

## July 2022

### **National Care Service Bill launched**

The Scottish Government launched the National Care Service Bill on 21<sup>st</sup> June. Of the various aims of the National Care Service, the following are particularly significant with regard to housing and housing support:

- support people in their own homes or among family, friends and community wherever possible, with seamless transitions between services
- focus on prevention and early intervention before people's needs escalate
- ensure fair employment practices and national pay bargaining for the social care workforce

The Bill sets out the role of new 'care boards' which will be responsible for planning and delivering services locally. The new care boards will be required to create strategic plans and review these every three years. These strategic plans must be approved by Ministers and must be reviewed every three years. Care boards will be required to produce an annual report for Ministers to approve.

Members of the new care boards will be appointed by Scottish Ministers, as will their chief executives. Regulations will be developed which will set out maximum and minimum numbers of members and any required qualities or qualifications. Any staff members of the care boards will be employed on terms and conditions set by Scottish Ministers.

The Bill requires Scottish Ministers to develop a National Care Charter to set out rights and responsibilities before the National Care Service becomes operational. It also paves the way for data about people using services to be shared between the new National Care Service and the NHS.

A [consultation exercise](#) was launched on 8<sup>th</sup> July and the Scottish Government is encouraging people to respond to various questions it has set out and / or take part

in less formal engagement with the [Health, Social Care and Sport Committee](#). The consultation deadline is 2<sup>nd</sup> September.

The Unit, in conjunction with the Scottish Federation of Housing Associations, is planning to host a meeting on 10<sup>th</sup> August to examine the Bill and consider what it might mean for housing support and supported housing, and how we should respond to the consultation. If you are interested in taking part please contact [Yvette Burgess](#) for further details.

## **Anne's Law**

Another aspect of the Bill deals with the rights of people living in care homes to have visitors, even during future pandemics and outbreaks of infection. This is known as 'Anne's Law' and Section 40 of the Bill requires Ministers to develop Directions to protect people's rights to visitors. The Scottish Government is currently drafting Directions which will be presented to parliament during Stage 1 of the Bill in the autumn. The Scottish Government has indicated that this may be extended to supported housing at some point, and that there may be scope to apply Anne's Law to just some types of supported housing rather than all types. Supported housing providers that provide self-contained tenancies generally found that their tenants could manage their own visitors in line with the rules set out for the general population. However, some supported housing providers have already suggested that further clarification or legislation about supported people's rights to having visitors during a future pandemic would be helpful.

Please get in touch with [Yvette Burgess](#) to share your views and offer examples of situations where further guidance would be helpful.

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## **Changes to the Care Inspectorate's Quality framework for housing support and offender accommodation**

The Care Inspectorate is planning to make amendments to the [Housing Support and Offender Accommodation](#) quality framework:

### **1. Plans to delete Question 7 and create a new indicator 1.5 about infection prevention and control**

Question 7 (introduced during the COVID-19 pandemic) is to be deleted along with its 3 associated indicators:

Question 7: How good is our care and support during the COVID-19 pandemic?

Associated Indicators:

7.1 People's health and wellbeing are supported and safeguarded during the COVID 19 pandemic

7.2 Infection prevention and control practices support a safe environment for people experiencing care and staff

7.3 Staffing arrangements are responsive to the changing needs of people experiencing care.

**The Care Inspectorate has invited feedback about how organisations found Q7 and the associated indicators during the pandemic.**

### **2. Plans to create a new indicator**

**The CI is creating a new 1.5 indicator sitting within Question 1: How well do we support people's wellbeing?**

A new 1.5 indicator has already been introduced for care at home and a new housing support / offenders accommodation indicator is likely to be similar:

1.5 People's health and wellbeing benefits from safe infection prevention and control practice and procedures.

Please send any comments to [yvette.burgess@ccpscotland.org](mailto:yvette.burgess@ccpscotland.org)

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## Updated guidance on Covid-19 for social care

Public Health Scotland and Antimicrobial Resistance and Healthcare Associated Infection (ARHAI) Scotland have jointly produced the latest [guidance](#) on Covid-19. The guidance now covers: care homes; services working with people experiencing homelessness as well as supported housing; sheltered housing; and other care and support services delivered to people in their own homes.

The guidance includes a section on re-introducing visits by community groups into residential settings such as care homes.

The National Infection Prevention and Control Manual: [Appendix 22](#) sets out IPC guidance for social care services working in the community and represents a move back to 'business as usual' measures, rather than measures created to deal with the pandemic.

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## Housing Benefit and Supported Housing – latest updates

As highlighted in our previous edition of the eForum, the UK government is planning to make changes to the way the housing benefit system deals with supported

housing. We know how important the prospect this change is for supported housing providers in Scotland. In May the Unit, in conjunction with the Scottish Federation of Housing Associations, conducted a roundtable discussion with a variety of supported housing providers and heard about the important role that the housing benefits system continues to make in funding the housing element of supported housing.

## **1. New guidance**

On 22<sup>nd</sup> May, the DWP issued [new guidance](#) to HB Revenue and Benefits teams. This may prompt changes to the way supported housing HB claims are dealt with in advance of any changes to legislation. The new guidance puts the onus on HB teams to scrutinize supported housing services and the charges associated with those services. Where it is not clear how support is funded, LAs are urged to consider deducting the cost of support from the eligible rent / service charge. Significantly, the guidance does not attempt to define what constitutes 'minimal support and supervision' and guards against defining it according to hours of support.

## **2. Inquiry into Exempt Accommodation by the Levelling Up, Housing and Communities Committee**

One of the themes that has emerged during evidence sessions of the UK Government's Levelling Up, Housing and Communities (LUHC) Committee [inquiry](#) into Exempt Accommodation in England has been the lack of available data. To help rectify this, the way that HB teams record data about HB claims is changing. In its [recent guidance](#) about data collection, the DWP suggest that LAs keep a register of supported housing properties. In addition, the Department for Levelling Up, Housing and Communities (DLUHC) is planning to commission research to find out more about the HB spent on supported exempt accommodation.

At the beginning of July, the LUHC Committee met once again and heard further evidence of the problems that have been experienced in England. This was the [last evidence gathering session](#) of the Inquiry into Exempt Accommodation; the next step will be for the Committee to report on its findings and recommendations. This session once again highlighted the need to be clear what care, support and

supervision looks like in the context of supported housing and HB rules. It is significant that reference is being made to defining standards for support rather than simply creating a new definition in HB regulations. This chimes with the way that the new HB guidance for supported housing claims guards against a new definition in terms of hours of support. Also of significance, Eddie Hughes, MP and a minister for DLUHC, stated he was not in favour of capping the rent levels for supported exempt accommodation. Eddie Hughes is the only DLUHC minister to remain in post after the recent raft of resignations and the sacking of Michael Gove as Secretary of State for Levelling Up, Housing and Communities.

### **3. Next steps**

The DWP is engaging with stakeholders to discuss standards for support in Exempt Accommodation in England. The Unit understands that the Scottish Government has been invited to take part but it is not clear if any other stakeholders in Scotland have been invited.

In the meantime the Scottish Government has been discussing HB and Exempt Accommodation with Cosla and local authorities.

The Unit is looking to set out examples of Exempt Accommodation in Scotland to help to counter the extremely negative view of supported housing that is developing at Westminster. At our meeting with providers in May we heard how important it is to highlight that the voluntary sector and housing associations invest in supported housing and therefore should not be simply regarded as a drain on expenditure through the HB system. If your organisation would be interested in contributing to this work please get in touch with [Yvette Burgess](#) at the Unit.

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## VSDF applications for housing support

Applications to the 2022-23 Voluntary Sector Development Fund (VSDF) are now open. The fund supports voluntary sector organisations providing social services that are registered with the Care Inspectorate.

For 2022/23 the groups of support workers that will be considered for VSDF support are those in housing support services and those in care at home services.

A maximum of £1,200 is available for each worker who undertakes the SVQ in Social Services and Healthcare at Scottish Credit and Qualifications Framework (SCQF) level 6 or level 7 after 1 January 2023. There will be an upper ceiling of £24,000 that any one organisation can receive.

More information and the application form can be found at the [SSSC website](#).

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## New CCPS website

[The new Coalition of Care and Support Providers \(CCPS\) website](#) went live at the end of June. It provides a fresh and attractive window into work and activities undertaken by the organisation on behalf of its membership – a membership that offers a wealth of third sector care and support across Scotland.

Jointly hosted by CCPS and the Scottish Federation of Housing Associations (SFHA), the Housing Support Enabling Unit (HSEU) has its own space on the website. Visitors will find information and news about the Unit, HSEU resources and publications (including the eForum!), and an overview of our digital outcomes-monitoring tool, Better Futures.

Find out more at [www.ccpscotland.org/hseu](http://www.ccpscotland.org/hseu). We'd love to hear what you think!

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## Scottish Government

### Workforce Wellbeing Fund - deadline coming up!

It's not too late to apply for funding to help you to promote the wellbeing of housing support or supported housing staff through the [Workforce Wellbeing Fund for Adult Social Work and Social Care](#). The fund is administered by Inspiring Scotland.

The fund can pay for activities and/or items that will help the workforce. You can apply for up to £5,000 for immediate impact projects or up to £10,000 for longer term impact projects.

The application deadline is 29<sup>th</sup> July 2022.

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## Adult Disability Payment

From 29<sup>th</sup> August the new Adult Disability Payment will replace the Personal Independence Payment in every local authority area across Scotland. The introduction of this payment will also bring changes to the decision-making process and ways in which information is gathered in support of clients' applications.

In order to raise awareness and understanding about the changes, Social Security Scotland is using the hashtag #doingthingsdifferently and inviting sector professionals along to events covering:

- How Social Security Scotland will make a decision on a client's application
- The process for organisations when supporting information is requested by Social Security Scotland
- An overview of the consultation process and decision report
- The application process and general policy

- Cross-cutting policies such as special rules for terminal illness and debt, overpayment and hardship

More information about these events can be found at Social Security Scotland's Twitter page @SocSecScot.

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## Better Futures

### Better Futures Annual Event

The next annual Better Futures event will take place online in autumn. These events provide an opportunity for existing and potential Better Futures housing support providers to come together for talks, workshops, discussions and demonstrations.

We have an outline plan in place for four sessions at the moment, which are designed to:

- Demonstrate and showcase Better Futures – for potential new providers as well as existing users looking for refresher training and information
- Examine regulations and gain insights into the role and function of the Care Inspectorate – and how these relate to Better Futures and the introduction of the new National Care Service
- Consider the developing function of digital technologies in delivery of housing support and social care – ensuring government and policy makers gain insight and input from Better Futures providers as they develop new national health and social care digital strategies
- Investigate approaches to homelessness – and how Better Futures can support them

We are keen to look at other topics and issues too. If you or your organisation would like to examine particular topics (e.g. cyber security) or service user groups (e.g. older people) and would be keen to present or contribute to panel discussions,

# eForum



please contact [the Unit](#). A date for the event has not yet been decided, but it is likely to take place during late October or early November.

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The Housing Support Enabling Unit is a partnership initiative between Coalition of Care and Support Providers Scotland (CCPS) and Scottish Federation of Housing Associations (SFHA), funded by the Scottish Government.

CCPS is a limited company, registered in Scotland under the company number of SC279913. The company's registered office is at Norton Park, 57 Albion Road, Edinburgh EH7 5QY. CCPS is a registered Scottish charity: No. SC029199.