housing 21%
Voluntary orgs	17%	17%	20%
Private companies & individuals	4%	2%	3%
Other	0%	2%	2%

On the face of it the number of service users using RSL provided housing support has reduced whilst those using housing support services provided by local authorities has increased, as has, to a lesser extent, the number of people using voluntary sector services.

The trends in numbers of people using housing support services per sector varies greatly between local authorities. If you are interested in the situation within each local authority go to the Unit's website at xxxxxxxx.

Conclusions

Given the words of caution about reliability of the figures it is difficult to draw conclusions from the statistics presented by the Scottish Executive in this report. On the face of it numbers of services users appear to be falling and it would appear that the numbers of people using housing support services provided by RSLs is falling whilst the numbers using services provided directly by local authorities is rising. The extent to which this is due simply to services moving out of Supporting People funding is not known but is likely to account for part of this apparent change.

The publication can be accessed via the following link:
<http://www.scotland.gov.uk/Publications/2007/03/23141000/0>

Information Sharing with Local Authorities

Some providers have voiced concern that local authorities have asked for information on clients funded by Supporting People that affects their client's privacy and contravenes data protection legislation.

Survey

Scottish Women's Aid surveyed 39 of its affiliated members to find out if Women's Aid groups are asked to provide information to local authorities that could personally identify clients. They found that local authorities across Scotland had differing approaches.

Throughout Scotland 16 Women's Aid groups are required to provide information that included service users' names and National Insurance numbers. 3 are required to give the service users' names.

9 groups have negotiated a coded system with their local authority to ensure client anonymity and 8 other groups reported that their local authority required no personal information.

Womens Aid Groups – information required to provide to SP team	
Service user's name	3 groups
Service user name and other personal identification such as NI number or date of birth	16 groups
Code number or initial negotiated with SP Team	9 groups
Statistical return (no personal information required).	8 groups

Confidentiality

Confidentiality is key to the work of Women's Aid and groups are keen to avoid giving information that could personally identify clients.

Some groups tried to negotiate a system that ensure client anonymity that mirrored the systems used in other areas. However, most found that their SP team would not agree to a code identifier system. The SP teams in question gave a number of reasons why they required personal identification of service users. These included that the local authority:

- has to provide the information to the Scottish Executive
- needs the information for auditing

purposes

- uses a single shared assessment system such as carenap which covers housing, social work and health needs.

The Unit contacted the Scottish executive and a local authority SP team to find out if information that personally identifies service users is essential.

Scottish Executive

The Scottish Executive needs information from local authorities about numbers of individuals in receipt of services. **The Scottish Executive does not require local authorities to provide personal details of clients for the Supporting People return.** Many service users receive more than one service or repeatedly use the same service so it can be difficult to avoid double counting of individuals unless a personal identifier like a National Insurance number is used. As highlighted by the Scottish Women's Aid research some local authorities issue a personal identifier that maintains personal anonymity.

Single shared assessment and homelessness assessments

The use of housing support services by a person may indicate other housing, social care or health issues. Local authorities vary in terms of the way they do or do not link housing support service users to other assessment processes. A council may require providers to alert them to new service users to either:

- trigger a needs assessment of some sort ,
- or
- allow them to check previously carried out assessments

If this is the case then a service user could be alerted to this at the point of being asked by a service provider to give consent to personal information being passed to the council.

Information Sharing with Local Authorities

The issues

The different approaches that local authorities take to information sharing has caused some confusion although certain facts are clear.

1. Local authorities are required to produce accurate information on the number of individuals in receipt of Supporting People services.
2. To produce accurate figures some local authorities require that providers share information that can personally identify service users.
3. Other local authorities have devised systems which can produce accurate figures on numbers of individuals in receipt of Supporting People services that do not require personally identifying service users.
4. If personal information is to be shared the individual in question must be informed of this and must agree to the process.
5. Deciding not to give consent to information being shared should not affect an individual's ability to access a service otherwise consent cannot be said to have been freely given.

Local Authorities

If local authorities do require personal or sensitive information to produce accurate figures on the number of individuals accessing services they have certain duties under the data protection legislation. Local authorities must be clear with service providers and service users how they intend to use the information and how they intend to prevent misuse of the data.

Information Sharing Protocol

The Supporting People team in Salford, England has prepared a protocol for sharing information.

This document outlines exactly why information is requested and how it will be used and stored. This document is accessible to providers and can be given to service users to help them understand why they are being asked to agree to information being passed on to the local authority. Charlotte Lynch the Communications Manager with Salford City Council said " We

developed our Information Sharing Protocol to help people in receipt of housing support. By putting everything together in one form it made it easier for service users to see why they were being asked for information and how that information would be used and stored."

The document can be seen on the Salford City Council website at www.salford.gov.uk/information-sharing-protocol.pdf

Consent must be informed

If a local authority does expect a provider to pass on personal information the service user should be informed by their service provider that their details may be passed to a third party and for what purpose. The service user must give their consent for the information to be passed on.

Consent must be freely given

Local authorities are required to monitor the ethnic profile of service users to comply with their duties under equalities legislation and to do this they need basic information.

What if a service user refuses to give permission?

Service users can refuse to give consent for information to be shared. The data protection act requires freely given consent, which means that service users cannot be denied access to services because they refuse to give consent for information to be passed on.

Review

Scottish Women's Aid have called for all local authorities to review how and why personal information about service users is shared.

Jo Ozga of Scottish Women's Aid said "We would encourage all local authorities to adopt a system of counting individuals in receipt of services that does not involve personally identifying clients. This would protect individual's privacy and also allow for more accurate accounting as people would not be able to opt out of an anonymised system."

Supporting People Charging Policies

Councils can charge services users of long term housing support services. In the past councils have tended to use HB as a passport to a 'free' service as per guidance from the Scottish Executive. As a result sheltered housing residents not on HB have tended to be the main group to be charged for housing support.

Most councils are now amending their charging policies in line with new CoSLA guidance on charging in order to bring SP funded services more in line with other social care services. Revised charging policies typically take away the HB passport to 'free' services and involve a more in depth financial assessment of individuals using long term housing support services (defined by the Scottish Executive as those intending 2 or more years of contact with service users).

Impact on service delivery and on service users

At a recent SP providers event in Kilmarnock the new charging policies of East Ayrshire and South Ayrshire councils were the main topic for questions and debate. Some of the concerns that providers face were captured through a questionnaire delegates completed at the meeting.

Of 15 people who confirmed they were aware that their local authority had revised its charging policy, 6 were not aware of any impact the new charging policy has had yet with some mentioning that this might be due to limited implementation of the new policy. The comments made by the other 9 are summarised as follows:

Refusing support and repercussions

6 people have found that service users have refused support on the basis of being charged for the service. There have been repercussions of this refusal: homelessness, hospital admission and the need for crisis intervention were mentioned as well as a negative impact on other members of the family and carers.

Confusion and misperception amongst service users about charging

1 person pointed out that there is some confusion amongst service users about how the charging policy works. Some service users expect there to be a reduction in charges if the level of support reduces but this is not necessarily the case.

Another participant pointed to resentment amongst service users as they become aware they are paying different rates for similar services.

Impact on spending power

Another participant highlighted that charging is having an impact on service users' personal finance for things like holidays and social activities.

Errors in charging

2 participants highlighted problems with the billing arrangements. 1 mentioned one case where errors resulted in someone paying for support they had not received whilst they were in hospital.

Conclusions

From the responses to the questionnaire and the issues raised at this event it is clear that there is some uncertainty as well as some concern about how the revised charging policies are going to affect services and people using them. Already there are examples of people refusing to use services because of the new charges and this refusal can be linked to a further deterioration of a person's circumstances. Whilst the feedback from one event cannot be used to suggest these issues are widespread it is important to acknowledge the sorts of issues service providers are highlighting. Local authorities thus have an opportunity to take steps to avoid unintended consequences of their new charging policies as well as ensure that providers and service users know what to expect.

If you wish to comment on or share your experiences of revised charging policies please contact the SP Enabling Unit at: yvette.burgess@ccpscotland.org or telephone 0131 346 3147

Questions and Answers on Supporting People

Q. Although my local authority has conducted a service review I still have not heard what the outcome has been. I am worried that even though we have a good relationship with the council something has happened and they have decided not to enter into a full contract with us. What should I do?

A. There has been some uncertainty amongst SP teams within local authorities about whether they can proceed from service review to full contract given the new regulations regarding public sector procurement of services. The recent guidance from the Scottish Executive (highlighted on the first page of this Bulletin) may help to move things on. It may be a good time, therefore, to ask your SP team to confirm the timescale within which they will make a decision about continuing to fund your service.

I would also suggest that you check the letter of agreement or interim contract that you are working under to ensure you know how much notice the council is required to give you should it decide not to continue to fund the service.

Q. When will the results of the government's Comprehensive Spending Review come through? It is useful for voluntary organisations to get an idea of timescale so that they can keep their management committees informed.

A. August to the October is the official timescale. Past experience says it will be nearer the end of the year though - December might be more realistic.

Q. I am a registered social worker but manage a housing support project. Where will I register after 2009?

A. Currently the law does not allow Social Workers to appear on more than one register. This means that an individual would have to come off the social work register if they wanted to go onto the housing support register.

The SSSC recognises that there will be qualified social workers who work in housing support but wish to retain their social work registration and is calling for the law to be updated to allow dual registration.

Q If a part-time member of staff works in a number of sectors e.g. childcare and housing

support which register will they appear on?

A. People have to apply to be on both registers to ensure that they comply with the qualification requirements. However, they only have to pay one fee (which will be the higher of the two fees).

Q. What happens if someone has extended time off work due to illness or maternity leave and does not gain the required qualifications in time for re-registration?

A. People will be able to register with the condition that they gain qualification within 3 years. If after 3 years the person has not gained qualification it will go to a committee who will look at individual circumstances.

Q. Will I be able to access the Voluntary Sector Development Fund to help with the cost of training my housing support staff?

A. No. The Scottish Executive created the Voluntary Sector Development Fund (VSDF) in January 2004 to help voluntary organisations develop staff skills. This fund has not been available to housing support sector and is due to end in 2007/08.

Unfortunately you will not be able to access Scottish Executive Section 9 funding either. The money from this fund has been allocated for 2007/08 and the future of the fund after 2007/08 is under review.

Q. I am being challenged by my local authority to justify an hourly rate that they have calculated on the basis of out of date information (going back to 2003) about the number of hours of support each service user is receiving. I am concerned that funding may be jeopardised if I present information about the service that differs from their assumptions about it. What can I do?

A. I think you have 2 options. You could accept their way of calculating the hourly rate but look at ways of justifying it. Alternatively you could request that the council considers information about the actual service being delivered and what it costs as well as the part that Supporting People contributes to covering these costs. Personally I would favour the second approach as I think it provides an opportunity to create better understanding between the parties and opens the way to entering into a deliverable contract.

For Your Noticeboard

INTRODUCTION TO SUPPORTING PEOPLE COURSE

The Supporting People Enabling Unit has developed a one day course that is designed to promote an understanding of current funding arrangement of housing support.

By the end of the course the participants will have learnt about the....

- 21 tasks of housing support
 - role of the local authorities in commissioning housing support
 - regulatory context within which housing support operates
 - the model Supporting People contract
 - national and local SP reporting requirements

This course will be useful to.....

- staff in provider organisations and local authorities who are new to Supporting People
 - staff / volunteers in advocacy agencies
 - board members of voluntary organisations

The course is taking place on.....

- 28 June 2007 Edinburgh
 - 5 July 2007 Glasgow
 - 18 July 2007 Dundee
 - 23 July 2007 Edinburgh
 - 25 July 2007 Glasgow
 - 23 August Glasgow

The booking form and fee structure.... can be viewed on the Unit's website at www.ccpscotland.org/spunit/events/coming_events.php To book a place please complete the form and email to sp.unit@ccpscotland.org or post to Laura Turnbull, SPEU, 9 Ellersly Road, Edinburgh, EH12 6HY

Publications

The **Supporting People Outcomes Framework Final Report** considers how outcomes for individual Supporting People clients could best be monitored and recorded both locally and nationally. A copy of the report is available on the Scottish Executive website and can be viewed at <http://www.scotland.gov.uk/Resource/Doc/172218/0048171.pdf>

Supporting People: Service Review and Budget Change Impact Monitoring also known as the Gen Report analyses the information local authorities provided the SE about service reviews in Oct 2006. The report is available on the Scottish Executive's website and can be viewed at <http://www.scotland.gov.uk/Resource/Doc/1035/0048536.pdf>

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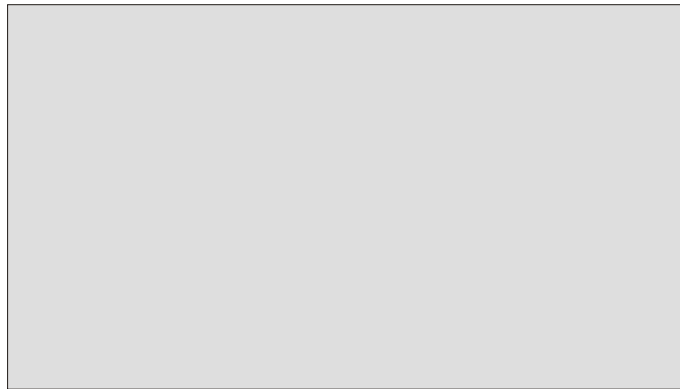
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Deep River



Deep Yellow

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10% Black