



House of Commons  
Communities and Local  
Government Committee

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# The Supporting People Programme

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## Communities and Local Government Committee

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## Summary

There is much to celebrate in the work of CLG, local authorities and their partners in delivering the Supporting People programme. The programme has been instrumental in supporting the needs of some of most vulnerable and socially excluded members of society and delivers savings to the Exchequer of £3.4 billion for a £1.6 billion investment per annum. The quality of partnership working under the regime—which has led to the creation of many innovative and person-centred services—is widely recognised, and is regarded as an excellent blueprint for future partnership working in many areas of local service delivery.

Despite the many successes of the programme to date, our inquiry comes at a time when a degree of uncertainty hangs over the future of Supporting People. We acknowledge concern amongst our witnesses about the loss of the ‘protective’ ringfence on Supporting People funds, particularly in the current economic climate. Many of the issues we highlight in our report are compounded by witnesses’ uncertainty about the future impact of changes to the funding regime. It is clear to us that transparency from local authorities in the way Supporting People services are funded, and a continued commitment by the Government to three-year funding settlements for local authorities, will continue to be critical in the future.

Our report considers how well the Government has delivered against its commitments in the 2007 Supporting People Strategy. We believe that progress has been good overall, although there are some areas in which more rapid progress, or greater clarification as to how objectives will be achieved, is needed. Two major issues stand out to us as requiring a much more immediate and concentrated focus: the burden of the competitive tendering regime for Supporting People services; and the lack of clarity as to the future of accommodation-based services for older people.

Alongside changes in the Supporting People funding regime, the wider local government landscape is going through considerable transformation, with the development of Local Area Agreements and a change in the performance regime with the advent of Comprehensive Area Assessment. Whilst we wholeheartedly support a less target-based inspection regime and moves to devolve decision making about local service provision to the local level, vulnerable people must not lose out as local authorities and their partners grapple with tightening budgets and the challenges of delivering services in a multi-agency environment. We are concerned that mechanisms to ensure service users’ involvement in decision-making may be lost—and go unnoticed in inspection—and that Third Sector organisations, which have a wealth of knowledge and expertise about the needs of vulnerable people, could also be overlooked or put under undue pressure as local authorities focus too heavily on the cost of providing services, as opposed to considerations of quality.

We are concerned at reports that the needs of some groups are still unmet, and we have particular concerns about service users who are ‘transient’ and may rely on services being joined up across local authority boundaries. We recommend that CLG redouble its efforts to encourage local authorities to identify need and plan services together. We also

recommend that housing-related support be specifically referenced in new guidance for joint strategic needs assessments for social care and health.

The Supporting People programme has led to the development of some excellent management tools such as the Quality Assessment and Outcomes Frameworks. The programme has also promoted robust governance, decision making and user involvement structures. We conclude that the loss of any of these developments would be a serious risk to the future of housing-related support. The Outcomes Framework in particular, which is able to show how service users' needs have been met, must be retained to help build a much-needed evidence base to show which kind of interventions are best able to meet service users' needs.

In the absence of any statutory footing for, or precise definition of, housing-related support, we discuss how central government departments need to be more proactive in identifying how their services contribute to the delivery of housing-related support. We see local authorities being expected to deliver services in complex partnership arrangements with a clear focus on outcomes, but the example is not always being set by central government departments. We are encouraged by the recent Social Care Green Paper, *Shaping the Future of Care Together*, which has been helpful in underlining the need to bring housing, health and social care together. This is a positive move, but greater efforts are still needed from CLG to continue to raise the profile of Supporting People services, particularly in the absence of a ringfence to contain the Supporting People 'brand'.

# 1 Introduction

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1. The Supporting People programme was launched on 1 April 2003. The main aim of the programme was to help end social exclusion and to enable vulnerable people to maintain or to achieve independence through the provision of housing-related support. Supporting People is a grant programme which is administered through all 152 top tier local authorities, in partnership with housing, health, adult social care services and probation. It is delivered largely by the Third Sector and helps around 1 million people from the following client groups at any one time:

- People who have been homeless or a rough sleeper
- Ex-offenders and people at risk of offending and imprisonment
- People with a physical or sensory disability
- People at risk of domestic violence
- People with alcohol and drug problems
- Teenage parents
- Elderly people
- Young people at risk
- People with HIV and AIDS
- People with learning difficulties
- Travellers
- Homeless families with support needs.

2. Since the inception of Supporting People in 2003, the Government has spent over £8.7 billion on the programme. Research by Cap Gemini has shown that this investment has delivered net benefits to the Exchequer of £3.4 billion for a £1.6 billion investment per annum.<sup>1</sup>

3. In June 2007, the Government published the first strategy for the Supporting People programme. This strategy, entitled *Independence and Opportunity: Our Strategy for Supporting People*, was based on four key themes:

- Keeping people that need services at the heart of the programme;
- Enhancing partnership with the Third Sector;
- Delivering in the new local government landscape; and
- Increasing efficiency and reducing bureaucracy.

Under each theme, the Government set out what it would do to achieve the aims of the programme, what it expected Supporting People commissioners and providers to do, and what services users should therefore be able to expect from housing-related support services.

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<sup>1</sup> Cap Gemini (for Communities and Local Government), *Research into the financial benefits of the Supporting People programme* (July 2009) p 9.

4. In April 2009, the ringfence on funding for the Supporting People programme was lifted and, from April 2010, funding is due to be paid through the 'Area Based Grant'—a sum of money which local authorities are able to spend however they see fit, according to their own local priorities. We therefore felt it timely to review the extent to which the Government has, so far, delivered on the commitments it made in the Supporting People strategy and to consider the implications of the removal of the ringfence, asking what needs to be done to ensure that the successes of the programme so far are not lost, or services cut, following the change; and what opportunities this change in the funding mechanism will offer for innovation and improvement in the delivery of housing-related support services.

5. During our inquiry, we received evidence from a large and wide-ranging group of stakeholders. In addition to four oral evidence sessions, we received written memoranda from well over 100 witnesses. We would like to thank all contributors for providing their invaluable insights into the operation of the Supporting People programme. Special thanks are due to Supporting People service provider, Thames Reach, and to a resident of a London council sheltered housing provision for hosting the Committee's visits, at which we learned first hand about the realities of providing and receiving Supporting People services on the ground.

6. Our report considers how the Government, local authorities, and their partners have delivered against the aims of the Supporting People strategy. The issues and arguments we consider are complex and interconnected and often require background explanation of technicalities and specific Supporting People terminology.

7. We have structured our findings around each of the Supporting People strategy's four key themes. We then go on to discuss the financial aspects of the programme and to give particular consideration to the issue of sheltered housing for older people.

## 2 Keeping people that need services at the heart of the Programme

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8. The Supporting People Strategy states the Government’s ambition for “people to have services which are appropriate and responsive to their individual needs and expectations.”<sup>2</sup> It outlines a range of commitments for central and local government in delivering this objective. During our inquiry, we learned of a great many cases where the needs of some of the most vulnerable and ‘invisible’ groups in society have been significantly promoted by the programme. HMI Probation, for example, illustrated this to us in oral evidence:

I think one of the great benefits of Supporting People is the way it made offenders centre stage in looking at the vulnerability agenda because Supporting People has been much more about supporting vulnerable people rather than an over-concentration on bricks and mortar. Before these arrangements probation was in something of a silo that did not really communicate effectively with local authorities and I think having Supporting People has been a catalyst for probation to be working effectively in partnership but also making sure that offenders who have multiple needs are seen as one of the vulnerable groups.<sup>3</sup>

9. However, the evidence we received indicated that there are some major issues in “keeping people that need services at the heart of the programme” which remain unresolved. For some witnesses, there is a sense that the needs of certain service users are being “lost’ within the needs of the wider client group.”<sup>4</sup> For others, this failure is more sweeping, with witnesses identifying a fundamental lack of service user empowerment and involvement in the delivery of the Programme across the board:

An area of weakness in the delivery of the strategy has been the real empowerment of service users in the design, delivery and monitoring of the strategy, at national and local levels. This has never been a strength of SP and greater effort is needed by all parties to ensure that service users are truly “at the heart” of the programme.<sup>5</sup>

### Can users access the types of services they need?

#### *Generic and specialist support*

10. Supporting People services cater for an extremely wide range of client groups. It is an aim of the Programme for these services to be flexible and tailored to individual needs. Alongside this aim, local authorities have a duty to ensure value for money in the services they provide, as Andrew van Doorn of Hact put to us in oral evidence: “How do we make

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2 Communities and Local Government, *Independence and Opportunity: Our Strategy for Supporting People*, June 2007, p 6.

3 Q 1

4 Ev 138

5 Ev 180

sure that the resources we have that are limited actually reach the most number of people?”<sup>6</sup> It can be a difficult task to reconcile cost with truly person-centred services for all those in need.

11. It was perhaps no surprise, therefore, when witnesses told us that some specialist needs are not being addressed due to local authorities moving towards the purchase of large, generic, services which are able to address the needs of a wide range of clients. Evidence from domestic violence charity Refuge demonstrated how serious the impact can be when the particular needs of a client group are not handled by a specialist organisation:

In the field of domestic violence there has been a trend for the commissioners to make the floating support<sup>7</sup> services generic and not geared to the need of any particular specialist group and that has been dangerous because everything about domestic violence services needs to be particularly thought out. For example, the moment when a woman first calls for help is the moment when the most dangerous thing she can do is try to leave. That is when 75% of the murders take place. So the point of referral needs to be very carefully handled by a specialist organisation.<sup>8</sup>

Conversely, several witnesses including, for example, provider organisation Family Mosaic, explained that the introduction of generic floating support services has also been a major success of the Supporting People programme in terms of engaging with some ‘hard-to-reach’ and excluded groups:

The introduction of large generic floating support services, which can support anyone who needs it within a community, has had a massive effect. The majority of service users referred into floating support including through self referral are people who do not receive services from any other agencies; they previously would not have been picked up by statutory agencies and literally had no support.<sup>9</sup>

12. Whilst most witnesses we spoke to recognised the need for a ‘portfolio’ of services—some generic, some specialist—we learned that moves towards increased commissioning of generic floating services create secondary issues in the provider market in terms of the sustainability of smaller, specialist, and often Third Sector, providers. Maurice Condie of Byker Bridge told us that whilst floating support “has been an incredibly positive thing for a huge number of our service users”<sup>10</sup>, it was more likely to be tendered as a generic service, meaning that “small voluntary agencies do not get a look in because it is one big tender for maybe eight or ten services.”<sup>11</sup>

13. The significance of losing the expertise of small Third Sector providers was brought home to us by Hact, which explained to us that

6 Q 77

7 Floating support, as opposed to accommodation-based support, is not tied to accommodation. It can therefore be used to provide services to users in a variety of accommodation settings.

8 Q 98 [Ms Keeper]

9 Ev 66

10 Q 105

11 *Ibid.*

A lot of supported housing and housing support came from Third Sector organisations identifying the needs in their local areas and creating services to do that, and also through voluntary effort. Once that social capital is lost it is not easily replaced. I think we should be worried about those kinds of things.<sup>12</sup>

14. The Audit Commission, in accordance with several other witnesses, saw a move towards increased commissioning of generic support as a “risk” of the Supporting People ringfence being lifted.<sup>13</sup> Hact raised a more fundamental issue, suggesting it was not possible to tell whether or not those fears were justified because of the lack of a clear evidence base demonstrating the effectiveness of different models of intervention in meeting the needs of service users. As Andrew van Doorn said, “We really do need to invest in that evidence base so that providers and commissioners can make the right kind of decisions about how to meet the needs that exist in our communities.”<sup>14</sup>

### ***Short term, critical needs versus long term support: attaining or maintaining independence?***

15. A central premise of the Supporting People strategy is that it should help people “to attain or maintain independence”.<sup>15</sup> ‘Attaining’ independence implies progress: from a state of dependence—for example on drugs or alcohol—to independence. For many service users, this focus on recovery, through a range of low, medium and high level interventions, is key to them achieving successful outcomes. Mental health charity Rethink presented us with a case study to illustrate this point:

One service user [...] was discharged from a secure unit and went into a 24 hour supported housing for two years and established community living. She then moved on to lower supported housing and entered employment. She would never have been able to make the move directly from forensic secure<sup>16</sup> to low support as the judge and the forensic services involved in her case needed to know the risk management structures and specialist support was in place to support her appropriately and maintain community safety.<sup>17</sup>

16. However, for other users of Supporting People services, ‘maintaining’, rather than ‘attaining’, independence may be more relevant. Into this category may fall, for example, older people, or individuals with learning difficulties, for whom recovery and ‘moving on’ to full independence are unlikely outcomes of their engagement with Supporting People services. This point was illustrated in evidence from Brighton and Hove Sheltered Housing Action Group:

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12 Q 65

13 Ev 174-75

14 Q 77

15 Communities and Local Government, *Independence and Opportunity: Our Strategy for Supporting People*, June 2007, Executive Summary.

16 Forensic psychiatry deals with some of the most disturbed and difficult to manage patients in psychiatric practice. Its focus is the assessment and treatment of mentally disordered offenders, and other patients, presenting with severe mental disorder in association with significant behavioural disturbance. Treatment settings vary from high security hospitals through to medium secure units and community forensic services, as well as the opportunity to treat patients in prison settings.

17 Ev 97

Sheltered Housing is different to most other categories of service user in that there is no next step [...] Ex-offenders will move from one band to another in a progression that hopefully means they will be able to participate equally within society, and similar outcomes are available for rough sleepers, substance misusers, teenage parents [...]. There is no such outcome for Older People. For the majority Sheltered Housing is their last home. The only progression will be a wooden box.<sup>18</sup>

In this context, learning disability charity Mencap warned against viewing all Supporting People services as a “cure”<sup>19</sup> and concurred with Rethink’s judgment that “there is currently little provision under the system for the minority of people for whom complete independence is not a possibility and who will need low level support on an ongoing basis.”<sup>20</sup>

17. A great deal of evidence we received focused on the importance of low level, long-term interventions for older people—and more specifically, sheltered housing. The issue of sheltered housing is discussed in greater detail later in this report, but it is important to highlight at this stage that some other client groups appear to be experiencing similar problems in securing appropriate services.

### ***Conclusions: can users get the types of services they need?***

**18. Supporting People has been good at raising the profile of vulnerable groups, but there are still some whose needs are not being properly addressed. As the Supporting People programme develops, further steps need to be taken to ensure that those needs are met. As we have seen, particular care needs to be taken as delivery mechanisms for Supporting People services are developed. Generic and specialist services are both important but local authorities need to be careful not to lose specialist services in the rush to rationalise delivery and ‘make the money go further’. In particular, while Supporting People has been excellent in helping people to ‘move on’ to independence, there is a shortage of low-level, long-term preventative support services, such as supported housing, for people who are less likely to ‘move on’ and instead need to ‘maintain’ independence.**

**19. We agree with Hact that a clear evidence base demonstrating the effectiveness of different models of intervention in meeting the needs of service users is crucial if the problems described in the above paragraph are to be addressed and providers and commissioners of Supporting People services are to make decisions which keep users at the heart of services. We recommend that CLG take steps to ensure that evidence base is developed and made widely available to Supporting People providers and commissioners.**

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18 Ev 191

19 Ev 151

20 Ev 97

## Service user involvement

20. Several commitments within “Independence and Opportunity” promote service user involvement throughout the life of services, from commissioning to monitoring and review. Most witnesses recognised this involvement as vital in ensuring service quality. In common with several witnesses, provider organisation Family Mosaic’s evidence stated that “We can honestly say that our services are better and more responsive because of the service users’ involvement.”<sup>21</sup>

21. During our inquiry, we heard of many examples of very effective service user involvement, such as Hampshire having permanent user representation on its Commissioning Body and Stoke inviting service users to partake in review panels when services are recommissioned. 148 out of the 150 commissioning authorities make service user involvement a condition of their contracts,<sup>22</sup> and contract compliance is monitored through the Quality Assessment Framework.

### **The Quality Assessment Framework**

**The Quality Assessment Framework (QAF) is an annual self assessment for service providers which measures levels of performance against six key objectives: needs and risk assessment; support planning; security; health and safety; protection from abuse; fair access, diversity and inclusion; and complaints.**

**Although its use is no longer mandatory, the QAF has become an essential part of administering authorities’ means of ensuring that providers deliver services to an acceptable standard and in accordance with contractual expectations. It is widely held to be one of the great successes of the Supporting People programme:**

**[The] Quality Assessment Framework ensures that service users have to be integrated throughout the organisation, throughout the strategic and operational element of the organisation and that is a real strength in relation to Supporting People.<sup>23</sup>**

**A revised QAF was released by CLG in April 2009. This new QAF contains an increased emphasis on client involvement and empowerment, focusing on involving service users and supporting them to be provided with resources which allow them to make informed decisions. For example, documents should be in an appropriate format to suit client needs. The QAF aims to ensure that clients are involved at all levels, from individual client engagement to user involvement in service delivery and setting strategic priorities for Supporting People services.**

21 Ev 65

22 Q 39

23 Q 32

22. In addition to the focus on service user involvement in the QAF, CLG also introduced the Supporting People Outcomes Framework in 2007. This framework is described as “one of a few frameworks which is able to evidence if service user needs have been met or not whilst in receipt of Supporting People services.”<sup>24</sup> A key criterion of the Outcomes Framework is that service users have support plans which clearly identify their housing support needs and ensure their involvement in identifying the outcomes they hope to achieve through engagement with Supporting People services. CLG claims that “The result has been greater control and choice of which service people wish to access.

### **The Outcomes Framework**

**The Supporting People Outcomes Framework, which is able to demonstrate whether service user needs have been met whilst in receipt of Supporting People services—was launched in May 2007. The framework was intended to support the process of commissioning for common outcomes and contains key outcomes of interest at service level, local level, regional level and national level. It provides a standard set of outcomes data to give authorities a consistent baseline to indicate what outcomes are being achieved. The use of the Outcomes Framework by local authorities has never been mandatory, but is encouraged by CLG.**

23. However, despite some excellent practice, our evidence showed a tendency for local authorities to think that user involvement is working well, but for service users themselves to be less convinced.

24. The Supporting People strategy states that “Through the Quality Assessment Framework and support planning, individuals can have a clear say over what support they receive and over how and when they receive it. This can range from something as simple as agreeing the time of a visit, to being able to agree what sort of support services are needed”.<sup>25</sup> Whilst the overwhelming majority of the evidence we received recognised the QAF as being highly effective in this respect, Mencap’s evidence cited research undertaken by the Joseph Rowntree Foundation in 2007 into the impact of the Supporting People programme on people with a learning disability. One of the findings was that the concept of user choice was not always being properly facilitated:

Fundamental choices, such as where to live, who to live with and who to receive support from, were still typically made by service managers or commissioners.<sup>26</sup>

25. During our visit to a resident in local authority sheltered housing, we heard of elderly residents’ frustration over the lack of consultation and communication by the local authority as to how services were delivered. It was claimed that residents were not consulted about changes to their services and that the local council tended to convene

24 Ev 220

25 Communities and Local Government, *Independence and Opportunity: Our Strategy for Supporting People*, June 2007, p 15.

26 Ev 151

meetings relating to sheltered housing in venues which were inaccessible to elderly people. We also heard that communications with residents from the local authority and health services were confusing, leading to a lack of understanding amongst residents as to what services were available to older people in the area.

26. An inevitable consequence of inadequate user involvement in the design and delivery of services is complaints. Unfortunately, the evidence we received suggests that mechanisms for handling complaints have been a weakness of the Programme, particularly for users of sheltered housing schemes. Age Concern & Help the Aged's joint submission explained that

Residents who make complaints to their provider are referred to the commissioning authority that may then refer them back to the provider. It appears that neither the Local Government Ombudsman Service nor the Housing Ombudsman Service take responsibility for complaints in this area. Residents who previously wrote to the Housing Corporation or CLG have been told that they cannot deal with problems as they are the responsibility of the local commissioning authority.<sup>27</sup>

27. This point was backed up by Nigel Hamilton of Sitra, who explained to us where he believed the accountability for dealing with users' questions and complaints should lie:

There is a very important point there I think about service planning and making sure that the support plan is honestly and openly discussed with the service user so that they are very clear that they do know what they will get and that the provider and the commissioner can be held accountable for that. [...] Ultimately it must be the commissioner's responsibility to ensure that those procedures are there, but certainly in terms of the present arrangements whereby someone is referred to a service then it will be the service provider's responsibility to have that discussion in an open and honest way.<sup>28</sup>

28. Several local authorities raised the failure of the government to put into effect Charters for Independent Living, a commitment of the 2007 Strategy. The Audit Commission's inspections of Supporting People services found "no evidence [...] of the impact, or any improved outcomes for services users, from the development of charters for independent living [...]".<sup>29</sup> These charters were intended to provide service users with information on the standards and accessibility of service they should expect from Supporting People providers, including details of relevant complaints procedures.

29. When we asked CLG about the lack of progress with charters, we were told that

The Charters for Independent Living are relatively new, so I would not expect to see any evidence to suggest that services users have gained from the Charters. However, in terms of the Quality Assessment Framework, for any provider to have reached a

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27 Ev 128

28 Qq 33-34

29 Ev 172

minimum standard the local authority should ensure that each service user has an understanding of where to go for a complaints procedure.<sup>30</sup>

We were also advised that a Ministerial group which was set-up in response to Age Concern and Help the Aged's *Nobody's Listening* report will address complaints handling as part of its wider remit to look at a range of ways in which to listen and work with residents in sheltered accommodation.

### **Conclusions: Involvement, communication and consultation with service users**

30. User involvement is crucial to Supporting People services. However, it is not happening consistently and users tend to feel that they are not being listened to. Communication and consultation with service users is not always good—sometimes very poor—and this leads to complaints. But complaints handling mechanisms themselves are seen to be a major weakness by many service users.

31. There is some very good practice, but there is clearly also some poor performance which needs to be addressed. The tools for ensuring appropriate and high quality services—the Quality Assessment Framework and the Outcomes Framework—already exist and are widely used. However, they are not mandatory. **We recommend that the QAF and the Outcomes Framework should be mandatory for all local authorities unless and until they can demonstrate that they are achieving a high level of involvement, communication and consultation with service users, and a commensurately high level of client satisfaction.**

32. Meanwhile, **progress with Charters for Independent Living has been too slow. Consequently, there has been an inadequate focus on clarifying complaints mechanisms and other means of ensuring that individual service users get the services they need. We recommend that CLG prioritise the implementation of Charters for Independent Living, with a particular focus on clarifying complaints handling mechanisms.**

### **Service user involvement in the new local government landscape**

33. The potential loss of dedicated Supporting People teams, Commissioning Bodies<sup>31</sup> and service user involvement mechanisms resulting from the change in the funding mechanism is regarded as a potentially serious risk to user involvement. The risk is that such structures may be subsumed within generic commissioning teams and Local Strategic Partnership decision-making structures, compromising their ability to focus on Supporting People client groups. As Helen Williams of the National Housing Federation told us, “Some Local Strategic Partnerships are not well set up to hear the needs of vulnerable people or to listen to those needs locally.”<sup>32</sup> Sitra expressed “concern that new

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30 Q 329

31 The membership of a Supporting People Commissioning Body comprises all statutory partners in an area: districts (in two-tier areas), health and probation. A Supporting People Team is employed by the local authority and delivers against the decisions of the Commissioning Body.

32 Q 51

decision making structures may be further removed from service users who may, for example find it impossible to access LSPs”.<sup>33</sup> These comments come in the light of evidence from a service user showing that even some existing dedicated Supporting People bodies can be difficult to engage:

A [...] problem with SP is their inaccessibility. It took the author [of this memorandum] over 6 months to be made aware that he and his fellow tenant reps could attend local SP meetings [...] and only a few weeks ago was he invited to an SP Core Strategy Group meeting where he was able to access just a little more information.<sup>34</sup>

34. Whilst these comments give some cause for concern, we are somewhat reassured by the focus on service user involvement in the new performance regime, the Comprehensive Area Assessment. Under that regime, “The views and experiences of local people are key sources of evidence for CAA”<sup>35</sup> and

[inspectors] will take account of the area’s own evidence about users’ views of local services. We expect this to include information about the views of: children and young people; those who may experience disadvantage in accessing public services; groups and individuals whose views are seldom heard; people whose circumstances make them vulnerable and the third sector.<sup>36</sup>

It is to be hoped therefore, that local authorities will recognise the continued need to provide effective mechanisms for user involvement, if nothing else then to succeed in inspections.

**35. Comprehensive Area Assessment cannot alone be relied upon to ensure the continued quality of Supporting People services. The development of Local Strategic Partnerships as decision-making forums for Supporting People services may pose a risk to user involvement in some areas. In order to retain a proper focus on housing-related support and facilitate good service user involvement in the decisions of local strategic partnerships, there is a very strong argument to keep the existing Commissioning Body and associated service user involvement structures established under the Supporting People programme. We return to this point later in this Report.**<sup>37</sup>

## Personalisation

36. A key concern for many witnesses is the challenge posed by the ‘personalisation’ agenda. Whilst most of the evidence we received supported the principles of user-centred services—and indeed, there was a widely held belief that Supporting People services are already highly personalised—many witnesses were rather more dubious about the

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33 Ev 201

34 Ev 188

35 Audit Commission, *Comprehensive Area Assessment Framework Document*, February 2009, p 37.

36 *Ibid.*

37 See para 81.

practicalities of such a system. Choice can confuse and discourage as well as stimulate. UNISON, for example, told us that it is

fully committed to service user involvement in service design, and to giving service users the maximum possible say in how they receive services. However, our members feel that service user involvement is not facilitated properly by Supporting People—many of them are asked to be involved in ways they cannot deal with. This will become more of a problem as the government's personalisation agenda is rolled out, through mechanisms such as individual budgets.<sup>38</sup>

In oral evidence, Charles Fraser of St. Mungo's told us that "[the St. Mungo's] service user group has said to us that they are getting rather impatient with this kind of thing. They find the plethora of choice rather disempowering".<sup>39</sup> Mr. Fraser also made the pertinent assertion that "Choice between poor services is not a good choice on quality services."<sup>40</sup>

37. The concept of Individual Budgets—whereby service users are given a cash or notional sum to spend according to their particular needs and circumstances—was the focus of much discussion within the evidence in the context of personalisation. Again, witnesses conveyed mixed views, with Sitra, for example, being generally supportive of the opportunity to further promote service user autonomy rather than dependence on professionals, but other organisations highlighting potential pitfalls. Maurice Condie of Byker Bridge argued that individual budgets would not be appropriate for certain client groups such as high-risk offenders who, if given the option to make decisions about their support and supervision, would prefer to "escape and go and play with the kids!"<sup>41</sup>

[...] personalisation tends to work best for people who want support [...] In order to test this thesis, it would be worth investigating how many offenders would choose to pay for their Drug Treatment and Testing Order (DTO), Community Rehabilitation Order (CRO), [or] Home Detention Curfew (HDC) [...] from a personalised budget without restrictions.<sup>42</sup>

38. Because of the risk to vulnerable individuals (and to society) of providing too much choice to certain client groups, care would need to be taken to ensure a balance of commissioned and individually purchased services:

[...] Home does not believe that individual purchasing of support is always the most effective way to ensure that clients have real choice and control. Commissioned services are more appropriate to many clients who would choose them because they don't (or don't yet) want to exercise a greater degree of choice and responsibility. Individual budget systems which give control of actual or virtual money to clients are not appropriate to those with chaotic or addictive lifestyles.<sup>43</sup>

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38 Ev 86

39 Q 121 [Mr Fraser]

40 Q 123

41 Q 121

42 Ev 74

43 Ev 146

This is also seen to be particularly relevant to accommodation-based services, as Greg Roberts of Westminster City Council explained to us in oral evidence:

Where I really do struggle seeing how it works is where you have an accommodation based service, so the standard ten flats, people with learning disabilities, three members of staff, say it cost £90,000, that is £9,000 per head; if you put that into each individual's individual budgets and those individuals choose not to spend it on that core staffing, I really do struggle to see where that works. If you have four who decide to do it and five do not, does that mean then it is no longer a 24 hour support service? Do those members of staff walk past in the corridor without saying hello to the people who have decided not to support?<sup>44</sup>

39. These views strike a chord with the findings from the pilot exercise on Individual Budgets, published by CLG in March 2009, which concluded that “Based on experiences to date, all the pilot sites feel that IBs have a key role to play, but that they should not be considered as the only option for personalising housing-related support services and increasing choice. Commissioned Supporting People services can be responsive and person centred, as well as providing consistent coverage over large geographical areas.[...]”<sup>45</sup> The same report suggests that Individual Budgets would be most appropriate for individuals who meet the current Fair Access to Care criteria for social care services, namely those with critical and substantial needs. Commissioned preventative services for individuals with less critical and substantial needs may therefore continue to be needed to prevent a crisis from happening in the first place.

40. Although some useful conclusions have been drawn from the pilot exercise on Individual Budgets, most witnesses felt it was too early to draw any conclusions as to how personalised services should be shaped in future. The pilot exercise was considered by most witnesses to have been too short and some felt that increased consultation with service users would be needed in order to capture their preferences as to how their support should be delivered. In oral evidence, CLG told us that a working group between CLG and DH has been set up with elected council members, providers and local authorities to see how the personalisation agenda can be rolled out across housing and related support. We were assured that “Obviously that will involve service users widely about how they are empowered to have greater choice, how they get support planning that very clearly links back to their level of need and how providers need to change their attitude to working very closely with service users in delivering services that those individuals require.”<sup>46</sup>

**41. Personalisation of services is good for increasing service user choice, but sometimes too much choice is overwhelming or even inappropriate. Careful consideration must be given to how to balance personalisation with important commissioned services for people who need emergency support, or who are unable—or unwilling—to choose. Careful consideration is particularly needed of how personalisation will work in accommodation-based facilities. We recommend that the**

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44 Q 195

45 Communities and Local Government, *Learning and experiences from the Individual Budget Pilot sites*, March 2009, p 8.

46 Q 330

**Government extend the Individual Budget pilots to learn more about how personalisation works in practice.**

## Developing more integrated assessments

42. The Supporting People Strategy recognises the importance of “including Supporting People services within the wider health and social care assessment processes.”<sup>47</sup> The Strategy specifically highlights CLG’s involvement in the Department of Health’s work on developing cross-Government work on a Common Assessment Framework (CAF) for Adults and outlines its intention to explore the inclusion of housing and housing-related support in the CAF.

43. However, the lack of progress with this agenda was highlighted in written evidence from provider Housing21:

We also ask the Committee to consider how the debate about the impact of and future of Supporting People will link to the debate about social care and personalisation especially looking more closely at developments such as ensuring that housing-related support would be part of the common assessment framework promised in the 2007 strategy.<sup>48</sup>

44. It is therefore reassuring to note the continued focus on this subject in the Social Care Green Paper which was published a week after our final evidence session. This Paper stresses the need for health, housing, social care and other public services to work together more closely to promote early intervention and preventative services, along with the Government’s ambition “to create an assessment process that considers people’s individual needs, means and eligibility for all forms of support in a more joined-up way. This will build on the developing arrangements for the Common Assessment Framework for adults, to minimise multiple questioning of the same people for the same information.”<sup>49</sup> **We welcome the progress, albeit slow, which has been made on developing more integrated assessments of service users’ needs. The consideration of housing and housing-related support in the context of needs assessment in the Social Care Green Paper is a positive development, and we look forward to seeing further progress in the inclusion of housing and housing-related support in the Common Assessment Framework for Adults.**

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47 Communities and Local Government, *Independence and Opportunity: Our Strategy for Supporting People*, June 2007, p 16

48 Ev 105

49 HM Government, *Shaping the Future of Care Together*, Cm 7673, July 2009, p 55.

## 3 Enhancing partnership with the Third Sector

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### Introduction

45. As Andrew van Doorn of Hact reminded us in oral evidence, “It is worth remembering that of the £1.55 billion [budget for Supporting People] a billion of that goes into the Third Sector. So it is by far the largest provider within the Supporting People framework [...]”<sup>50</sup> As we have already observed, Third Sector organisations often identify the need for a service in the first place through their in-depth knowledge and understanding of the client groups they support. In recognition of this, the Supporting People Strategy makes an important statement about the role of the Third Sector in supporting vulnerable people:

The Third Sector has a long history of campaigning for social change and of innovating and working creatively to bring together the resources and services to make change happen. Third Sector organisations have also proved themselves to be particularly adept at working with disadvantaged and vulnerable people, in disadvantaged areas and communities.<sup>51</sup>

Consequently, the Supporting People Strategy commits the Government to “Minimis[ing] obstacles preventing good quality providers from across public, private and Third Sector organisations from competing fairly to deliver housing support services”.<sup>52</sup>

46. However, this commitment has not always been met, particularly in lower-performing local authorities.<sup>53</sup> The Audit Commission told us:

The evidence from inspections is mixed. There are concerns, drawn from interviews in the third sector, that their contribution is not recognised and we have found evidence of this in the level of involvement afforded to third sector providers in commissioning bodies and partnership working. There are some local procurement practices that make it difficult for small providers to tender and the insecurity over existing and future contracts is undermining the viability of some services [...] Higher performing administering local authorities are supporting small third sector providers to compete successfully in tendering processes.<sup>54</sup>

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50 Q 61

51 Communities and Local Government, *Independence and Opportunity: Our Strategy for Supporting People*, June 2007, p 22.

52 *Ibid*, p 21.

53 From 2003 until March 2009, the Audit Commission carried out a programme of inspections of all 150 Administering Local Authorities (ALA) responsible for the Supporting People grant and associated programme. As at March 2009, 55 of the 150 ALAs were rated either ‘Good’ or ‘Excellent’. (Source: SP80, 15)

54 Ev 174

Charles Fraser of St Mungo's backed up this view of mixed performance, telling us "our experience is that [the relationship with the Third Sector] is very good in some boroughs and not very good in adjacent boroughs and it is that randomness that is the problem".<sup>55</sup>

47. The evidence we received was clear that a vibrant Third Sector is vital to the success of Supporting People services. Hact's concerns at the prospect of the sector being destabilised are therefore to be taken very seriously:

Once this social capital [in the third sector] disappears, it is not easily replaced. SP needs smaller agencies that engage local people and reach those that larger organisations cannot.<sup>56</sup>

**48. Our evidence reinforces the importance of the contribution made by the Third Sector to the Supporting People programme. The Third Sector has a major role both in delivering services and in identifying the needs of vulnerable client groups in the first place. The knowledge and expertise of the sector has significantly contributed to the success of the programme so far and it is crucial that it continue to be retained and exploited.** We consider some particular issues which Third Sector providers face in tendering for Supporting People services below.

### Competitive tendering

49. Many contracts to provide Supporting People services are won through a system of competitive tendering. This approach to procurement was raised by many witnesses as a major frustration of the Supporting People regime, as we discuss in the following paragraphs.

### Cost versus quality

50. Much of the evidence submitted to our inquiry expressed a widely-held concern that Supporting People commissioners are focusing too strongly on the cost of services at the expense of quality. For example:

The most deep-rooted concerns that UNISON members have about Supporting People arise from the particular system of procurement and competition which is often used to allocate work. Far too often, local authorities decide at a very early stage to contract out a care service to an independent provider, and then set up what can amount to a "reverse auction" whereby the cheapest bid wins the contract. A graphic example of this was given in a recent Panorama programme, where an online auction was set up so that the authority can identify the organisation that can carry out the service—satisfying whatever minimum standards are laid down in the tender document—cheapest.<sup>57</sup>

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55 Q 140

56 Ev 178

57 Ev 84

51. Jane Keeper of Refuge compared “The search for the cheapest possible contract”<sup>58</sup> to the approach a local authority would take to letting “a contract for pot holes or some other local authority service.”<sup>59</sup> The subsequent impact of competitive tendering on small, often Third Sector, providers (and their clients) is considerable:

[Competitive tendering impacts on] small, community-based care providers. Large organisations are much more able to compete for and win Supporting People services—by contracting out their own back-office functions, developing floating support services over large geographical areas, and benefiting from economies of scale. [...] the government’s own equalities agenda is being harmed. While the focus from government seems to be on the needs of local communities, the result of low-cost competition for care services is that specialist equalities groups rooted in communities will struggle.<sup>60</sup>

There is therefore a risk that some small specialist providers which have an excellent knowledge of clients’ needs and are able to provide high quality services will be pushed out of the market as they do not have the capacity or skills to compete.

52. Fundamental to the effective procurement of Supporting People services, in many witnesses’ view, is the involvement of providers and users in the procurement process from the very earliest stages of commissioning, in order to benefit from their specialist knowledge and understanding of what service users require. This approach is in line with the Government’s commitment under the Compact to “[provide] wherever possible an opportunity for the voluntary and community sector to contribute to programme design”.<sup>61</sup>

53. Most witnesses feared that, with increased pressure on local authority budgets and the loss of the protection of the Supporting People ringfence, the trend towards commissioning on the basis of cost and without regard to quality or sustainability would continue. This is despite the protections offered by the Quality Assessment Framework which, despite no longer being a mandatory requirement, was viewed by the majority of witnesses as a major strength of the programme, as Look Ahead Housing and Care described:

One of the real strengths of SP has been its comprehensive and robust quality standards framework. [...] [Previously] there was no common framework against which quality could be validated, [and so] commissioners may have found it more difficult to differentiate accurately between those services which were both cost competitive but also deliver high quality services (i.e. genuine value for money) and those that just offered the right price.<sup>62</sup>

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58 Q 92

59 *Ibid.*

60 Ev 85

61 Commission for the Compact, *Funding and Procurement Compact Code of Good Practice*, May 2000, p 2.

62 Ev 93

### The Compact

Many issues relating to the process for commissioning and procuring Supporting People services are addressed in the Compact. The Compact is an agreement between the Government and the Third Sector aimed at improving their relationship for the benefit of each other and the communities they serve. Local Compacts have been agreed in most areas to cover the relationship between local councils, other local public sector bodies and local voluntary and community organisations. A series of Codes of Good Practice underpin the Compact. One of these focuses on finance and procurement, within which key principles include:

- Keeping a focus on outcomes at all stages of the financial relationship
- Keeping processes as simple as possible and in proportion to the amount of money involved
- Maintaining consistency and co-ordination—for example funders and purchasers should endeavour to join-up or standardise parts of the funding or procurement chain to minimise burdens on organisations and ensure a focus on delivery

Specific undertakings for Government include:

- Providing wherever possible an opportunity for the voluntary and community sector to contribute to programme design
- Recognising that it is legitimate for voluntary and community organisations to include the relevant element of overhead costs in their estimates for providing a particular service (also known as ‘full cost recovery’)
- Implementing longer term funding arrangements where these represent good value for money
- Being proportionate in monitoring requirements and focusing on outcomes

Many submissions to our inquiry—particularly those from provider organisations—referred to the fact that the Compact’s principles are often overlooked. Home Group’s written evidence explains that the Compact is not always taken seriously by local authorities:

We often remind local authorities of the commitments they have made in local Compacts to support the voluntary and community sector. It is not unusual to find that a local authority's SP team believes that the Compact is optional or is not relevant to SP.<sup>63</sup>

There has been ongoing discussion for several years as to whether the Compact would benefit from being given more power, leading most recently to the presentation of a 10 Minute Rule Bill on 19 May 2009 by Tom Levitt MP the aim of which was to make the Compact Commission a statutory body.<sup>64</sup>

63 Ev 147

64 HC Deb, 19 May 2009, col 1345.

54. We have already recommended that the Quality Assessment Framework remain mandatory in the context of ensuring continued service user involvement. We further recommend the QAF should be retained to ensure quality considerations are always made when commissioning services and to protect against any potential loss of dedicated Supporting People commissioning and procurement teams.

### *The real cost of competitive tendering: short-term contract culture*

55. The National Housing Federation illustrated the negative impacts of competitive tendering thus:

The commissioning, tendering and monitoring process can create massive bureaucratic burdens for housing associations. Our survey in 2008 revealed many providers were still on short-term contracts. The demands of tendering for services every two or three years requires our members to engage in a constant cycle of evidence gathering, form-filling and box-ticking.<sup>65</sup>

The NHF's views were echoed by the majority of our provider witnesses. Several examples of the real cost of competitive tendering—both in financial and staffing terms—were provided, stressing the fact that investment in administration is taking much-needed money away from front-line services, as the following examples demonstrate:

Competitive tendering [...] can be labour intensive and has sometimes resulted in unintended consequences for local markets (e.g. Costs to providers in tendering are high. A recent tendering exercise involved 12 staff for 15 days = c. £20k payroll. Contract value of £950k. Assuming 10 providers tender for service = £200k to procure a £950k service.<sup>66</sup>

Hact provided a similar example of a consortium bid for a single bidding exercise costing £100,000. We were reminded that this represented “£100,000 [...] coming out of the Third Sector that could be better used to support vulnerable and marginalised people in their communities.”<sup>67</sup>

56. UNISON, along with the union Unite, referred to the specific impact this has on staff working for provider organisations:

[There is] an embedded pattern of short-term contracts, with organisations constantly bidding for work, but rarely having much certainty about future work levels. As a result, many staff are employed on short term contracts, and/or frequently put on notice of redundancy. [...] this is simply an unacceptable way to run a public service.<sup>68</sup>

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65 Ev 184

66 Ev 154

67 Q 65

68 Ev 84

It is therefore no surprise that provider organisations such as St. Mungo's told us that "We think that a contract should be for five to seven years, with market testing in between but not endless competitive tendering."<sup>69</sup>

57. Local authorities' evidence acknowledged the importance of offering three year funding arrangements to Third Sector organisations, and we were made aware of many examples of this happening on the ground. However, in common with several other local authorities, Hampshire County Council was concerned that, whilst it fully intends to continue with three year funding arrangements, it may become more difficult to make the case for continuing such practices given the uncertainty of their own funding in the long term. This was a view supported by many local authority witnesses:

Since the inception of SP Hampshire have always issued three year contracts to all SP providers, and have paid an inflation uplift in all years apart from 2004. This has been achieved by developing three year financial strategies, and making use of the ability to carry forward planned under spends from one year to the next. Uncertainty regarding the levels of future funding, and the forward period for which funding will be announced, may lead to such practices being reviewed. Whilst it is recognised that they have offered great stability to the third sector, this has to be balanced by being affordable in the long term by the authority, and being seen to be an acceptable risk.<sup>70</sup>

58. This uncertainty is contrary to the Supporting People Strategy's expectation for local authorities to "Pass on three year funding certainty to Third Sector providers, explicitly including Supporting People contracts when appropriate".<sup>71</sup> Sitra told us that already "in some cases lack of clarity about future arrangements has led to short term contract extensions which causes uncertainty for services users as well as providers."<sup>72</sup> Whilst the impact of the lifting of the Supporting People ringfence is unlikely to be felt immediately, many witnesses believed that, as contracts expire or come up for renewal over the next couple of years, the market could see new contracts being issued on shorter terms. CLG told us that it did not expect a "big bang"<sup>73</sup> approach to services available as at 1 April 2009 (with the lifting of the ringfence), but it was unclear from its evidence how the Department saw the future panning out beyond that.

**59. Constant cycles of competitive tendering are burdensome and expensive and this has a disproportionate impact on Third Sector and smaller providers. The use of short-term contracts to procure services should be avoided where possible by local authorities: we make further recommendations about how this can be achieved below. Meanwhile, however, the problem of the uncertainty of funding, which is at the root of some of the short-termism which has affected some Supporting People commissioning, needs to be addressed both by individual local authorities and by CLG itself. CLG's announcement of three-year funding settlements for local**

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69 Q 119 [Mr Fraser]

70 Ev 155

71 Communities and Local Government, *Independence and Opportunity: Our Strategy for Supporting People*, June 2007, p 21.

72 Ev 200

73 Ev 228

**authorities has been a welcome step: the benefits which this has brought not only to the Supporting People programme but across local authority services must not be lost as the financial settlements for local authorities become tighter. Meanwhile local authorities must continue to pass on the certainty of three-year financial settlements to Third Sector providers, in line with the Supporting People strategy.**

### **EU procurement rules**

60. In oral evidence, witnesses from the provider sector expressed frustrations at local authorities and Supporting People Commissioners using the ‘excuse’ of EU procurement rules and regulations to limit flexibility in procurement practices: “It is all about this thing called European procurement and what you cannot do.”<sup>74</sup> One such barrier cited by St. Mungos was the claim that contracts must be retendered every 3 years under current rules:

we are told there is a European and legal duty on procurement to [competitively tender things every three years]. Well, I think that needs to be looked at, but we cannot get anybody to undertake to look at it or to tell us who has got the levers to change this.<sup>75</sup>

61. Interestingly, when we asked local authority witnesses whether EU procurement rules posed a barrier to flexible commissioning and procurement, none voiced such concerns and most were able to provide examples of how thoughtful application of these rules had led to effective and flexible practice. Evidence from Hampshire and Westminster showed that three year contracts were awarded (as opposed to longer contracts), not because of restrictions in EU procurement rules, but so that strategic service priorities could be adjusted to respond to identified need.

62. Supporting People services fall under the category of ‘Part B services’ within UK regulations relating to contracts for services. Whilst ‘Part A’ services require a full procurement regime, a lighter regime applies to ‘Part B’ services. Full EU competitive tendering procedures only apply to ‘Part A’ services above a certain financial threshold. Local authority legal and procurement departments decide how this regulation applies to their own procurement. As Hampshire explained:

the view that the legal services arm of the county has taken is that the new procurement regulations do not mean you have to go out for competitive tendering every time a contract comes to an end. The view is taken that all Supporting People services fall under the part B schedule of the EU procurement regulations, and as such, the responsibility on the local authority is to ensure that there is an element of competition, but the main requirement is that you achieve value for money.<sup>76</sup>

63. Local authorities such as Hampshire, Westminster, and Bath and NE Somerset have taken advantage of the greater flexibility in procuring ‘Part B’ services and now require only new providers and any existing failing services to undertake a competitive tender

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74 Q 129

75 Q 119

76 Q 184

process. All other contracts are renewed every three years. Hampshire claims that this approach has had no negative impact on value for money, maintains a diversity of provision and choice for service users and minimises the impact on Third Sector organisations. In oral evidence Hampshire told us:

After our first round of competitive tendering, we did some analysis between the benefits that we got from competitive tendering and the benefits that we got from renewing contracts with providers so long as they met acceptable standards, and we found that competitive tendering gained us a 1 per cent improvement in value for money, but negotiating with providers and awarding them a long-term contract gave us a 4.8 per cent improvement in value for money [...] . We believe we have the evidence there which demonstrates that you can meet the requirement of an element of competition, which there is for all new services, but at the same time working with providers, offering them that partnership, so that they will commit and that they can see that we have a long-term commitment in them developing and improving their services.<sup>77</sup>

64. However, not all local authorities appear to behave in such an enlightened manner. During our visit to Thames Reach, stakeholders from the Third Sector, the local authority and the local primary care trust concurred that overly bureaucratic tendering arrangements are often put in place to protect local authorities against accusations of having insufficiently robust and anti-competitive procurement practice. This view was reinforced in written evidence from provider organisations such as Hyde Group, which claimed that “local authorities almost always ‘play safe’ and employ a full tendering exercise even for contracts of small monetary value.”<sup>78</sup>

65. Home Group explains the dilemma which some local authorities feel they are confronted with, and offers a solution:

Local authorities tell us that they receive contradictory advice on balancing support for the Third Sector with commissioning that is open and fair to competitors from all sectors. We believe that government should make a clear cross-departmental statement on this, addressed to local authorities’ legal and procurement departments as well as supporting people managers, with an expectation of changed behaviour as a result.<sup>79</sup>

66. In response, CLG told us that:

[CLG tries] to inform local authorities that they can amend their standing orders against EU rules [...] When I have worked directly with some local authorities I have found them to be risk-averse and have 100 or 150-page contracts. We try to get samples of good, positive practice in the form of contracts and send them out to other local authorities so they can try to get their finance departments to say they can

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77 Q 184

78 Ev 121

79 Ev 147

reduce the size of the contract and its wording and have something that is much more meaningful and has very clear outcomes for service users.<sup>80</sup>

When we proposed to CLG that our evidence suggested that there is quite a serious problem down at grass roots level, the answer was a simple “Yes.”<sup>81</sup>

67. The evidence clearly shows that local authorities are all at different stages in developing flexible and appropriate approaches to the commissioning and procurement of Supporting People services. This is despite recommendations from as long ago as 2004, in the review of the Supporting People programme by Robson Rhodes, which concluded:

CBs [Commissioning Bodies] and AAs [Administering Authorities] will need to embrace modern approaches to strategic procurement, working with providers as valued supply partners as well as putting in place measures to comply with EU requirements. I believe there are real benefits to be gained from managing the market. [CLG] should encourage research to develop good practice criteria for how to manage the market with a view to securing sustainable supply at a competitive rate. This research should include consideration of how best to stimulate the voluntary and community sector to provide local specialist services.<sup>82</sup>

**68. In letting contracts for Supporting People services, we believe that EU procurement rules are being used by councils as an excuse for their own inertia and risk aversion. It is clear to us that unambiguous guidance is needed to assist local authorities in developing approaches to commissioning and procurement which are legal, proportionate to the size of contracts being let and focused on both cost and quality outcomes. This is something CLG should prioritise. The Commission for the Compact published guidance on grants, contracts and EU procurement rules for Third sector organisations and public sector commissioners in July 2009.<sup>83</sup> We recommend that CLG take advantage of this opportunity to disseminate best practice guidance and encourage greater consistency across all local authority areas in approaches to commissioning and procurement.**

### ***Joining up commissioning and procurement across local authority boundaries***

69. A major consequence of local authorities operating different procurement practices is the impact on providers working in more than one local authority area. These providers have had to learn to ‘skin the cat’ of tendering and contract management several different ways, as Rachel Byrne of Home Group explained to us:

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80 Q 343

81 Q 344

82 RSM Robson Rhodes (for Office of the Deputy Prime Minister), *Review of the Supporting People Programme: Independent Report* (January 2004), p 39.

83 Commission for the Compact, *The Compact and Procurement Law: a Guide to Frequently Asked Questions*, July 2009.

Stonham works in 100 different local authorities and not one does their procurement in the same way, and if we could have some sensible guidance on procurement it would help.<sup>84</sup>

The administrative burden for providers like Home Group is therefore magnified to extreme proportions. Some local authorities have attempted to address this by taking steps to join up procurement practice, such as Cambridgeshire developing a regional commissioning toolkit and guidance about the commissioning process, and Southwark's use of procurement frameworks, as described to us on our visit to Thames Reach.

**Thames Reach's experience of procurement in the London Boroughs of Southwark and Lewisham was seen as positive, partly due to these boroughs operating procurement frameworks which lessen the burden on providers tendering for services (see below for information on Framework Agreements). The Southwark and Lewisham Framework Agreement is being rolled out to 2 additional neighbouring local authorities to facilitate cross-border commissioning and reduce administration and bureaucracy. All stakeholders viewed this as a positive development, although there was some concern that some smaller, specialist providers may be squeezed out of the market if adequate care was not taken to ensure a diverse base of generic and specialist providers.**

#### **Framework Agreements**

**Starting from scratch with a competitive tendering process can take several months, particularly if full compliance with EU directives is involved. Through framework agreements, purchasers can gain access to a number of suppliers selected on pre-agreed terms and rates (effectively, pre-tendered contracts) so they can easily and quickly choose the supplier that suits them.**

### ***The Value Improvement Programme***

70. In 2005, CLG initiated the Value Improvement Pilot programme, inviting bids from administering authorities to undertake projects which aimed to secure substantial efficiencies through procurement, contracting and contract management of Supporting People services and improve outcomes for service users. The pilot programme realised significant levels of efficiencies and positive effects for service users and, as a result, the Supporting People Value Improvement Project (SPVIP) was established in 2007. The work of the SPVIP was integrated into the delivery of the National Improvement and Efficiency Strategy and delivery was passed to Regional Improvement and Efficiency Partnerships (RIEPs).

### Regional Improvement and Efficiency Partnerships

RIEPs are partnerships of local authorities, including fire and rescue authorities, whose job is to drive efficiency and foster improvement. They went live in April 2008. The emphasis is on local government dealing with problems ‘in-house’ rather than relying on interventions from Whitehall or the Audit Commission. Our evidence sessions showed that there is some confusion amongst witnesses as to the role and purpose of RIEPs, and this confusion was echoed in June 2009 by the Local Government Head at KPMG who was quoted as saying that “The ability of RIEPs to play a role in this new agenda is unclear”.<sup>85</sup> However, most RIEPs have shown that they can make a difference in the area of procurement, particularly through the development of collaborative approaches between neighbouring local authorities.

71. Provider organisation Hyde Group was involved in one of the SPVIPs and found it to be a valuable experience, as outlined in written evidence:

Hyde was successful in winning a large Supporting People funded floating support contract in Essex, one of the Value Improvement Projects. We have found it an excellent experience, marked by effective joint working and a genuine sense of partnership which achieves the best outcomes for service users.<sup>86</sup>

However, evidence from Hampshire County Core Group suggests that, whilst the SPVIP has achieved positive outcomes, there is little evidence of its continuing impact:

Nationally the *Value Improvement Programme* provided a clear focus for innovation and the dissemination of good practice. We were disappointed that this was not developed further by repeating the exercise.<sup>87</sup>

72. Several witnesses felt that RIEPs could do more to disseminate the good practice learned from the SPVIPs. However, Cllr Gareth Barnard of the Local Government Association pointed out to us that “it is quite difficult to spread best practice wider than those areas that undertook [the SPVIPs] because of fitting together the different bureaucratic structures of councils.”<sup>88</sup> The Minister also reminded us that “RIEPs are a relatively new innovation and they are still perhaps a little immature”,<sup>89</sup> adding, “We have probably not yet seen all the benefits that we shall be able to get from them when it comes to understanding the complexities and benefits of housing-related support.”<sup>90</sup>

**73. Some good procurement practice exists in effective local authorities. That practice needs to be shared much more proactively. With the uncertainty over future funding, we are concerned about the threat to the providers—particularly small and Third**

85 “Councils’ delicate balancing act”, Local Government Chronicle, 4 June 2009.

86 Ev 121

87 Ev 156

88 Q 283

89 Q 307

90 *Ibid.*

**Sector providers—in lower performing local authorities where commissioning and procurement practice is already poor. Furthermore, even where there is good practice, the fact that local authorities take different approaches to commissioning and procurement can create a massive administrative and bureaucratic burden for providers working across local authority boundaries.**

**74. The new Regional Improvement and Efficiency Partnerships are the obvious vehicle for challenging poor and inefficient procurement practice, as well as for coordinating tendering and commissioning procedures across local authority boundaries. However, at present their role is unclear in many local authority areas. RIEPs need to be much more involved in tackling poor and inefficient procurement practice, and in joining up procurement practice across local authority boundaries. We recommend that tackling the complexities of commissioning and procurement with the Third Sector become a focus for the ongoing work of RIEPs.**

### Capacity building in the Third Sector

75. Given some of the complexities of commissioning and contracting which we have described above, and the vital role of small Third Sector providers in the provision of Supporting People services, it is no surprise that many providers—particularly those in the Third Sector—need help in order to compete successfully for contracts. The importance of making such help available is described by Unison:

[...] it is not the public sector's responsibility to support the voluntary sector just for the sake of it because that would defeat the purpose of it, but if commissioners wish to get the best out of the voluntary sector and if they are saying "This is what the Third Sector can do that we cannot do" then they have to make sure the investment and the capacity building are there to make sure it can do that [...]<sup>91</sup>

76. In order to assist Third Sector organisations develop new skills and become an attractive business proposition for commissioners, CLG has worked with national organisations such as NHF, Hact and Sitra to support and build capacity in the sector. Evidence to the committee confirmed the success of much of this work.

77. A key focus of this capacity building work has been supporting small Third Sector providers. One of the techniques advocated in the Supporting People strategy to help such organisations compete for contracts is the 'consortium approach' whereby one organisation holds a main contract as an umbrella for others (including smaller and specialist organisations).<sup>92</sup> Hact is responsible for leading on much of this work, but seems unsure of the real impact it makes:

For small organisations their future within the SP programme can sometimes rely on developing collaborative approaches to service delivery. This is clearly the case as local authorities have sought to rationalise the numbers of contracts they hold with providers. Rationalisation has benefits to commissioners in delivering greater

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91 Q 66

92 Communities and Local Government, *Independence and Opportunity: Our Strategy for Supporting People*, June 2007, p 23.

efficiencies, [but] whether this benefits vulnerable people and communities remains to be seen.<sup>93</sup>

78. Several witnesses saw a role for commissioners in aiding this capacity building, as Nigel Hamilton of Sitra told us in his oral evidence:

We are beginning to work with the Office of the Third Sector on their work to build capacity for small providers. We are very concerned that skills in providing support may not be the same as commercial skills and tender writing skills, so we are able as an organisation to offer training, consultancy and support, but in the wider world I think there needs to be an understanding amongst commissioners that they need to work with their local provider sector to build its capacity [...]<sup>94</sup>

However, Andrew van Doorn of Hact suggested that commissioners may not be engaging with this agenda, stating that at a recent Office of the Third Sector event focusing on building capacity of commissioners, “Supporting People commissioners were notable by their absence.”<sup>95</sup>

79. There is evidence that local authorities have recognised the need to assist Third Sector organisations develop commissioning and procurement skills. For example, Bath and NE Somerset, with its partners in the West of England sub-region, has provided training for its providers on procurement, opening this training up to the whole voluntary sector and not just those currently providing Supporting People services. Whilst such initiatives are positive, Rachel Byrne of Home Group warned us that “[...] you cannot underestimate the pressure that is put on the Third Sector in becoming experts in procurement”<sup>96</sup> and agreed with Hact’s stance that clear guidance is still required from Government:

In 2007 the Audit Commission called for advice from Government for commissioners on flexible procurement. This is now overdue and should happen as a matter of priority.<sup>97</sup>

**80. Capacity building on commissioning and procurement in the Third Sector should continue, but we recommend that the government focus its major energies on developing and issuing clear guidance to local authorities on commissioning and procurement and in joining up different local authorities’ practices with regards to procurement. These measures would significantly reduce the burden on Third Sector providers.**

## The loss of Supporting People teams and Commissioning Bodies in the commissioning and procurement environment

81. A recent report by the Audit Commission, *Supporting People Programme 2005-2009*, found that

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93 Ev 180

94 Q 45

95 Q 61

96 Q 119

97 Ev 178

a major success of the programme has been the buy-in and involvement at a local level of many providers and service users as well as public service partners. The existence of dedicated council staff, provider and user forums and named lead officers has given providers and users the ability to engage with and influence local councils and their partners. It has allowed targeted training and tailored support programmes. It has promoted cross provider and cross area learning and innovation.<sup>98</sup>

82. The potential loss of dedicated Supporting People teams and Commissioning Bodies within local authorities is regarded as a serious risk to the future of Supporting People services. This is viewed as a possible threat to partnership working and the quality of services, as Sitra describes:

The expertise of SP teams is widely recognised, as is their approach to holistic commissioning. They were generally involved in the needs analysis and the development of SP Strategies. In many areas they have been working to enhance the capacity and diversity of the provider sector. [...] There is considerable concern that this expertise and knowledge will be dissipated if Supporting People teams dissolve into more generic commissioning teams.<sup>99</sup>

83. Gill Brown of Brighter Futures agreed with this assessment and told us that “[...]local authorit[y] procurement departments [...] seem to be a million miles away from partnership working and an understanding of the Third Sector.”<sup>100</sup> Hyde Group also explained that “[...] where the local authority’s procurement department drive the exercise rather than Supporting People, the specification can be quite mystifying as they do not understand what they want to achieve.”<sup>101</sup> The domestic violence charity Refuge explained that a lack of understanding of specialist services can also result in inappropriate service specifications being developed, such as “imposing male ‘role-models’ on women using domestic violence services.”<sup>102</sup> The need for commissioners to have specialist knowledge is therefore paramount if the needs of clients are to be properly met.

84. Supporting People teams have undertaken a major role in ensuring the quality of services in their specialised approach to commissioning and monitoring of contracts. Many witnesses believe that the effectiveness of this quality assurance role would be diluted if services were commissioned through more central procurement teams:

The core aim of the SP team is to oversee the quality of the services provided (this is usually assessed by the QAF). However, once the SP team ceases and commissioning and monitoring moves into the realm of a larger department with more

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98 Audit Commission (for Communities and Local Government), *Supporting People Programme 2005-2009* (July 2009), p 7.

99 Ev 199

100 Q 128

101 Ev 121

102 Ev 138

responsibilities, the extent to which they can devote time to monitoring quality will surely reduce.<sup>103</sup>

#### **Loss of Supporting People teams**

**During our visit to Thames reach, we learned that the Supporting People Team in LB Lambeth is due to be disbanded and only a small core team will remain. Commissioning activity and user consultation for Supporting People services will be subsumed within the larger Social Care commissioning and consultation teams. The stakeholders we spoke to fear that this loss of specific commissioning and procurement expertise may result in a shift to “dry and unimaginative” procurement of services, which fails to balance factors relating to quality and specialist expertise with value for money in contracts. The disbanding of the LB Lambeth SP Team is viewed as a great loss in this respect.**

85. Concerns over the loss of Supporting People structures appear to be well-founded. In a recent survey of its members, Sitra reports 45% of respondents answering ‘yes’ to the question “As a result of the ringfence removal, are there any planned changes in commissioning and decision making structures within your locality?”<sup>104</sup> Following its appearance before the Committee, Sitra submitted supplementary evidence showing that Supporting People teams were being disbanded in Scotland since the lifting of the Supporting People ringfence. The evidence shows that, within 3 months of the ringfence being lifted, 5 of the 32 authorities had already disbanded their Supporting People teams and no longer had anyone identified with core responsibility for housing-related support. Early evidence from a 2009 Sitra survey shows that this trend is continuing.<sup>105</sup>

86. The Audit Commission’s report *Supporting People Programme 2005-2009* concluded:

The ending of grant conditions means that councils can, if they wish, dismantle their governance arrangements. Previously excellent local authorities who had achieved a 4 star Comprehensive Performance Assessment from the Audit Commission were able to amend their governance arrangements for Supporting People, but chose not to take up this option. Most local authorities currently support the continuance of existing partnership based arrangements. Commissioning Bodies may not work as effectively if in future they lose ongoing responsibility for an identified housing related support budget. Although there have been improvements in commissioning, provider markets and commissioning skills are not mature enough in all areas and sectors to be secure without any supporting framework.<sup>106</sup>

Later, it adds

103 Ev 95

104 Ev 199

105 Ev 210

106 Audit Commission (for Communities and Local Government), *Supporting People Programme 2005-2009* (July 2009), p 9.

The governance approach imposed through joint Commissioning Bodies supported a cross cutting approach and helped link Supporting People provision into wider strategies for relevant vulnerable groups. We have found that better Commissioning Bodies are able to work with a range of partners to make difficult decisions which may have been delayed by individual agencies.<sup>107</sup>

**87. In the evidence we heard, there was general consensus amongst witnesses that the Supporting People decision-making and delivery structures were so effective that they should be considered as providing a blueprint for partnership working within Local Area Agreements and other partnership arrangements. We therefore see the potential loss of these structures not only as a risk, but also a wasted opportunity to showcase and replicate good practice in multi-agency partnership working across the board. We recommend that local authorities retain Supporting People governance and delivery structures (Teams and Commissioning Bodies). We also recommend that the Government further promote these structures more generally as models of good partnership working for local authorities and their partners. The retention of these structures will also assist in addressing the risks to service user involvement which we discussed earlier in this Report.<sup>108</sup>**

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107 Audit Commission (for Communities and Local Government), *Supporting People Programme 2005-2009* (July 2009), p 10.

108 See paras 33–35

## 4 Delivering in the new local government landscape

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### Local Area Agreements and Local Strategic Partnerships

88. In April 2009, the ringfence on funding for the Supporting People programme was lifted and, from April 2010, funding is due to be paid through the Area Based Grant. The Area Based Grant is a non-ringfenced general grant, and therefore its use is not directly monitored. It is for local authorities to decide how best to use the totality of their non-ringfenced general grant (Revenue Support Grant and Area Based Grant) in support of local, regional and national priorities. Local authorities' outcomes will only be measured via the National Indicator Set<sup>109</sup> and their Local Area Agreement targets. This is in line with the recommendations of our report on the *Balance of Power*<sup>110</sup> between central and local government.

89. There is an expectation that priority outcomes for Supporting People services will be agreed by Local Strategic Partnerships (LSPs) and delivered through Local Area Agreements. However, as the Audit Commission's recent report *Working Better Together* highlights, LSPs themselves do not have direct responsibility for the spending of ABG, as this discretion remains with local authorities:

The White Paper *Strong and Prosperous Communities* described ABG as an enabler: allowing councils to focus resources on local priorities. It brings previously ring-fenced grants into a single pot for each council. ABG is allocated on a three-year basis and can be carried across financial years. The total amount of ABG for 2008 to 2011 is £4 billion. ABG is not new money. It is a local authority grant and the council cabinet must approve spending. Councils decide whether to allow the LSP to influence how all, or part of, ABG is spent.<sup>111</sup>

The same report states that “This may lead to some partners' disappointment”<sup>112</sup> and quotes the director of a Third Sector organisation who claimed that “council colleagues will tell us that most of [the ABG] is actually already committed to keep existing services going. So there isn't really...any sort of flexibility on how the LSP can particularly influence that.”<sup>113</sup>

90. In oral evidence, the Minister outlined the benefits he anticipated from lifting the ringfence on the Supporting People grant:

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109 The Single Set of 198 National Indicators (the National indicator set—NIS) was announced by CLG in October 2007, following the Government's Comprehensive Spending Review 2007. Effective from 1 April 2008, the NIS is the only set of indicators on which central government will performance manage local government. It covers services delivered by local authorities alone and in partnership with other organisations like health services and the police.

110 CLG Committee, Sixth Report of Session 2008-09, *The Balance of Power: Central and Local Government*, HC 33, paras 63-64.

111 Audit Commission, *Working Better Together, Managing Local Strategic Partnerships* (April 2009) paras 96-97.

112 *Ibid.* para 97.

113 *Ibid.*

people in local areas [...] [will] have the freedoms and flexibilities to assess local needs and plan services to meet them. [...] It will also ensure that Supporting People services are not seen in individual silos but can be mainstreamed across council services more generally. One hopes that that will drive innovation and get people working together more effectively. There is also quite a lot of research [...] to show that the more decisions can be taken at local level as opposed to being directed and driven from the centre the more efficient and effective the delivery of those services.<sup>114</sup>

However, the difficulties with delivering Supporting People through LSPs are highlighted by many witnesses to our inquiry. Indeed, they are even alluded to in the Supporting People Strategy itself, which refers to “the challenges of including Supporting People within this new local arrangement.”<sup>115</sup>

### ***Ensuring the profile of Supporting People is maintained in LSPs***

91. A major fear amongst witnesses—echoing concerns we have already discussed above—is the potential loss of specialist focus on housing-related support as arrangements are subsumed within wider LSP arrangements:

Third sector providers felt they were not adequately represented on LSPs. In particular they generally did not have relationships with and were not understood by the CVS [Council for Voluntary Service], which was often the third sector voice on the LSP.<sup>116</sup>

Several witnesses referred to the fact that including the Supporting People grant in the Area Based Grant bolstered the overall fund considerably, although most thought it unlikely that this funding contribution would be matched by an increased focus on housing-related support. Provider organisations Byker Bridge and Brighter Futures offered the illustration that “A 40% contribution from SP to [the Area Based Grant] “buys” service users just 1% of the targets within [the] LAA. It is unlikely that Local Strategic Partnerships (LSPs) are taking 40% of their membership from people with a knowledge, understanding or interest in Supported Housing.”<sup>117</sup> CLG’s take on this subject was that “Somebody who understands housing-related support should be able to sit on the LSP.”<sup>118</sup>

92. Many witnesses feared that, due to a lack of understanding of the real benefits of housing-related support, local authority cabinet members (who retain overall decision-making powers as to how the Area Based Grant will be spent) may make decisions which deliberately exclude certain vulnerable groups who are ‘unpopular’ with voters. The majority of witnesses also felt that pressures on local authority budgets, particularly in the

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114 Q 301

115 Communities and Local Government, *Independence and Opportunity: Our Strategy for Supporting People*, June 2007, p 27.

116 Ev 199

117 Ev 70

118 Q 348

area of social care, would push decision-makers to refocus former Supporting People monies on more ‘immediate’ and critical needs, rather than preventative services.

93. However, in oral evidence, Greg Roberts of Westminster City Council pointed out that the benefits to the community as a whole from providing housing-related support to vulnerable people were usually sufficiently compelling for this risk to be mitigated:

I think it is about coming back to the frontline service delivery, and being able to make the case that this housing-related support service [...] if that was not there, then the people who are living here would go out and they would become more chaotic as a result of their substance misuse, so crime would go up, more people would be hospitalised [...]<sup>119</sup>

94. Roy Irwin of the Audit Commission put his trust in the natural accountability within local partnership arrangements:

This is a partnership arrangement so this is not just local authorities acting in isolation. One of the strengths of Supporting People—[which] in fact probably [...] is the predecessor of some more effective local and strategic partnerships—is that there has been the kind of joint arrangements which means that local authorities are accountable to their partners on this matter. So, although they will be under pressure—as will other people—the discussion around how to deal with resources will be a partnership discussion, not just a local authority deciding to hive off things.<sup>120</sup>

95. CLG-commissioned work on proving the financial benefits of Supporting People services has been excellent, and this is acknowledged across the board as having been critical to making the case for housing-related support services within partnerships. In 2006, CLG commissioned Cap Gemini to undertake research into the financial benefits of the Supporting People programme.<sup>121</sup> This research aimed to demonstrate what the financial impact would be if Supporting People funded services were replaced by the “most appropriate positive alternatives for meeting the group’s needs (i.e. the approach which would, in the absence of Supporting People, provide the highest degree of independent living.)”<sup>122</sup> This research found that the Supporting People programme delivered net benefits to the Exchequer of £2.77 billion per annum against an overall investment of £1.55 billion,<sup>123</sup> (and in an updated version of the report published in July 2009 this had increased to £3.4 billion for a £1.6 billion investment).<sup>124</sup> The report also concluded that “consideration of financial values alone is insufficient to fully understand the benefits of Supporting People.”<sup>125</sup>

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119 Q 198

120 Q 4

121 Cap Gemini (for Communities and Local Government), *Research into the financial benefits of the Supporting People programme* (January 2008).

122 *Ibid.* p 7.

123 *Ibid.* p 10.

124 Cap Gemini (for Communities and Local Government), *Research into the financial benefits of the Supporting People programme* (July 2009) p 9.

125 Cap Gemini (for Communities and Local Government), *Research into the financial benefits of the Supporting People programme* (January 2008) p 20.

96. In oral evidence, the Minister was keen to point out CLG’s continuing work on demonstrating the financial benefits of Supporting People services. He referred to “[a new] financial modelling tool that we are making available at a local level [which] will demonstrate the increased bang for the buck that people get from these services. That will guard against the possibility of people not wanting to fund services for those sorts of groups.”<sup>126</sup> Both Sitra and the National Housing Federation told us that this new local tool would be very important, although several local authorities commented on the fact that the promised financial tool had not appeared at the time of them submitting evidence:

[North Somerset] has made use of the CLG ‘Research into the financial benefits of the Supporting People programme’ to promote understanding and confidence in the programme’s investments. The availability of CLG’s revised tool for identifying local financial benefits even more accurately is eagerly awaited, and no time will be lost in applying it to joint commissioning ventures of the future.<sup>127</sup>

### **Commissioning Supporting People services in Local Strategic Partnerships**

**During our visit to Thames Reach, we asked witnesses whether they were confident about LSPs taking on the commissioning of SP services. We were provided with a mixed response. David Johnson of LB Southwark was confident that LSPs would deliver, whilst Thames Reach representatives described the situation as being “glass half empty”. It was generally recognised that provider organisations would need to be proactive in identifying those individuals within the LSP who were open to influence about the importance of housing-related support. It was also acknowledged that providers would need to familiarise themselves with priorities and selected performance indicators within Local Area Agreements and seek to demonstrate how their services would contribute to the delivery of these targets.**

**We also learned that the effectiveness of a partnership depends to a certain extent on the competencies and attitudes of individuals involved as opposed to the formality of partnership structures and processes, which chimes with the observation in the recent Social Care Green Paper that**

**The mindset and behaviour of individual staff and managers can make a big difference. Shared goals and joint ways of working can all help to transform the experience of people who need care.<sup>128</sup>**

126 Q 350

127 Ev 80

128 HM Government, *Shaping the Future of Care Together*, Cm 7673, July 2009, p 11–12.

### **Reluctance to benefit other agencies' budgets**

97. Evidence to this inquiry suggested that some LSP partners may be reluctant to back Supporting People services as the savings made from investment in preventative services are often to the benefit of other agencies' budgets. As Nigel Hamilton of Sitra explained, "The expenditure is very much with the local authority and the savings maybe a couple of years down the line and the savings may be to the criminal justice system or the health services [...]"<sup>129</sup>

98. We asked whether it was easy for Supporting People teams to make the economic argument for increased funding for preventative services that may benefit other agencies' budgets in the longer term. In response, we were given an example of a newly opened Supporting People scheme costing the local authority £300 per week per resident, where one resident had previously been in residential care costing £1,200 per week.<sup>130</sup> Financial information was therefore felt to be available to make the case for preventative services to LSPs. Hampshire County Council agreed with this view but added that, whilst the benefits of Supporting People at a local level could be demonstrated, it would be helped by "Government agencies and agendas recognising the role that Supporting People will play".<sup>131</sup>

99. Helen Williams of the National Housing Federation also believed that any disincentive to invest in preventative services could be alleviated if local partners had a stronger national steer:

I think one of the things that could perhaps be looked at is what more the Department of Health and CLG could do to encourage health and adult social services to invest in preventative services.<sup>132</sup>

Again, the Cap Gemini research and the new local financial tool were seen to be very useful in making the case for investment in preventative services, as was the Supporting People Outcomes Framework<sup>133</sup>:

In Stoke-on-Trent, particularly with the support of data from the Supporting People outcomes framework, we are increasingly able to attract resources to housing-related support services or other ancillary services that facilitate service user outcomes.<sup>134</sup>

100. Research by CLG, the Housing Corporation and the Care Services Improvement Partnership in 2008 also concluded that the Outcomes Framework was an important tool to support the process of commissioning for common outcomes shared across health, housing and social care.<sup>135</sup>

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129 Q 55

130 Q 200

131 *Ibid.*

132 Q 43

133 See box on page 12

134 Ev 114

135 Communities and Local Government, *Housing, care, support: a guide to integrating housing-related support at a regional level*, November 2008, p 10.

101. CLG is supporting work being undertaken by Government Offices in the regions to support improved inter-agency working around Supporting People services. Evidence from Hampshire suggests that this work has been effective:

I think the information that has come out from government departments more recently, in terms of recognising the value of the services that Supporting People fund, especially in the South East, which is what I can really talk about, has been very good. There was recently a paper produced under the auspices of GOSE from a health angle, looking at the role that housing-related support and supported housing can play in meeting the health agenda [...] <sup>136</sup>

#### **Effective Partnerships**

**Following our visit to the Thames Reach STEP project<sup>137</sup>, we were left in no doubt that much of this provision's success was attributable to the effective partnership working, and shared understanding of the value of preventative housing-related support services between LB Lambeth, Lambeth PCT and Thames Reach. The result of this partnership has been the creation of a service which provides an invaluable service to clients. We learned that an important element of effective partnership working is having a shared vision of the outcomes which partner agencies hope to achieve through working together. All stakeholders acknowledged the Outcomes Framework as an invaluable tool in helping agencies understand the benefits of housing-related support. A key point was made that it is often difficult to prove what *doesn't* happen as a result of successful preventative work: for example, fewer admissions to hospital and fewer deaths. A shared approach to achieving these outcomes is therefore required in order for the right support to be available at the right time, and prove the benefit of preventative services.**

#### ***The case for retaining Supporting People teams and Commissioning Bodies as the delivery arm for housing-related support within LSPs***

102. Many witnesses express concern about the 'immaturity' of local partnership and joint commissioning arrangements. On this basis, they consider that it is too early to lift the ringfence on funding for Supporting People funding. Helen Williams of the National Housing Federation, for example, told us, "our feeling is that that kind of maturity and joint commissioning across traditional silos is not there in every area so it is perhaps too early for that [the lifting of the ringfence] to have happened."<sup>138</sup>

103. The Audit Commission's recent report on the operation of Local Strategic Partnerships pointed out that "the opportunity for joint commissioning is one of the synergies that should arise from local joint working."<sup>139</sup> However, it also highlighted that

136 Q 170

137 STEP is a supported housing project for homeless drug users who want to move on from hostels to stabilise their drug use by engaging in treatment.

138 Q 43

139 Audit Commission, *Working Better Together, Managing Local Strategic Partnerships* (April 2009) para 101.

the reality on the ground was rather different, concluding that “while many LSPs have developed service commissioning plans, there are significant gaps.”<sup>140</sup> The Supporting People programme has brought about some excellent examples of joint commissioning, particularly in higher performing local authority areas, and the evidence we heard showed that Supporting People Commissioning Bodies have developed into the “predecessor of some more effective local and strategic partnerships”.<sup>141</sup> It is important that this excellence is not lost and so, in common with many witnesses, we therefore see a continuing role for Supporting People Commissioning Bodies and teams as “operational commissioning bodies” within LSPs, as Cllr Barnard of the LGA described to us in oral evidence:

If the LSP has as its core priorities reducing inequalities and setting out very clearly a preventative agenda one of the great benefits of the Supporting People agenda and linking [needs] assessments together is an effective commissioning body [...] You start with the LSP at the top which says this is the broad agenda for the local authority area and underneath it is the operational commissioning body.<sup>142</sup>

104. This approach is also being promoted by CLG. In its oral evidence to us, the Department acknowledged the concerns about LSPs operating at strategic levels and possibly not having the knowledge or expertise to make strong commissioning decisions:

We are asking local authorities to ensure that through the LSP they have very clear links from their (Supporting People) commissioning body, which is their strategic partner, to the local strategic partnership [...] <sup>143</sup>

Again, this reflects the conclusions of the Audit Commission:

Involvement in commissioning should reflect the layers of partnership governance. The strategic layer sets overall direction and reviews overall progress. At the executive and operational layers, there are opportunities to influence detailed commissioning decisions by others. Accountability, however, remains with the council and the partners involved.<sup>144</sup>

### **Two-tier issues**

105. The Audit Commission’s *Working Better Together* report shows that counties and districts demonstrate significantly less experience in joint commissioning than their London Borough and Metropolitan Borough peers.<sup>145</sup> Evidence from Southdown Housing Association gives an example of why this may be the case:

Although Local Area Agreements are meant to include the District and Borough in [...] the subsequent allocation of funds, for Councils in two-tier authorities we see a mismatch between the pressure facing District and Borough Councils and the

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<sup>140</sup> *Ibid.*

<sup>141</sup> Q 4

<sup>142</sup> Q 294

<sup>143</sup> Q 348

<sup>144</sup> Audit Commission, *Working Better Together, Managing Local Strategic Partnerships* (April 2009) para 103.

<sup>145</sup> *Ibid.*

funding being channelled through local authorities. SP grant is currently paid to County Councils when many of the responsibilities around housing and homelessness are the remit of Districts and Boroughs. In our experience there can be poor communication between SP teams/commissioning and Districts/Boroughs. This poses concerns about how well they can work together in the future environment of Area Based Grants (we have lesser concerns about this in Unitary Authorities).<sup>146</sup>

106. We asked Hampshire, a county council, how they had addressed the challenges of delivering Supporting People in a two-tier area. They believed that the most effective approach had been to devolve as much decision-making as possible to districts, whilst facilitating their involvement in the development of the overarching county programme. This approach has worked well and the Hampshire Supporting People programme is the only one operating in a two-tier authority to be rated as delivering an “Excellent service with Excellent prospects for Improvement” in its Audit Commission inspection.

107. However, despite success in some areas, the evidence suggests that the challenges of delivering Supporting People services in two-tier areas have received insufficient focus to date.<sup>147</sup>

### **Conclusions - Local Area Agreements and Local Strategic Partnerships**

**108. The increased flexibility and local decision-making which the removal of the ring-fence and the funding of Supporting People services through Area-Based Grant has brought is a positive development. However, the maturity of some local strategic partnerships, and consequently the ability of some LSP partners effectively to commission services jointly, is in doubt. There is a risk of losing some of the excellent practice which has been developed in the commissioning of these services. For these reasons we consider that Supporting People services require some continued protection as LSPs continue to develop.**

109. We also share witnesses’ concerns that, as budgets come under ever greater pressure, and competition for funds in the Area Based Grant increases, Supporting People services risk losing priority in the new structures. We have already noted the risks posed by the potential loss of SP governance and delivery structures in the context of service user involvement. Expertise in commissioning and procurement of SP services could be lost to LSPs and local authority generic procurement teams. Service users, and providers, find it difficult to engage with local strategic partnerships: both need the additional “layer” of the SP commissioning body to have strong links with the LSP. The SP commissioning body also needs to have strong links with the LSP to overcome any reluctance on the part of partners in LSPs to invest in services which stand to benefit other agencies’ budgets. CLG is to be congratulated on the work which it has done to enable the benefits of investment in Supporting People services to be demonstrated—Cap Gemini research, development of

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146 Ev 77

147 The LGA and the Association of Directors of Adult Social Services referred to the “added complexity” and “unreasonable burden” of administering Supporting People in two-tier areas. Source: Q 275.

the local finance tool, and the Outcomes Framework—but the right people still need to be there in the LSP to make the case.

110. A number of the recommendations we have already made are pertinent to these issues and should help to maintain the protection of Supporting People services in the new local government landscape which we have concluded is necessary. Those recommendations include: making the Outcomes Framework a mandatory requirement, to ensure a continued focus on successful outcomes for service users; continuing to promote the local finance tool, so that local SP teams can demonstrate the value of investment in their work to other services; retaining the existing Supporting People governance and delivery structures. Later on in this report we also recommend that CLG take a stronger leadership role in joining up agendas with other government departments at national level to set an example of effective partnership working at local levels.

111. In addition to the findings described above, we have also noted the particular problems in delivering Supporting People services in two-tier areas, and a lack of guidance as to how to manage the process in those circumstances. **We recommend that CLG ensure that guidance is drawn up and disseminated for delivering housing-related support in two-tier areas. CLG does not necessarily have to be the author, or main instigator, of this guidance: indeed, in line with the conclusions of our recent Report *The Balance of Power*, on the relationship between local and central government, we consider that it may be more appropriate for local government itself—whether through the LGA or otherwise—to take the lead in ensuring that this is done.**

## Regional and sub-regional working

### *Supporting the needs of mobile groups*

112. The importance of joining up local authorities' different approaches to identifying need, and providing services, in housing-related support arises as a key issue in evidence from witnesses. This is particularly the case in respect of service users who tend to move between local authority areas to access the services they need, as illustrated by Refuge:

Above all it must be recognised by Government that funding for domestic violence services cannot be wholly determined by local need. Women experiencing domestic violence often flee across local authority boundaries and reciprocal arrangements need to be put in place.<sup>148</sup>

The Supporting People Strategy outlined the Government's expectation that local authorities should "Work collaboratively to plan services at the sub-regional and regional levels [...]" and "[...] plan to meet the needs of mobile groups, by working more collaboratively to plan services at the sub-regional and regional levels."

113. However, evidence from many witnesses indicates that there is still a long way to go to join up local authorities' policy and practice with regard to Supporting People services.

Of particular concern is the operation of ‘local connection policies’, described as “NIMBY-ism”<sup>149</sup> by Sitra, whereby local authorities refuse services to users from other local authority areas. With the lifting of the ringfence and associated grant conditions, specific instructions from CLG for local authorities not to use local connection criteria are no longer in force:

Current grant arrangements force cross-border consideration and commissioning without protectionism. Without this imperative, even neighbouring authorities may take self interest decisions which could have a domino effect in service collapse [...] <sup>150</sup>

114. In oral evidence, Maurice Condie of Byker Bridge claimed that he had already witnessed examples of such behaviour. He told us that “The reality is that the lifting of the ring-fence is already leading to [...] an increased beating of the parish boundaries, ‘If you are not from this local authority area, you can’t have services here’.”<sup>151</sup>

115. CLG suggested that it believed such claims were being exaggerated, referring to the fact that 122 “Excellent”<sup>152</sup> local authorities were already operating without grant conditions “and those transitional groups have not found the door shut. [...]”<sup>153</sup> We asked what proof CLG had to substantiate this view and were told that

local authorities will monitor that through a client record form. We get the information because the University of St Andrews does all the analysis. We can see the client groups and into which local areas they are importing or exporting. We are aware of it but we do not monitor it [...] local authorities monitor it much more closely because those that do much more importing than exporting obviously want to enter into dialogue with neighbouring authorities to do some joint commissioning.<sup>154</sup>

116. Local authority witnesses were able to provide examples of joined up services, such as Bath and North East Somerset’s cross-authority service for ex-offenders and Cambridgeshire’s early work on becoming the lead commissioner for domestic violence services for both Cambridgeshire and a neighbouring authority. However, evidence from many witnesses, including Hact, showed us that many vulnerable individuals were still not receiving the services they need:

Through our work, grounded in our experience, we are very aware that there are needs that are not being met. It is important that Government understands where gaps exist and ensure resources are available to meet them. Specific attention should be paid to those groups where official statistics do not adequately reflect reality and

149 Ev 198

150 Ev 79

151 Q 108

152 The ringfence protected the overall Supporting People budget by requiring administering authorities to spend the funding on housing-related support or, for local authorities rated ‘Excellent’ under Comprehensive Performance Assessment, on wider welfare services. ‘Excellent’ authorities therefore had the opportunity to spend Supporting People funds on areas such as social care.

153 Q 354

154 Qq 355-56

where people face considerable discrimination and disadvantage, such as refugees, new migrants, BME communities and Gypsies and Travellers. [...] CLG and the Homes and Communities Agency should continue to invest in developing needs mapping exercises at the regional level.<sup>155</sup>

117. In her oral evidence to the Committee, CLG's Lorraine Regan admitted that there is "much more to be done"<sup>156</sup> to encourage LAs to joint commission, particularly for 'transient' groups.

### Identifying need

118. Research by CLG, the Housing Corporation and the Care Services Improvement Partnership in 2008<sup>157</sup> drew attention to the challenges for housing-related support commissioners in bringing together housing, health and social care to provide an integrated approach to delivering housing-related support. The research report concluded that the Joint Strategic Needs Assessment and Strategic Housing Market Assessment "should be aligned to provide a local assessment of housing-related support needs, with common metrics in order to enable the aggregation of data at a regional level."<sup>158</sup> This recommendation was intended to achieve a "common regional evidence base [to] facilitate the identification of regional priorities to establish where and for whom there is a need for regionally or sub-regionally commissioned services[...]"<sup>159</sup> The report also recommends that Government Offices, Regional Development Agencies and Regional Improvement and Efficiency Partnerships support the development of a regional framework.<sup>160</sup>

119. However, some of the evidence we received suggested that, given the mixed progress with the Joint Strategic Needs Assessment, the increased challenge to include housing and housing-related support considerations may be a tall order in some areas. The Audit Commission, for example, noted:

Adult social care adopted Joint Strategic Needs Assessments (JSNAs) in 2007. These require local authorities, with their partners in health, to identify the needs of vulnerable people to inform the planning and delivery of services. Evidence from inspections shows that progress to achieve JSNAs has been slow in many areas. Housing-related support issues are not uniformly addressed where JSNAs have been carried out. In the small number of local authorities where this has been achieved, there is evidence that it has successfully raised awareness of the importance of housing-related support in addressing the care and support needs of vulnerable people and has promoted the joint commissioning of services to meet needs.<sup>161</sup>

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155 Ev 179

156 Q 357

157 Communities and Local Government, *Housing, care, support: a guide to integrating housing-related support at a regional level*, November 2008.

158 *Ibid.* p 5

159 *Ibid.* p 8

160 *Ibid.* p 9

161 Ev 173

Needs assessments for housing-related support have been continually updated in better ALAs such as the London Borough of Westminster [...] along with SP/housing-related support strategies. There is uncertainty about the continuing arrangements for updating housing-related support needs and it is unclear whether the JSNA will be a good enough vehicle for this purpose. The JSNA guidance for Local Authorities does not reference the inclusion of Supporting People services.<sup>162</sup>

120. In oral evidence, the Minister told us that “a lot has been done to get CLG working more closely with other government departments, but I acknowledge that more could still be done on it. [...] We are discussing within the Department of Health the inclusion of a reference to housing-related support in the second publication of the JSNA guidance.”<sup>163</sup> The Minister’s conclusions are reinforced by the findings of the final report of the Audit Commission’s research, *Supporting People Programme 2005–2009*, which was published in October 2009, shortly before the publication of our report. The Audit Commission recommends that central government should consider “working across central government departments to review and revise guidance on policy and practice that is allied to housing-related support planning and delivery; and strengthen the recognition of the role of housing-related support within associated guidance. This should include Joint Strategic Needs Assessments [...]”<sup>164</sup>

### **Conclusions: regional and sub-regional working**

121. Once again, we find that the tools for addressing these issues are already in place: namely, joint strategic needs assessments. Effective implementation of JSNAs should ensure effective identification of need for Supporting People services across a region, including those of mobile and transient client groups. Identification of that need, and discussion across local authority boundaries of how it can best be met, should obviate the danger of local authorities applying inappropriate ‘local connection’ policies. **We recommend that the development of joint strategic needs assessments be accelerated as a priority in planning for the provision of Supporting People services. Specifically, we recommend that a reference to housing-related support be included in the JSNA guidance.**

### **Comprehensive Area Assessment**

122. In September 2003, the Audit Commission began a programme of targeted inspections of all Supporting People administering local authorities. Inspections were carried out with partner inspectorates the Commission for Social Care Inspection (CSCI) and HM Inspectorate of Probation (HMIP). Each inspection team also included a service user.

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162 Ev 174

163 Q 297

164 Audit Commission (for Communities and Local Government), *Supporting People Programme 2005-2009* (July 2009), p 62.

123. From April 2009, assessments of the performance of housing-related support services for vulnerable people became integral to the Comprehensive Area Assessment (CAA). CAA is a new way of assessing local public services in England. It examines how well councils are working together with other public bodies to meet the needs of the people they serve. CAA is a single joint assessment made by the Audit Commission, the Care Quality Commission, Ofsted, and HM Inspectorates of Probation, Constabulary and Prisons.

### **Performance indicators**

124. CAA will report performance against the National Indicator Set. Two of the indicators in the National Indicator Set relate directly to Supporting People services:

- NI 141 Number of vulnerable people achieving independent living
- NI 142 Number of vulnerable people who are supported to maintain independent living

125. The Supporting People programme also contributes to a number of other indicators. However none of these indicators is mandatory for inclusion within Local Area Agreements. Of the 198 indicators within the National Indicator Set against which local authorities' performance will be assessed by the Audit Commission, local authorities are only required to select 35 for inclusion within their Local Area Agreement. This leaves a large number of witnesses concerned that local authorities will not prioritise Supporting People outcomes in their Local Area Agreements, as Byker Bridge and Brighter Futures state:

Local authorities had the opportunity to demonstrate a commitment to 'mainstreaming' SP by selecting NI141 or 142 [in their LAAs]; however: 36% did not, 48% expect to discontinue SP services in the next 12 months. Therefore providers conclude that preventative services will not be mainstreamed, strategically planned or jointly commissioned by LSPs [Local Strategic Partnerships].<sup>165</sup>

126. In oral evidence to the Committee, CLG argued that

There is a range of other indicators where SP can contribute and local authorities understand that. They may well not have picked Supporting People but something around re-offending or getting people with mental health problems back into accommodation. There are at least another 20 or 30 indicators to which Supporting People can contribute, so I do not believe it is necessary to have the housing-related support indicators there to make sure it is maintained and delivered in a local area.<sup>166</sup>

127. The Audit Commission concurred with this view and pointed out that, whilst there is increased flexibility for local authorities to select indicators for inclusion in their Local Area Agreements, this does not limit the Audit Commission's scope of inquiry. Roy Irwin described the process for us:

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<sup>165</sup> Ev 67

<sup>166</sup> Q 362

The local area agreement looks at 35 key headline indicators. The Commission and the other inspectorates are not reduced to looking at just those 35. We look at all 198 national indicators and local management information as well if that covers an issue that we think is relevant in that locality. For example, if somebody negotiated a local area agreement and did not include Supporting People indicators (of which there are two) then that is fine because it is their local agreement, that is not a problem. However, if from the feedback from other sources it became clear that homeless people, people leaving care or people leaving prisons in their locality became more and more desperate and disparate in terms of the services then we would start to ask questions of the local authority, how they are handling these demand issues, irrespective of their local area agreement.<sup>167</sup>

128. Rachel Williams of the National Housing Federation disagreed with this assessment of how the process would work, questioning the effectiveness of the CAA in circumstances where the LSP has not adopted Supporting People-related targets:

one of the challenges is if, in an area, a local strategic partnership has not adopted targets that are focused on meeting housing-related support needs, how effective in those circumstances will the Comprehensive Area Assessment be at looking at the needs of vulnerable people. We heard from the Audit Commission and I think in their framework there is an emphasis that they will look at how services reach vulnerable people and reach the socially excluded, but if targets have not been adopted locally then I think there is a question as we move through to the new Comprehensive Area Assessments how effective it will be in that regard.<sup>168</sup>

129. We were therefore interested to hear Alan MacDonald of HM Inspectorate of Probation also expressing a lower degree of confidence in CAA's ability to interrogate services in the same way as the former inspection regime:

CAA provides a lighter touch; it is a different arrangement. It is a more mature way of looking at local authorities but undoubtedly it is the case that there are not the same resources that are going into inspection as hitherto. In terms of some of the fine graining issues you are talking about, I do not think that CAA will interrogate to that level of detail.<sup>169</sup>

### ***Keeping users at the heart of CAA***

130. The Audit Commission's CAA Framework states that

As inspectorates, we have specific responsibilities in relation to people whose circumstances make them vulnerable, including children, and in relation to people who may make others vulnerable, such as offenders and people under probation supervision. We will pay particular attention in our assessments to people whose personal circumstances present a risk to themselves or to others. We will make sure that their needs are fully considered, including their needs for settled

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167 Q 21

168 Q 47

169 Q 21

accommodation and employment. We will report clearly where their needs are not being met or where we have concerns about them being met in future, allowing for the different levels of risk and urgency associated with such circumstances.<sup>170</sup>

In oral evidence, Roy Irwin also explained that “In terms of CAA [...] part of our work is to try to get a view from users of services locally around a range of services. There is a danger in having really well-presented documentation that says how wonderful everything is and some of it will be true. Our job is to work out where it is true and where it can be evidenced from other sources and where it is not true and where we need to do further work.”<sup>171</sup>

131. However, as with many witnesses, Peter Rush of Hampshire County Council expressed doubt that real user engagement would be possible:

Under the Supporting People inspection process [...] [inspectors] had the time and the opportunity to go out and talk to a number of service users [...] so they could see, so they could identify that slow process of improvement in outcome that has been made for individuals. With the process that we are talking about now, there is the danger [...] with it being a much higher level process, and much shorter in time, taking fewer resources, that that would be lost.<sup>172</sup>

Mr. Rush also suggested that

CAA is something that is untried to a large extent and, especially in a two-tier authority, one Comprehensive Area Assessment that assesses all aspects of the performance of Hampshire County council, the eleven district and borough councils, Hampshire NHS, the police and fire authority there, it is asking a lot of one assessment to pick up on the nuances of one particular programme without falling back on a crude measure of how are you doing against the national indicators [...]<sup>173</sup>

132. Acknowledging this challenge for inspectors, we suggested to CLG that the quality of a Comprehensive Area Assessment might rely too heavily on individual inspectors’ knowledge and expertise of housing-related support. CLG assured us that “We are very confident about the Audit Commission’s moderation process and the standards it sets in terms of report writing and its findings on the CAA. A very robust methodology has been developed.”<sup>174</sup> However, Greg Roberts of Westminster told us that the introduction of some basic standard frameworks around Supporting People services would give inspectors a much more robust basis from which to draw their conclusions about the quality and effectiveness of local services:

There needs to be a clear strategic framework in place, so the authority can demonstrate the links between their strategies for all the principal client groups and how housing-related support fits into that. There needs to be a clear commissioning

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170 Audit Commission, *Comprehensive Area Assessment Framework Document*, February 2009, p 43.

171 Q 26

172 Q 205

173 Q 202

174 Q 360

framework, so where a decision is taken around the commissioning procurement of these services, there needs to be a clear contract monitoring framework; how do you actually know, as an authority, what is going on in these projects, and how do the outcomes of those individuals actually feed into your targets. I think if the inspection regime becomes about looking at those national indicators and seeing whether or not you are in the top quartile, the middle quartile, the bottom quartile, that becomes too blunt.<sup>175</sup>

133. CLG's memorandum stressed the important role that the new Regional Resource Teams now have to play in building accurate pictures of performance for CAA. These teams were created to help central government achieve Departmental Strategic Objectives and Public Service Agreement (PSA) targets relating to vulnerable adults and Local Strategic Partnerships to meet their LAA targets. Each resource team has a particular expertise across housing support and homelessness. CLG's memorandum to our inquiry states that

Although relatively new, these teams are proving to be a very useful resource within the regions and will also be a key element in the successful delivery of the Social Exclusion PSA 16<sup>176</sup> [by feeding] into the [...] CAA process by ensuring that the Audit Commission have the additional information they require to get a clearer local picture of an authority, prior to undertaking a CAA.<sup>177</sup>

## Conclusions

The inspection regime remains an important part of ensuring the accountability of councils for the quality of the services they provide. Nonetheless, as we have recently observed in our report on the *Balance of Power*, "local authorities remain subject to invasive central government scrutiny and interference"<sup>178</sup> and we concluded in that report that it "seems sensible to us to place more emphasis on assessing the success of partnership working in delivering the place-shaping role, rather than focusing on a large list of individual indicators."<sup>179</sup> We are therefore generally supportive of the principles behind Comprehensive Area Assessment.

134. We nonetheless retain some concerns about the likely effectiveness of CAA in the inspection of Supporting People services. We are doubtful of its ability to capture full and accurate feedback from service users. We are also concerned that the ability of inspections to pick up problems with housing-related services in circumstances where the LSP has not adopted any SP-related indicators will rely too heavily on individual inspectors' knowledge and expertise of housing-related support.

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175 Q 202

176 PSA 16: 'Increase the proportion of socially excluded adults in settled accommodation and employment education or training. The PSA focuses on four at-risk client groups: care leavers; adult offenders under probation supervision; adults in contact with secondary mental health services; and adults with moderate to severe learning disabilities.

177 Ev 226

178 CLG Committee, Sixth Report of Session 2008-09, *The Balance of Power: Central and Local Government*, HC 33, para 66.

179 *Ibid*, para 84

135. We do not consider mandatory SP-related performance indicators to be appropriate. Forcing local authorities to adopt such indicators would run counter to the devolutionary approach of local area agreements. We also believe that the implementation of the recommendations which we have already made—the retention of dedicated Supporting People teams and expertise, for example—should go a long way towards ensuring the maintenance of an appropriate focus on Supporting People services.

136. Nevertheless, **with greater local freedoms, improved accountability is needed. To ensure that Comprehensive Area Assessment is capable of providing that accountability, therefore, we support the proposal by Westminster City Council and others that there should be a requirement for strategic commissioning and contract monitoring frameworks to be in place in each administering authority so that inspectors know where to look for the information they need for CAA. We also reiterate our recommendation that the Outcomes Framework should continue to be a requirement in all local authorities. The Outcomes Framework will be able to provide a clear focus for CAA inspectors’ assessment of the effectiveness of SP services in an area.**

137. **Meanwhile, there are steps which should be taken by the inspectorates themselves to ensure robust and effective inspection. Crucial among these is ensuring service user input. The previous inspection regime was very effective at enabling such input; the new, lighter touch inspections may find it more difficult. We recommend that the inspectorates develop clear guidance and procedures for inspectors on ensuring user input to inspection results.**

138. Finally, it bears adding that Comprehensive Area Assessment is new and, as yet, largely untested. **It will be important to continue to review the outcome of CAA in the light of experience—not only, of course, in the context of the inspection of Supporting People-related services, but more widely—and to adjust the regime, and the elements such as those we have recommended above, which support it, to ensure that it remains both effective and also as unburdensome as possible.**

## A statutory basis for Supporting People?

139. Within *Independence and Opportunity: Our strategy for Supporting People* CLG considered the issue of placing the provision of SP services on a statutory basis. It concluded that “we do not, at this stage, consider it appropriate to introduce new legislation around housing support.”<sup>180</sup>

140. Some witnesses’ evidence suggests that pressure on budgets, compounded by current economic circumstances, means the Government should reconsider legislating on the provision of housing support services. However, Martin Cheeseman of the Association of Directors of Adult Social Services reflected the common view that

Marginally, I would say it should remain on a voluntary basis, but it is arguable both ways. [...] In some respects having the flexibility of a non-statutory basis helps.

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<sup>180</sup> Communities and Local Government, *Independence and Opportunity: Our Strategy for Supporting People*, June 2007, p 30.

Against that, with the disappearance of the ringfence all of the good work done in Supporting People could get lost unless it is flagged and we would be back here in five years' time reinventing Supporting People.<sup>181</sup>

141. Peter West of the Care Quality Commission agreed, adding “We are interested in outcomes. I am not sure we are all that worried about whether or not it is statutory.”<sup>182</sup> Moreover, Roy Irwin of the Audit Commission pointed out that “it would be very difficult to specify exactly what [a statutory definition] might mean in a wide variety of places. [...] I think at this stage it would be my view that local partnerships should be trusted to do a good job first and then only have it on a statutory basis as a rod of iron afterwards.”<sup>183</sup>

142. Cllr Gareth Barnard of the Local Government Association felt it more important to raise the profile of housing-related support and encourage more joined-up working between central government departments:

at this point we do not see joined-up thinking at policy level between the Department of Health and CLG [...] That has huge planning implications for the future in terms of understanding the greater move towards independence. We would like to see a much closer tie-up between housing, housing-related support programmes and work on exclusion, cohesion and things like that. At the moment it is not quite there.<sup>184</sup>

Cllr Barnard's view echoes our own findings in our recent *Balance of Power* report in which we concluded that

A further issue is the extent to which CLG is taking other government departments with it. If a rebalancing of power is to take place, there has to be consistency and commitment across Whitehall. Local authorities will not be able to exert a leading place-shaping role unless they have influence over the full range of public services delivered at the local level. Individual government departments locked into a top-down mentality are a major, if not insurmountable, obstacle to achieving this.<sup>185</sup>

143. When we asked the Minister for an updated assessment as to whether there should be a statutory basis to protect the most vulnerable we were told:

Probably not. That is not what we are trying to do. What we are trying to do is decentralise and give people more power at local level. [...] If you then say that you will enforce things by statute you run the risk of stifling innovation, decreasing flexibility and perhaps increasing bureaucracy, and it would probably be more expensive.<sup>186</sup>

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181 Q 267

182 Q 268

183 Q 15

184 Q 264

185 HC [2008–09] 33-I, para 96.

186 Q 314

144. We agree with the prevailing view amongst our witnesses that there is at present no strong case for putting Supporting People services on a statutory basis. Those services would be extremely difficult to define in legislation, and to attempt to do so would be to risk hampering attempts to join up health, social care and housing in a continuum of services appropriate to the needs of service users. We consider that the recommendations which we make elsewhere in this Report should be sufficient to protect Supporting People services. However, the situation should be monitored and we recommend that the case for placing SP services on a statutory basis be reconsidered at a later date in the light of the evolving social care agenda.

145. Meanwhile, CLG needs to take a stronger ambassadorial role amongst other Government Departments and agencies to promote housing-related support in the context of the health and social care policy areas. Its leadership is crucial in ensuring continued recognition of the value of Supporting People services, and setting a precedent for effective partnership working at local levels.

## 5 Increasing efficiency and reducing bureaucracy

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146. The LGA and the Association of Directors of Adult Social Services told us that many local authorities have found the reporting and monitoring requirements of the Supporting People programme overly burdensome and bureaucratic, and suggested that this has particularly been the case in two-tier authorities. On the other hand, several local authority witnesses to our inquiry seemed confident that they have achieved a reduction in bureaucracy under the Supporting People programme. Stoke-on-Trent, for example, asserted: “We believe that efficiency has been increased and, since the inception of the programme, bureaucracy reduced.”<sup>187</sup>

147. We have noted that the competitive tendering regime for Supporting People contracts is viewed by many witnesses as a burden. However, there are other administrative demands on commissioners and providers which appear to have been more welcome—albeit as ‘necessary evils’, as Look Ahead Housing and Care describe:

All providers of SP services regularly complete several data monitoring exercises including an ‘Outcomes Framework’. [...] the extensive and wide ranging data set makes SP one of the most monitored areas of its type. While as a provider we would never advocate for unnecessary or disproportionate information requirements we recognise the many benefits which have been gained as a result of the breadth of information available. Firstly it has placed both commissioners and providers in a much stronger position with regards to evidence-based policy making [...] As the outcomes of particular actions are known and reported both parties are able to identify what works and to share that good practice [...]<sup>188</sup>

148. The provider organisation Casa Support similarly argued that “The SP programme brought many challenges to the sector, but it is our opinion that these challenges have benefited service users and made the sector accountable and outcome focused.”<sup>189</sup> Casa recommended that

the administrating authority should maintain use of the QAF and the measurement of outcomes [the Outcomes Framework]. We see little point in reducing the accountability of providers and the SP team. Demand for services is increasing and the protection of vulnerable people is of paramount importance and accordingly we believe that clear accountable and robust structures need to be in place.<sup>190</sup>

149. An area in which witnesses could see room for improvement, however, was the consistency with which local authorities used the Quality Assessment Framework. Rethink’s evidence declares that

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187 Ev 110

188 Ev 91

189 Ev 122

190 *Ibid.*

[...] there is little agreement between local authorities in the way that services are audited, with each authority interpreting the Quality Assessment Frameworks (QAFs) differently. In some areas it was felt this was done well, with the QAFs being a good tool with firm targets to help improve services. In other authorities, area service managers felt that services received a poor grading only because it was not made clear what that authority expected was different.<sup>191</sup>

150. We were also alerted to the fact that local authorities are using different versions of the QAF, which has increased the administrative burden on providers in some instances:

following the development of the refreshed QAF, one of the local authorities with whom we work has declared it is going to stay with the old version. This will in effect mean that we and other providers are preparing for two different assessments. [This] could be remedied by a directive from the CLG that local authorities use standard methodologies.<sup>192</sup>

**151. Apart from the issues with competitive tendering which we discuss above, the administration and bureaucracy associated with managing Supporting People contracts and services seems appropriate—a ‘necessary evil’, producing useful outcomes. However, the inconsistent use of the QAF—and the use of different versions of the QAF in different areas—is a concern. We have already recommended the retention of the QAF as a requirement. We further recommend that local authorities be required to use the same version of the Framework, to ensure consistency to providers of SP services across local authority boundaries.**

## Regulation of service providers

152. Although alluded to by just a couple of witnesses, we were concerned to hear of an extra layer of bureaucracy being brought about by a lack of joining up of the regulatory frameworks for housing-related support services.

153. Peter West of the Care Quality Commission (CQC) explained to us that a ‘grey area’ exists between the services CQC registers as personal care, on the one hand, and housing support, which does not need to be registered, on the other. In oral evidence, Mr. West told us that:

The perception is that our two relevant government departments, CLG and the Department of Health, generally have quite big agendas which are separate from that boundary issue. We are concerned that that boundary is not being sufficiently focused on. Practically speaking, a supported housing scheme with workers who may provide personal care would trigger a registration with CQC and from April 2010 it will also be registered with the Tenant Services Authority. Both departments and their regulators are currently consulting on new regulatory frameworks. It is not apparent to us sitting in the middle that those regulatory frameworks are sufficiently aligned [...] The Care Quality Commission believes that that has significant

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191 Ev 98

192 Ev 121

implications for the number of supported housing providers that might need to be registered with us.<sup>193</sup>

154. In other evidence, UNISON described how the current system allows providers to make a somewhat arbitrary selection of regulator on the basis of the burden of bureaucracy associated with registration:

Increasingly, the dividing line between the housing-related social services provided under Supporting People and health and social care services is becoming blurred in terms of how services are delivered. Yet regulation regimes remain separate and have different administrative requirements. One major provider of support services for people with learning disabilities has discussed with UNISON how it wishes to switch some projects from one regulator to another (for example from CSCI [now CQC] to the housing regulator), because this would reduce the administrative burden imposed on the organisation by regulation. But such a change was not linked to any change in the way the service was being delivered. Such choice of regulation is surely a weakness in the way social care services for vulnerable people are provided.<sup>194</sup>

155. When we asked how this issue was being flagged to the Care Quality Commission's parent department, the Department of Health, the CQC witness told us "I spoke to our sponsoring department this morning to say I was coming here. I was a bit surprised that this issue was not quite on their radar."<sup>195</sup>

**156. We are concerned that decisions about future regulation appear to be made by CLG and DOH in separate silos. With an increasing emphasis on housing-related services being ever more joined up and flexible, providing a continuum of support to service users, from low-level preventative interventions to high end critical care, the risk of support services which straddle the line between social care and housing becoming lost in the complexities and bureaucracy of insufficiently aligned regulatory regimes represents a huge threat to the sustainability of many providers of housing-related support and care services. We recommend that CLG take the lead in addressing this issue of regulation with the Department of Health, with a view to creating a more joined-up approach to the regulation of housing and social care services.**

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193 Q 258

194 Ev 88

195 Q 260

## 6 Sheltered housing

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157. The Supporting People Strategy notes that

local authorities will [...] play an increasingly important role in planning for the major demographic challenge of our time, an ageing society. The preventative services delivered by Supporting People are pivotal in addressing the needs of these groups before crisis point and managing wider local authority pressures, such as social care costs.<sup>196</sup>

158. Much of the evidence we received commended the Supporting People programme's role in helping older people live independently at home. Services such as Handyperson<sup>197</sup> were singled out for particular praise and many witnesses believed that advice and information services to help older people understand their care and housing options had been improved. However—along with the burden of the competitive tendering regime for Supporting People contracts—the issue of sheltered housing being part of the Supporting People regime was the most hotly disputed issue within the evidence submitted to our inquiry.

159. Age Concern and Help the Aged outlined the background to this contentious issue in their written evidence:

When SP funding was introduced in 2003 there was a debate about whether sheltered housing should be included under this funding regime. There was an early recognition that the inclusion of sheltered housing, under SP, could prove problematic and assurances were given in guidelines designed to protect sheltered residents. [...] Prior to 2003, sheltered housing was delivered as a complete package, with the funding of housing support via Housing Benefit payment for those unable to pay service charges.<sup>198</sup>

Following a change in the Housing Benefit system in 2003, only 'bricks and mortar' could be paid for with Housing Benefit. The 'support' aspect of sheltered accommodation had to be paid with Supporting People funds. Age Concern and Help the Aged believe that the change in the funding regime from 2003 "is at the core of ongoing problems and complexities for many existing and prospective residents."<sup>199</sup>

160. In oral evidence, Mr Oldman of Age Concern and Help the Aged explained that the separation of housing and support costs was leading to "a fragmentation of services and confusion amongst residents about what the services are and how they are provided."<sup>200</sup> He went on to add that this fragmentation demonstrated a "failure to recognise that in

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<sup>196</sup> Communities and Local Government, *Independence and Opportunity: Our Strategy for Supporting People*, June 2007, p 25.

<sup>197</sup> Handyperson services are offered by many Home Improvement Agencies to help older or disabled people with small jobs around the home, or operate specific schemes to improve home safety and security, prevent falls in the home, improve energy efficiency or make homes suitable for people to return to after a stay in hospital.

<sup>198</sup> Ev 130

<sup>199</sup> *Ibid.*

<sup>200</sup> Q 150

relation to specialist housing and sheltered housing the reason it works is because it is an integrated package which brings together housing management and housing support. If you take that apart, you are creating inherent instability, financial instability within those schemes.”<sup>201</sup>

161. Many witnesses, including the Anchor Trust, believe there are compelling reasons to remove sheltered housing as a low-level preventative service from the Supporting People regime, arguing that “the Supporting People structure is designed for higher-level interventions.”<sup>202</sup> As we have already seen, evidence to our inquiry highlights widespread concern that pressure on local authority budgets will lead to funding being focused on services to support the most critical and acute needs, with the benefits of preventative, lower-level interventions consequently being lost.

162. The Anchor Trust also pointed out that “Older people in receipt of Supporting People funds receive a relatively small amount per person meaning that the administering of these funds is relatively expensive.”<sup>203</sup> This view was supported in oral evidence by Louis Loizou of Brighton and Hove Sheltered Housing Action Group:

[...] all Supporting People does is deliver money [...] it could quite easily, more cheaply and more efficiently be paid through the benefits system.<sup>204</sup>

### The loss of wardens in favour of floating support

163. The focus of many witnesses’ submissions regarding services for older people was the growing trend for local authorities to withdraw onsite wardens from sheltered housing schemes and replace them with generic or floating support teams which are able to deliver services to a larger number of older people in the community, rather than being attached to a single scheme. Age Concern and Help the Aged stated that “in three years time 38% of sheltered housing will have floating support (as opposed to warden services) from a base of 5% five years ago.”<sup>205</sup> Whilst the organisation accepted that “There is certainly a strong argument that basic housing support services should be available to all groups of older people regardless of tenure—which was the stated objective of SP”<sup>206</sup>, it remained “unconvinced that SP has achieved this objective.”<sup>207</sup> Whilst floating support was acknowledged as being effective in expanding the client base being served by Supporting People services, Age Concern and Help the Aged referenced their 2009 report *Nobody’s Listening*<sup>208</sup>, in which they showed that older owners in sheltered and extra-care housing (many of whom are very vulnerable and not well-off) are sometimes denied Supporting People services as Administering Authorities have discretion to decide how support for older people in leasehold and privately rented accommodation should be funded. There

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201 Q 150

202 Ev 116

203 Ev 118

204 Q 142

205 Ev 129

206 *Ibid.*

207 *Ibid.*

208 Help the Aged, *Nobody’s Listening* (London, 2009).

was therefore a strong sense amongst many witnesses that Supporting People was neither delivering to some of the most vulnerable older people in society in a tenure-neutral way, nor managing to retain residential wardens in sheltered accommodation as a valid choice of housing-related support. On this latter point, given that service user choice is a mainstay of the Supporting People strategy, the removal of residential wardens as a 'choice' in some local authority areas is seen by many witnesses as a significant failure of the programme.

### *The case for wardens*

164. An argument against replacing wardens with floating support was raised by John Belcher of the Anchor Trust, who told us

People move into sheltered housing to seek security. They look to the scheme manager to provide that and suddenly they are finding that the scheme manager service in some parts of the country is being withdrawn, it is moving to floating support.<sup>209</sup>

This failure to manage the expectations of older people who have moved into sheltered accommodation on the understanding that there would be a residential warden has led to numerous legal challenges against decisions by providers or commissioners to replace wardens with floating support. At the time of our inquiry, the outcomes of these challenges were unknown.

165. Proof that warden services are still wanted by residents was provided by Housing21, which gave an example of how a reduction in the number of older people receiving Supporting People funding has not necessarily reflect a decreased demand for service:

In one area where the local council stopped paying the Supporting People funds (of £3.75 pw) for the resident manager service and developed a mobile or floating service of £5 per week our residents chose to continue our service losing the Supporting People funding support.<sup>210</sup>

The Anchor Trust described a similar outcome in three of its own schemes:

where the local authority has withdrawn Supporting People funding from within a scheme and we have taken that back to our tenants, the tenants themselves have actually voted to pay for the additional cost of retaining the scheme manager service. We have had that in three individual local authorities where that has occurred.<sup>211</sup>

166. When we asked John Belcher of the Anchor Trust why he thought local authorities were taking money away from warden schemes, he replied that he believed that the floating support option provided local authorities with the opportunity to remove support from residents with low-level needs in order to focus on those requiring a higher intensity service. Referring to some recent incidences of local authorities taking such

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209 Q 150

210 Ev 108

211 Q 151

decisions, Mr. Belcher felt that this represented a “[withdrawal] from providing what I consider to be a preventative service for the entire scheme.”<sup>212</sup>

### **The local authority view**

167. When we asked local authority witnesses for their views about floating support in sheltered housing settings, we were—perhaps unsurprisingly—given some rather different perspectives. Andrew Meakin of Stoke-on-Trent told us that “some customers in sheltered housing qualified for Supporting People because they were in receipt of housing benefit, and others did not, and had to pay the Supporting People charges as a condition of their tenancy out of their own resources. We receive a lot of complaints from those customers who feel that they are having to pay for a service that they do not need.”<sup>213</sup> Rod Craig of Cambridgeshire’s view was that resident wardens were “very expensive”<sup>214</sup> and that “people are looking to stay within their own homes and receive the sort of services that they could do through sheltered housing on a supported outreach basis rather than on a building basis.”<sup>215</sup>

168. The views of Stoke and Cambridgeshire were echoed in evidence from the Minister:

There will be people living in sheltered accommodation who qualify on the basis of their age and perhaps not on the basis of necessarily needing the support that a warden can offer. If there are people living nearby in a community who could benefit from the support that a warden can offer and are able to remain in their homes longer and live independently that is not a bad thing.<sup>216</sup>

We were interested to note that several witnesses saw there to be a compromise between accommodation-based and floating support in the ‘hub and spoke’ model of service delivery, as Housing21 outlined in their evidence:

A more favourable change highlighted by the research [by Help the Aged and Age Concern] is the development of floating support services from existing sheltered housing—often referred to as the hub and spoke model—where the onsite service is used as the basis for services to the wider community and to the scheme—something that we welcome since it protects the service for existing residents and develops new services for people in the surrounding community.<sup>217</sup>

### **Keeping users at the heart of sheltered housing**

Engagement and involvement of service users with Supporting People services is not seen by many to have been a strength. For residents of sheltered housing, communication, consultation and complaints handling mechanisms were viewed as having been very poor

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212 Q 153

213 Q 215

214 Q 252

215 *Ibid.*

216 Q 323

217 Ev 108

indeed. Louis Loizou, Vice-Chairman of the Brighton and Hove Sheltered Housing Action Group, told us that “[...] it took me six months as Vice-Chair of Sheltered Housing Action Group to even know that there was a Supporting People action team meeting that I could attend. They did not come to me, they did not talk to me. [...] To us, Supporting People has been a distant funding body, arrogant, not willing to talk to us.”<sup>218</sup>

#### **The resident’s experience of sheltered housing**

**During our inquiry, we paid a visit to a resident living in council sheltered accommodation in London. This witness expressed particular concerns about the service being provided by the on-site housing officer. Whilst residents’ expectations were for the officer to be a permanent presence, our witness claimed that only 6 hours support per week are provided in practice. Residents’ needs were not being met as a result, and support was felt to be lacking in several areas, such as benefits advice and coordination of social activities for residents. Our witness believed that the community alarm service did not provide an adequate emergency response, with some calls taking up to 20 minutes to be actioned. He also felt that, whilst floating support was a valid option for sheltered housing, having a warden would improve the current situation. We heard that the key issue for residents was the fact that the nature of services to be delivered through floating support was not being clarified by the local authority and that service users’ expectations were therefore equally unclear. As a result of residents’ dissatisfaction with the services they currently receive, service users were considering requesting that the management of their support be transferred to a housing association.**

169. Joe Oldman of Age Concern and Help the Aged supported this statement, telling us

In terms of the research we did with 25 sheltered schemes, the majority of those said that the consultation was terrible or there was no consultation. The other thing they discovered was that there was no complaints procedure because housing support was seen to be a grey area so people could not deal with problems through the provider, the commissioner, the local housing ombudsman [...] [Residents are fearful of] reprisals and problems if they do complain [...] The other thing that worries me is that there have been letters from residents going to the (as it was) housing corporation and also CLG, so people knew then this was a problem and it has been a problem for years and years and nothing has been done about it. I think that reflects very badly on the attitude towards residents.<sup>219</sup>

170. An example of consultation which led to a change in the original proposals was described in relation to Kent County Council:

Kent County Council took a decision to withdraw scheme manager funding from all of its sheltered housing schemes and move to floating support across the county.

218 Q 160

219 Qq 161-62

They engaged in a wide consultation with the tenants living in the sheltered housing schemes and the reaction from the tenants was that they actually did not want to see a change in the funding arrangements and the support arrangements which operated for sheltered housing. They lobbied and campaigned their county councillors and as a consequence of that Kent changed its decision and maintained an in-house scheme manager service.<sup>220</sup>

171. When we asked the Minister about his views about the replacement of wardens with floating support, he replied, “If the point you make is that people have moved into sheltered housing on the basis that they receive particular services and then those services are changed without consultation and it causes difficulties I do not believe that should happen.”<sup>221</sup>

### The impact of Supporting People on builders of supported housing

172. The splitting of ‘accommodation’ and ‘support’ under Supporting People appears to have had a particular impact on builders of supported housing. Their capital investment can be threatened by the prospect of ongoing revenue funding (from the delivery of support services) being lost through the competitive tendering process. This issue is not specific to sheltered housing for older people, but also for other forms of supported housing, such as that for people with learning disabilities. Raglan Housing Association describes the difficulties for providers in this respect:

From an RSL perspective, the lenders that finance association development programmes are becoming more aware of the [...] risk to revenue funding of projects and are both trying to increase the rate of interest on finance borrowed and becoming more reluctant to do so.<sup>222</sup>

In February 2009, *Inside Housing* described how housing associations were demolishing or selling off supported housing schemes because of uncertainty around how councils commission support services.<sup>223</sup>

173. Sitra recognises the financial risk to providers of having split accommodation and support for supported housing schemes, and recommends

That the CLG, with the HCA, run a consultation exercise on how best to ensure the continuing link between housing and support, including the continuing provision of accommodation based services where appropriate, and ensure that capital investment in new supported housing is not threatened by the risk on ongoing revenue funding being unavailable.<sup>224</sup>

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220 Q 163

221 Q 322

222 Ev 136

223 “Uncertainty causes landlords to demolish supported schemes”, *Inside Housing*, 27 February 2009.

224 Ev 193

## Sheltered housing—where next?

174. In February 2008, the Government published *Lifetime Homes, Lifetime Neighbourhoods: A National Strategy for Housing in an Ageing Society*<sup>225</sup>. This cross-Government strategy addresses older people's housing needs and aspirations and outlines the Government's plans for ensuring that there is enough appropriate housing available in future to relieve forecasted pressures on homes, health and social care. The Strategy contains a range of measures to bring about fundamental changes, such as an expansion in existing support available to older people that will help them to live safely and, where they choose, independently in their own homes. Whilst organisations such as Age Concern and Help the Aged believed this report went a long way towards addressing older people's housing needs in the general sector, they did not believe that it adequately addressed the issue of sheltered housing. Consequently, a Ministerial working group was set up to look at issues raised within the *Nobody's Listening* report and wider issues around Sheltered Housing.

175. As a result of issues discussed above, and in the interests of promoting user choice, several witnesses proposed that Supporting People funding should be paid directly to those eligible for socially rented sheltered housing, to enable individuals to choose whether to live in schemes with an integrated warden or to purchase housing and support separately. Providing this choice was felt to be in tune with the 'personalisation' agenda and the spirit of the Supporting People programme in giving service users control over the services they receive.

## Conclusions: sheltered housing

176. It is not possible for us to draw firm conclusions on the complex area of the position of sheltered housing within the Supporting People regime on the basis of the limited evidence which we have received in the context of this inquiry. Nevertheless it is clear that the separation of funding for accommodation and support has created serious issues for providers and users of sheltered housing, and there is a strong case for reconsidering sheltered housing's place in the Supporting People regime.

177. It is also clear from the evidence which we received that service user consultation, involvement and complaints handling, which has not been perceived as a particular strength anywhere in the programme, has been particularly weak in the area of sheltered housing. The issue of the replacement of wardens with floating support is a case in point. There are pros and cons to the replacement of wardens in this way, and we do not consider that resident wardens should necessarily be retained in all circumstances. However, we are concerned that user choice is not being listened to.

**178. We welcome the fact that a Ministerial Group is now considering these issues, and trust that it will take note of the volume and strength of evidence submitted to this inquiry on the topic of sheltered housing. The evidence we received suggests that this Ministerial group needs to focus on:**

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<sup>225</sup> Communities and Local Government, *Lifetime Homes, Lifetime Neighbourhoods: A National Strategy for Housing in an Ageing Society*, February 2008.

- **Reviewing whether sheltered housing should stay within the SP regime;**
- **Improving needs analysis so that evidence is available of what older people want; and**
- **Developing a more coherent strategy for the provision and funding of housing and support services for older people, making clear the role of sheltered housing.**

**The Group should also consider the effect of splitting ‘accommodation’ and ‘support’ under Supporting People on builders of supported housing, and make recommendations about how to ensure that capital investment in new supported housing is not threatened by the risk of ongoing revenue funding being unavailable.**

## 7 Supporting People Distribution Formula

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179. The 2004 Robson Rhodes review of the Supporting People programme<sup>226</sup> found that the distribution of funding between similar authorities was uneven, and recommended the creation of a formula that allocated resources based on need rather than ‘legacy’ services. This led to the creation of, and consultation on, the Supporting People Distribution Formula (SPDF).

180. The SPDF takes the total Supporting People funding ‘pot’ for England and then assesses relative need between authorities—mainly on the basis of numbers of vulnerable people at risk, with allowances for levels of deprivation and cost differences—and then calculates target allocations for each authority based on the level of need for housing-related support, by using various needs data. How quickly the SPDF is used to distribute funding so authorities reach their target allocations is based on two principles:

- Authorities furthest away from their target allocations should receive the largest annual increases and face the largest annual reductions respectively.
- There should be no ‘cliff edges’. That is, the pace of change must not be too fast, particularly for those facing large reductions in allocation.<sup>227</sup>

181. As the Minister explained to us in oral evidence, “[...] if you just assessed it on need and you went from that overnight to a needs-based allocation it would result in services being closed immediately and vulnerable people losing support they would otherwise get. You have to find a way of achieving a more gradual change.”<sup>228</sup> The settlement letter from HM Treasury following the 2007 Comprehensive Spending Review agreed indicative allocations for 2008–09 – 2010–11 based on a limited implementation of the SPDF, but emphasised the requirement to accelerate the process to reflect need.

182. Stoke-on-Trent is an example of a local authority which is currently receiving below-target funding through the SPDF. Whilst the SPDF estimates that Stoke needs £13.5m to fund its Supporting People services, Stoke’s budget for 2009–10 is £6.2m. Despite annual increases of at least 7% between 2007/8 and 2011/12, it will still take a considerable time for the authority to realise its target funding level. Stoke’s evidence claims that vulnerable people have been disadvantaged as a result of this settlement, and says that the authority would like to see an acceleration in the pace of change of the SPDF to bring under-funded authorities up to target within shorter timescales:

[...] the issue of the distribution formula is the pace of change, and the movement towards an allocation that is based on need, which for us cannot come quickly enough really.<sup>229</sup>

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226 RSM Robson Rhodes (for Office of the Deputy Prime Minister), Review of the Supporting People Programme: Independent Report (January 2004).

227 Ev 231

228 Q 316

229 Q 208

Evidence from Stockton-on-Tees supports this view, stating that in the 14-year period it will take for the authority to reach its target funding, Stockton will have lost out on approximately £40m in grant.<sup>230</sup>

183. Written evidence from the Association of Directors of Adult Social Services and the LGA suggests that the plight of currently underfunded local authorities may be forgotten with the shift to paying Supporting People funds through the Area Based Grant:

A number of authorities have raised concerns about changes to the allocation formula for Supporting People funding during the course of the current spending review and will wish to further press their concerns—in order to ensure that they are not permanently disadvantaged—in the next spending review period. The Area Based Grant guidance 2008 published details of amounts of Area Based Grant that relate to former specific grants for a transitional period up to the end of the current spending review. In order to ensure that authorities can identify and press concerns relating to the current level of funding it will be helpful for this transparency to continue for a further transitional period.<sup>231</sup>

It was also felt that the transparency afforded by the Distribution Formula could act as a protection to Supporting People funds in the short term following the lifting of the ringfence, as we have already recommended.

184. In oral evidence to the Committee, there were some minor challenges to the data sources being taken into account in the calculation of the Distribution Formula. Peter Rush of Hampshire County Council felt that the SPDF did not take into account issues of rurality—that is that although Hampshire has a smaller population of individuals requiring services, that population is more dispersed in a large rural county and the SPDF does not account for the additional costs of delivering services in this way.<sup>232</sup> Stephen Cheetham of Cambridgeshire County Council also felt that population growth had not been adequately addressed for those local authority areas experiencing the greatest population increases.<sup>233</sup>

185. In September 2008, CLG commissioned its Housing Analysis and Surveys Expert Panel to carry out a technical desk study on the SPDF. The aim of this exercise was to review the existing data sources and levels of deprivation applied in the formula, and make recommendations to address any issues found therein. A final report is due to be published later in 2009.

**186. We accept the argument that without extra government funding for the transition, gradual movement from historical funding patterns towards fully needs-based allocations is inevitable. If a sudden redistribution of funds was made, some areas would be faced with the prospect of having to make sudden cuts to services. Nonetheless we appreciate that without adequate funding, councils will be unable to provide the services vulnerable people need. We therefore consider that there should**

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230 Ev 125

231 Ev 216

232 Q 173

233 Qq 253-54

be accelerated movement towards the needs-based allocations, and we recommend that this take place.

187. Meanwhile, we welcome the commissioning of a study of the Supporting People Distribution Formula itself, and the intention to address any issues found therein. We recommend that the study include consideration of the issues of rurality and of population growth which have been raised with us during this inquiry, and that steps be taken to address those issues should the concerns raised prove valid.

## 8 Conclusion: the ringfence

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188. As we have described earlier, the consequence of paying Supporting People funding through the Area Based Grant was the lifting of the ringfence around that funding. Funds nominally granted for Supporting People services may now be spent by local authorities as they wish. This is intended to bring about greater flexibility for local areas in delivering their own priorities for housing-related support and wider welfare and other services.

189. The removal of the ringfence is a crucial moment in the development of Supporting People services: it was one of the reasons why we decided to undertake this inquiry at this time. We have left this issue to this final, concluding section of our Report because, as we shall see, it needs to be viewed in the context of the other developments affecting the Supporting People programme.

### The decision to remove the ringfence

190. The then Secretary of State for Communities and Local Government wrote to local authority chief executives and the chairs of Local Strategic Partnerships in October 2007 to inform them that CLG aimed to include the Supporting People programme grant in the un-ringfenced Area Based Grant from April 2009 “dependent on pilots in 2008/09 not raising serious concerns”.<sup>234</sup> Evidence from CLG to this inquiry stated that:

Overall, the views from the [pilot] group about the best way forward were clearly in favour of increased funding flexibility. This represented a changed position from the beginning of the project when many of the learning network members were in favour of keeping the ringfence.<sup>235</sup>

191. Indeed, in evidence to this inquiry, we heard many examples of how these new freedoms will improve innovation and allow services to reach those who haven’t been reached before, as the Audit Commission demonstrates:

Inspections and advice work have identified a number of areas where innovation and improvement in delivery have already taken place and could be enhanced by the removal of the ringfence and parameters which some authorities have been reluctant to lose to date.<sup>236</sup>

192. Views from other witnesses present a more varied picture. On one hand, many stakeholders appreciate the freedoms and flexibilities afforded by the lifting of the ringfence and its associated grant conditions; on the other, some consider that re-imposition of the ringfence would act as a necessary national safeguard to the programme.

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234 Ev 228

235 Ev 229

236 Ev 176

193. The Audit Commission's memorandum states that "It goes without saying that maintaining service funding without a ringfence will be harder going forward."<sup>237</sup> The Commission, along with a great many other witnesses, also suggests that:

The decision to remove the ringfence was taken in a different regulatory and economic climate. The recession brings further pressures and heightens risk. It is likely that more individuals may become vulnerable and need support because of the pressures of economic recession. There may be an increase in depression and other mental health problems, and more individuals may turn to alcohol or drugs and experience the threat of losing their home. Academic research has shown that compulsory redundancies are linked to increases in domestic violence.<sup>238</sup>

The suggestion of increased demand is borne out by the experience of some provider organisations, as, for example, Southdown Housing Association:

We have seen significant increase in demand in the last four to six months in our homelessness schemes as people default on their mortgages or tenancy agreements (we are seeing people who in the past would not have been our traditional client group).<sup>239</sup>

However, Roy Irwin of the Audit Commission was keen to point out that "The [...]ringfence did not guarantee good services, as our inspections show. Although people are concerned about the removal of the ringfence, our inspection evidence does show that, even with the presence of all the arrangements around grant conditions, too many authorities did not deliver good services."<sup>240</sup>

194. Notwithstanding the arguments for and against a ringfence, most witnesses agreed on one point: that the pilot exercise in lifting the ringfence had been too short and that it was impossible to truly predict so early on what the impact would be. When we put this to the Minister, we were reminded that "in addition to the pilots 122 local authorities already had greater freedoms and flexibilities because of their [Comprehensive Performance Assessment] star ratings<sup>241</sup> and could have been moving money out of Supporting People programmes into other areas. That they have not done that indicates that the fears or concerns expressed will not be shown to be true."<sup>242</sup> However, an 'Excellent' authority's performance would usually be of less concern than one not so rated. It is the prospect of less well-performing authorities being given additional freedoms which has given rise to some apprehension.

195. When we asked the Minister whether the ringfence pilots had been long enough, he told us that "Given that so many of the projects are commissioned over a two or three-

237 Ev 177

238 Ev 171

239 Ev 78

240 Q 2

241 The ringfence protected the overall Supporting People budget by requiring administering authorities to spend the funding on housing-related support or, for local authorities rated 'Excellent' under Comprehensive Performance Assessment, on wider welfare services. 'Excellent' authorities therefore had the opportunity to spend Supporting People funds on areas such as social care. In 2008, 42% of councils were given the 4 star 'Excellent' rating under CPA.

242 Q 300

year period if you wanted to run them longer you would have had to run pilots over quite a considerable period.”<sup>243</sup> Although intended in defence of the Government’s actions, this comment rather seems to concur with the majority view that it would have been necessary to extend the pilots in order fully to understand the outcomes of un-ringfencing in the longer term.

196. When asked how the Government intended to protect against potential negative impacts of lifting the ringfence, Lorraine Regan of CLG told us

local authorities submit their financial data to us on an annual basis. That will continue at least in the short term, so we shall be able to look at the impact of where funding is spent over the next couple of years within the spending review period, if not longer. We shall be able to see if funding is being shifted out completely or how it is being shifted within the particular client group.<sup>244</sup>

197. For many stakeholders, however, any discussion of short term protections are less relevant than the long-term financial certainty of the programme, as Westminster Council describes:

Generally it has been the Comprehensive Spending Reviews (CSR) and the consequent allocations of grant to authorities that has had the most impact on commissioning policy and front line service delivery. This is as opposed to any grant conditions, ring fencing of the programme or deliberate decisions by authorities to move funding away from ‘unpopular or mobile groups.’ It is recognised that officers within the CLG Supporting People team did excellently when making the case for the programme to the Treasury in the previous CSRs, securing the national settlement of c. £1.7bn. However the previous CSRs were at a time of relative economic prosperity whereas the next one will almost certainly take place at a time of recession and great pressure on public sector finance. It will be essential to the future of the programme that the CLG SP team again makes the case for the Supporting People programme with vigour and a strong evidence base as this is what will safeguard the programme going forward.<sup>245</sup>

198. CLG has acknowledged concerns about the lifting of the ringfence and has put in place a ‘Transition Package’ which consists of measures such as helping local authorities to better understand the cost benefits of preventative housing-related support, spreading best practice learned from ringfence pilots, and supporting providers to improve capacity to respond to the new commissioning and procurement environment. Some stakeholders argue that an extension of the current Transition Package may help to relieve some of the pressures and concerns brought about by the lifting of the ringfence.

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243 Q 300

244 Q 302

245 Ev 104

### **The impact of lifting the ringfence**

**On our visit to Thames Reach, we heard about the advantages of the increased flexibility afforded through the lifting of the Supporting People ringfence. Thames Reach is taking part in an Adults Facing Chronic Exclusion Pilot project which aims to reintroduce adults facing chronic exclusion to employment. In discussion, it was made clear that this kind of project, which requires the flexibility for several partners to work together around clients' needs, was only possible in the absence of a ringfence. However, the outcomes of this project are yet to be seen.**

**Thames Reach and its partners felt (in a similar way to most other stakeholders) that the lifting of the ringfence only presented a risk in areas where partnership working was already weak. For well-performing local authority areas, the changes to the programme were unlikely to make a big impact, although the risk of funding being diverted to support only those individuals for whom local authorities and their partners have a statutory duty to provide services was still of concern.**

## **Concerns about the lifting of the ringfence**

199. As we have discussed throughout our report, the lifting of the ringfence stands to impact the Supporting People programme in a variety of ways, and is the driver behind the majority of conclusions and recommendations we make. We draw consideration of these impacts together in the following paragraphs.

### ***Pressure on local authority budgets***

200. Despite the availability of robust financial and outcomes data demonstrating the benefits of the Supporting People programme, the majority of the evidence we received showed a great deal of concern amongst witnesses that Supporting People services may be cut, or their funding reduced, as a result of the ringfence being lifted. The reasons for this were very consistent, with pressure on local authority budgets—particularly in Adult Social Care—and the risk of funding being diverted from 'electorally unpopular' groups and those not eligible for statutory services being the most commonly cited.

201. Sitra outlined these concerns in their evidence:

The single biggest concern is that the pressure on statutory services will result in a diversion of funds away from groups that do not have statutory protection and the most socially excluded. There is also concern that many groups who receive [housing-related support] services will be vulnerable as they are not electorally popular, a factor which will become more significant in locally determined budget decisions than in a national programme.<sup>246</sup>

202. The realities of the financial pressures on local authorities were acknowledged by Cllr Anne McCoy of Stockton-on-Tees, who told us

My concern is that because there are so many pressures, and there certainly have been some major ones this year, with Baby Peter, the Mencap review of the six unnecessary deaths, learning disability, dementia strategy [...] if Supporting People is not identified, the pressures could be put on that budget. [...] if I was to say, yes, I could guarantee that it will not be touched, you would not believe me, because of these pressures, but they are so valuable in the smaller targeted service that they produce and the benefits they give to the people of the borough who are in need, that I think it is vital that it is ringfenced.<sup>247</sup>

**203. We conclude that pressure on local authority budgets is a potential threat to the future of some existing Supporting People services and to the likelihood of currently unmet need being addressed in future. The question is how best to address that threat, recognising that it applies equally to other local authority services, and that local people should in principle be in the best position to determine how best to allocate resources.**

### ***Performance of individual local authorities***

204. In its evidence, the Audit Commission was insistent that, in respect of well-performing local authorities, it had few concerns for the future of housing-related support. When we asked Roy Irwin how confident he was about the abilities of local authorities and their partners to deliver Supporting Services following a reduction in central government direction and guidance, he told us that

I think my confidence, if you want a score between none and ten, around maintaining services I think I would go for seven because in the better places—better run in terms of Supporting People—there is recognition of value for money that these are relatively cheap services [...] but some authorities still would not be good enough, whereas some authorities would be excellent.<sup>248</sup>

**205. Nevertheless, concerns remain about less well-performing local authorities with regard to their understanding of the value of Supporting People and in their approaches to commissioning and procurement of services. We understand that CLG is targeting support to such authorities but, despite this, we are concerned that additional freedoms in the spending of Supporting People funds could be misused in local authorities where Supporting People is misunderstood or not seen as a mainstream part of service delivery. We support moves to devolve decision making and control over budgets to the local level. However, as we relate above, we are uncertain at this stage how well the new Comprehensive Area Assessment will identify where the needs of vulnerable people are not being met and believe that there is a possibility that the needs of vulnerable people could go un-served and unnoticed in some areas without a continued specific focus on housing-related support.**

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247 Q 211

248 Q 11

### **Loss of Supporting People governance and operating structures**

206. The evidence we received suggests that local authorities may seek to rationalise current arrangements for service user engagement, commissioning and procuring Supporting People services within Local Strategic Partnerships and wider arrangements for social care or corporate procurement with the lifting of the ringfence. As we have already concluded, **we see this as a serious risk to the future of housing-related support and believe that the continued existence of such structures is critical in the absence of a ringfence on Supporting People funding.**

### **Loss of QAF and Outcomes Framework**

207. As Sitra told us, “There was some concern [amongst Sitra’s members] that use of the QAF might decline if SP teams are dissolved, as more generic commissioners may not understand it or its value.”<sup>249</sup> However, Sitra’s members also felt that one of the benefits of ring fence removal might be “the extension into other areas of social care commissioning of the QAF.”<sup>250</sup> Whilst the evidence shows that the vast majority of local authorities have chosen to continue to use the QAF, **the uncertainty of future arrangements for the commissioning and procurement of Supporting People services leads us to conclude that any loss of robust mechanisms for assuring quality and assessing outcomes would be a serious threat to the future of housing-related support. The QAF and Outcomes Framework have proven their worth in ensuring quality, promoting effective and consistent local and regional commissioning, and providing an unambiguous evidence base of the value of Supporting People services.** We are therefore pleased to note that the QAF and Outcomes Framework are both alluded to in the recent *Shaping the Future of Care Together* Green Paper:

The Government has already started to build the evidence base in care and support [...] Housing-related support services have a strong evidence base supporting them. The sector has a Quality Assessment Framework and an Outcomes Framework to provide a consistent baseline for judging quality and effectiveness. The housing sector can also demonstrate the financial benefits delivered by its services, with estimated net savings of around £2.8 billion.<sup>251</sup>

We note that the Audit Commission’s recent report *Supporting People Programme 2005-2009* reaches a similar conclusion, namely that local authorities should consider “demonstrating commitment to the continuation of and the collation and reporting of information under the QAF and the CLG national outcomes framework.”<sup>252</sup>

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249 Ev 201

250 *Ibid.*

251 HM Government, *Shaping the Future of Care Together*, Cm 7673, July 2009, p 78.

252 Audit Commission (for Communities and Local Government), *Supporting People Programme 2005-2009* (July 2009), p 62.

### Loss of profile

208. Many witnesses feel that the loss of the ringfence will collapse the Supporting People 'brand'. Provider organisation Look Ahead Housing and Care, for example, told us

One of the most useful functions of the 'SP Programme' is that it draws together individuals with a diverse set of core support needs (i.e. mental health, learning disabilities, homelessness, young people etc) into one recognisable 'uber-group' (known as Supporting People).<sup>253</sup>

The importance of this brand in promoting the needs of vulnerable and 'invisible' individuals was recognised by most witnesses. As Jane Keeper of Refuge told us in oral evidence, she was "extremely alarmed"<sup>254</sup> by the removal of the ringfence as "we have valued the framework of Supporting People in making visible our client group and helping us in our work of being a voice for the voiceless."<sup>255</sup> The point is also recognised in the Audit Commission's report *Supporting People Programme 2005-2009*, which recommends that local authorities should consider "continuing to promote the planning, procurement and commissioning of services under the banner [of] Supporting People in order to sustain the identity for service users, providers and all commissioners."<sup>256</sup>

209. The Supporting People Strategy committed the Government to appointing Regional Champions for Supporting People, although there was little awareness of the existence of Champions in the evidence we received. In its written evidence, Hact stated that

Supporting People needs champions at all levels both within and outside Government to ensure that the successes of the programme continue to be delivered and built upon. Although delivery is predominantly at the local level, Government should have a responsibility and commitment to championing Supporting People and take a lead in monitoring how it is delivered by local authorities [...]<sup>257</sup>

However, the Dorset Provider Forum's view was that

Providers were unable to say who the Regional Champions were and therefore have no knowledge of their impact.<sup>258</sup>

**As we discussed earlier in our report, we do not believe that it would be appropriate at this stage to put Supporting People on a statutory footing, nor are we persuaded that there is a need to compel local authorities to adopt mandatory performance indicators for housing-related support. However, we do believe that retaining the Supporting People 'brand' and championing its purpose will be very important in the absence of other protections.**

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253 Ev 91

254 Q 80

255 *Ibid.*

256 Audit Commission (for Communities and Local Government), *Supporting People Programme 2005-2009* (July 2009), p 61.

257 Ev 179

258 Ev 100

## Conclusions

210. Without doubt, the Supporting People programme has achieved a great deal and it is our view that any avoidable threats to its continued success must be averted. The value of Supporting People has been demonstrated to us not only in robust financial terms, but also through the volume and strength of submissions we received during our inquiry, which show how the programme has transformed many vulnerable people's lives.

211. With the lifting of the ringfence, we are concerned that many 'protections' of Supporting People are being lost simultaneously in particularly challenging economic circumstances. Nonetheless, we are supportive of the Government's overall policy of reducing ring-fenced funding, and consider that there is much to be gained from the greater flexibility which it offers. We do not, therefore, recommend the reimposition of the ringfence on Supporting People funding.

212. We conclude that fears about the loss of funding to Supporting People services can best be countered by ensuring that it is clear to all concerned how much money has been allocated to a council for those services; and how much the council has actually spent on them. We therefore recommend continued transparency in the allocation of Supporting People funding in the Area-Based Grant. Local authorities should not be required to spend funds allocated on the basis of assessed need for housing-related support on those services if they consider that it would be better spent elsewhere. They should, however, be required to justify, and account for, any decision to do so. This local accountability, combined with the retention and enhancement of the other protections which we have recommended, should ensure that the Supporting People programme continues to deliver vital services to some of the most vulnerable in our society.

## Conclusions and recommendations

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### Keeping people that need services at the heart of the Programme

1. Supporting People has been good at raising the profile of vulnerable groups, but there are still some whose needs are not being properly addressed. As the Supporting People programme develops, further steps need to be taken to ensure that those needs are met. As we have seen, particular care needs to be taken as delivery mechanisms for Supporting People services are developed. Generic and specialist services are both important but local authorities need to be careful not to lose specialist services in the rush to rationalise delivery and 'make the money go further'. In particular, while Supporting People has been excellent in helping people to 'move on' to independence, there is a shortage of low-level, long-term preventative support services, such as supported housing, for people who are less likely to 'move on' and instead need to 'maintain' independence. (Paragraph 18)
2. We agree with Hact that a clear evidence base demonstrating the effectiveness of different models of intervention in meeting the needs of service users is crucial if the problems described in the above paragraph are to be addressed and providers and commissioners of Supporting People services are to make decisions which keep users at the heart of services. We recommend that CLG take steps to ensure that evidence base is developed and made widely available to Supporting People providers and commissioners. (Paragraph 19)
3. We recommend that the QAF and the Outcomes Framework should be mandatory for all local authorities unless and until they can demonstrate that they are achieving a high level of involvement, communication and consultation with service users, and a commensurately high level of client satisfaction. (Paragraph 31)
4. Progress with Charters for Independent Living has been too slow. Consequently, there has been an inadequate focus on clarifying complaints mechanisms and other means of ensuring that individual service users get the services they need. We recommend that CLG prioritise the implementation of Charters for Independent Living, with a particular focus on clarifying complaints handling mechanisms. (Paragraph 32)
5. Comprehensive Area Assessment cannot alone be relied upon to ensure the continued quality of Supporting People services. The development of Local Strategic Partnerships as decision-making forums for Supporting People services may pose a risk to user involvement in some areas. In order to retain a proper focus on housing-related support and facilitate good service user involvement in the decisions of local strategic partnerships, there is a very strong argument to keep the existing Commissioning Body and associated service user involvement structures established under the Supporting People programme. We return to this point later in this Report. (Paragraph 35)

6. Personalisation of services is good for increasing service user choice, but sometimes too much choice is overwhelming or even inappropriate. Careful consideration must be given to how to balance personalisation with important commissioned services for people who need emergency support, or who are unable—or unwilling—to choose. Careful consideration is particularly needed of how personalisation will work in accommodation-based facilities. We recommend that the Government extend the Individual Budget pilots to learn more about how personalisation works in practice. (Paragraph 41)

### Enhancing partnership with the Third Sector

7. We welcome the progress, albeit slow, which has been made on developing more integrated assessments of service users' needs. The consideration of housing and housing-related support in the context of needs assessment in the Social Care Green Paper is a positive development, and we look forward to seeing further progress in the inclusion of housing and housing-related support in the Common Assessment Framework for Adults. (Paragraph 44)
8. Our evidence reinforces the importance of the contribution made by the Third Sector to the Supporting People programme. The Third Sector has a major role both in delivering services and in identifying the needs of vulnerable client groups in the first place. The knowledge and expertise of the sector has significantly contributed to the success of the programme so far and it is crucial that it continue to be retained and exploited. (Paragraph 48)
9. We have already recommended that the Quality Assessment Framework remain mandatory in the context of ensuring continued service user involvement. We further recommend the QAF should be retained to ensure quality considerations are always made when commissioning services and to protect against any potential loss of dedicated Supporting People commissioning and procurement teams. (Paragraph 54)
10. Constant cycles of competitive tendering are burdensome and expensive and this has a disproportionate impact on Third Sector and smaller providers. The use of short-term contracts to procure services should be avoided where possible by local authorities: we make further recommendations about how this can be achieved below. Meanwhile, however, the problem of the uncertainty of funding, which is at the root of some of the short-termism which has affected some Supporting People commissioning, needs to be addressed both by individual local authorities and by CLG itself. CLG's announcement of three-year funding settlements for local authorities has been a welcome step: the benefits which this has brought not only to the Supporting People programme but across local authority services must not be lost as the financial settlements for local authorities become tighter. Meanwhile local authorities must continue to pass on the certainty of three-year financial settlements to Third Sector providers, in line with the Supporting People strategy. (Paragraph 59)
11. In letting contracts for Supporting People services, we believe that EU procurement rules are being used by councils as an excuse for their own inertia and risk aversion.

It is clear to us that unambiguous guidance is needed to assist local authorities in developing approaches to commissioning and procurement which are legal, proportionate to the size of contracts being let and focused on both cost and quality outcomes. This is something CLG should prioritise. The Commission for the Compact published guidance on grants, contracts and EU procurement rules for Third sector organisations and public sector commissioners in July 2009. We recommend that CLG take advantage of this opportunity to disseminate best practice guidance and encourage greater consistency across all local authority areas in approaches to commissioning and procurement. (Paragraph 68)

12. Some good procurement practice exists in effective local authorities. That practice needs to be shared much more proactively. With the uncertainty over future funding, we are concerned about the threat to the providers—particularly small and Third Sector providers—in lower performing local authorities where commissioning and procurement practice is already poor. Furthermore, even where there is good practice, the fact that local authorities take different approaches to commissioning and procurement can create a massive administrative and bureaucratic burden for providers working across local authority boundaries. (Paragraph 73)
13. The new Regional Improvement and Efficiency Partnerships are the obvious vehicle for challenging poor and inefficient procurement practice, as well as for coordinating tendering and commissioning procedures across local authority boundaries. However, at present their role is unclear in many local authority areas. RIEPs need to be much more involved in tackling poor and inefficient procurement practice, and in joining up procurement practice across local authority boundaries. We recommend that tackling the complexities of commissioning and procurement with the Third Sector become a focus for the ongoing work of RIEPs. (Paragraph 74)
14. Capacity building on commissioning and procurement in the Third Sector should continue, but we recommend that the government focus its major energies on developing and issuing clear guidance to local authorities on commissioning and procurement and in joining up different local authorities' practices with regards to procurement. These measures would significantly reduce the burden on Third Sector providers. (Paragraph 80)
15. In the evidence we heard, there was general consensus amongst witnesses that the Supporting People decision-making and delivery structures were so effective that they should be considered as providing a blueprint for partnership working within Local Area Agreements and other partnership arrangements. We therefore see the potential loss of these structures not only as a risk, but also a wasted opportunity to showcase and replicate good practice in multi-agency partnership working across the board. We recommend that local authorities retain Supporting People governance and delivery structures (Teams and Commissioning Bodies). We also recommend that the Government further promote these structures more generally as models of good partnership working for local authorities and their partners. The retention of these structures will also assist in addressing the risks to service user involvement which we discussed earlier in this Report. (Paragraph 87)

## Delivering in the new local government landscape

16. The increased flexibility and local decision-making which the removal of the ring-fence and the funding of Supporting People services through Area-Based Grant has brought is a positive development. However, the maturity of some local strategic partnerships, and consequently the ability of some LSP partners effectively to commission services jointly, is in doubt. There is a risk of losing some of the excellent practice which has been developed in the commissioning of these services. For these reasons we consider that Supporting People services require some continued protection as LSPs continue to develop. (Paragraph 108)
17. We recommend that CLG ensure that guidance is drawn up and disseminated for delivering housing-related support in two-tier areas. CLG does not necessarily have to be the author, or main instigator, of this guidance: indeed, in line with the conclusions of our recent Report *The Balance of Power*, on the relationship between local and central government, we consider that it may be more appropriate for local government itself—whether through the LGA or otherwise—to take the lead in ensuring that this is done. (Paragraph 111)
18. We recommend that the development of joint strategic needs assessments be accelerated as a priority in planning for the provision of Supporting People services. Specifically, we recommend that a reference to housing-related support be included in the JSNA guidance. (Paragraph 121)
19. With greater local freedoms, improved accountability is needed. To ensure that Comprehensive Area Assessment is capable of providing that accountability, therefore, we support the proposal by Westminster City Council and others that there should be a requirement for strategic commissioning and contract monitoring frameworks to be in place in each administering authority so that inspectors know where to look for the information they need for CAA. We also reiterate our recommendation that the Outcomes Framework should continue to be a requirement in all local authorities. The Outcomes Framework will be able to provide a clear focus for CAA inspectors' assessment of the effectiveness of SP services in an area. (Paragraph 136)
20. There are steps which should be taken by the inspectorates themselves to ensure robust and effective inspection. Crucial among these is ensuring service user input. The previous inspection regime was very effective at enabling such input; the new, lighter touch inspections may find it more difficult. We recommend that the inspectorates develop clear guidance and procedures for inspectors on ensuring user input to inspection results. (Paragraph 137)
21. It will be important to continue to review the outcome of CAA in the light of experience—not only, of course, in the context of the inspection of Supporting People-related services, but more widely—and to adjust the regime, and the elements such as those we have recommended above, which support it, to ensure that it remains both effective and also as unburdensome as possible. (Paragraph 138)
22. We agree with the prevailing view amongst our witnesses that there is at present no strong case for putting Supporting People services on a statutory basis. Those

services would be extremely difficult to define in legislation, and to attempt to do so would be to risk hampering attempts to join up health, social care and housing in a continuum of services appropriate to the needs of service users. We consider that the recommendations which we make elsewhere in this Report should be sufficient to protect Supporting People services. However, the situation should be monitored and we recommend that the case for placing SP services on a statutory basis be reconsidered at a later date in the light of the evolving social care agenda. (Paragraph 144)

### Increasing efficiency and reducing bureaucracy

23. CLG needs to take a stronger ambassadorial role amongst other Government Departments and agencies to promote housing-related support in the context of the health and social care policy areas. Its leadership is crucial in ensuring continued recognition of the value of Supporting People services, and setting a precedent for effective partnership working at local levels. (Paragraph 145)
24. Apart from the issues with competitive tendering which we discuss above, the administration and bureaucracy associated with managing Supporting People contracts and services seems appropriate—a ‘necessary evil’, producing useful outcomes. However, the inconsistent use of the QAF—and the use of different versions of the QAF in different areas—is a concern. We have already recommended the retention of the QAF as a requirement. We further recommend that local authorities be required to use the same version of the Framework, to ensure consistency to providers of SP services across local authority boundaries. (Paragraph 151)
25. We are concerned that decisions about future regulation appear to be made by CLG and DOH in separate silos. With an increasing emphasis on housing-related services being ever more joined up and flexible, providing a continuum of support to service users, from low-level preventative interventions to high end critical care, the risk of support services which straddle the line between social care and housing becoming lost in the complexities and bureaucracy of insufficiently aligned regulatory regimes represents a huge threat to the sustainability of many providers of housing-related support and care services. We recommend that CLG take the lead in addressing this issue of regulation with the Department of Health, with a view to creating a more joined-up approach to the regulation of housing and social care services. (Paragraph 156)

### Sheltered housing

26. We welcome the fact that a Ministerial Group is now considering these issues, and trust that it will take note of the volume and strength of evidence submitted to this inquiry on the topic of sheltered housing. The evidence we received suggests that this Ministerial group needs to focus on:
  - Reviewing whether sheltered housing should stay within the SP regime;

- Improving needs analysis so that evidence is available of what older people want; and
- Developing a more coherent strategy for the provision and funding of housing and support services for older people, making clear the role of sheltered housing.

The Group should also consider the effect of splitting ‘accommodation’ and ‘support’ under Supporting People on builders of supported housing, and make recommendations about how to ensure that capital investment in new supported housing is not threatened by the risk of ongoing revenue funding being unavailable. (Paragraph 178)

### Supporting People Distribution Formula

27. We accept the argument that without extra government funding for the transition, gradual movement from historical funding patterns towards fully needs-based allocations is inevitable. If a sudden redistribution of funds was made, some areas would be faced with the prospect of having to make sudden cuts to services. Nonetheless we appreciate that without adequate funding, councils will be unable to provide the services vulnerable people need. We therefore consider that there should be accelerated movement towards the needs-based allocations, and we recommend that this take place. (Paragraph 186)
28. We welcome the commissioning of a study of the Supporting People Distribution Formula itself, and the intention to address any issues found therein. We recommend that the study include consideration of the issues of rurality and of population growth which have been raised with us during this inquiry, and that steps be taken to address those issues should the concerns raised prove valid. (Paragraph 187)

### Conclusion: the ringfence

29. We conclude that pressure on local authority budgets is a potential threat to the future of some existing Supporting People services and to the likelihood of currently unmet need being addressed in future. The question is how best to address that threat, recognising that it applies equally to other local authority services, and that local people should in principle be in the best position to determine how best to allocate resources. (Paragraph 203)
30. Concerns remain about less well-performing local authorities with regard to their understanding of the value of Supporting People and in their approaches to commissioning and procurement of services. We understand that CLG is targeting support to such authorities but, despite this, we are concerned that additional freedoms in the spending of Supporting People funds could be misused in local authorities where Supporting People is misunderstood or not seen as a mainstream part of service delivery. We support moves to devolve decision making and control over budgets to the local level. However, as we relate above, we are uncertain at this stage how well the new Comprehensive Area Assessment will identify where the needs of vulnerable people are not being met and believe that there is a possibility

that the needs of vulnerable people could go un-served and unnoticed in some areas without a continued specific focus on housing-related support. (Paragraph 205)

31. We see this as a serious risk to the future of housing-related support and believe that the continued existence of such structures is critical in the absence of a ringfence on Supporting People funding. (Paragraph 206)
32. The uncertainty of future arrangements for the commissioning and procurement of Supporting People services leads us to conclude that any loss of robust mechanisms for assuring quality and assessing outcomes would be a serious threat to the future of housing-related support. The QAF and Outcomes Framework have proven their worth in ensuring quality, promoting effective and consistent local and regional commissioning, and providing an unambiguous evidence base of the value of Supporting People services. (Paragraph 207)
33. As we discussed earlier in our report, we do not believe that it would be appropriate at this stage to put Supporting People on a statutory footing, nor are we persuaded that there is a need to compel local authorities to adopt mandatory performance indicators for housing-related support. However, we do believe that retaining the Supporting People 'brand' and championing its purpose will be very important in the absence of other protections. (Paragraph 209)
34. Without doubt, the Supporting People programme has achieved a great deal and it is our view that any avoidable threats to its continued success must be averted. The value of Supporting People has been demonstrated to us not only in robust financial terms, but also through the volume and strength of submissions we received during our inquiry, which show how the programme has transformed many vulnerable people's lives. (Paragraph 210)
35. With the lifting of the ringfence, we are concerned that many 'protections' of Supporting People are being lost simultaneously in particularly challenging economic circumstances. Nonetheless, we are supportive of the Government's overall policy of reducing ring-fenced funding, and consider that there is much to be gained from the greater flexibility which it offers. We do not, therefore, recommend the reimposition of the ringfence on Supporting People funding. (Paragraph 211)
36. We conclude that fears about the loss of funding to Supporting People services can best be countered by ensuring that it is clear to all concerned how much money has been allocated to a council for those services; and how much the council has actually spent on them. We therefore recommend continued transparency in the allocation of Supporting People funding in the Area-Based Grant. Local authorities should not be required to spend funds allocated on the basis of assessed need for housing-related support on those services if they consider that it would be better spent elsewhere. They should, however, be required to justify, and account for, any decision to do so. This local accountability, combined with the retention and enhancement of the other protections which we have recommended, should ensure that the Supporting People programme continues to deliver vital services to some of the most vulnerable in our society. (Paragraph 212)

# Formal Minutes

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**Tuesday 13 October 2009**

Members present:

Dr Phyllis Starkey, in the Chair

Mr Clive Betts	Alison Seabeck
John Cummings	Neil Turner
Dr John Pugh	

Draft Report (*The Supporting People Programme*), proposed by the Chairman, brought up and read.

*Ordered*, That the Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 212 read and agreed to.

Summary agreed to.

*Resolved*, That the Report be the Thirteenth Report of the Committee to the House.

*Ordered*, That the Chairman make the Report to the House.

Written evidence reported to the House and ordered to be published on 18 May and 8 June was reported for printing with the Report.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Monday 20 October at 4.20 p.m.]

## Witnesses

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### Monday 8 June 2009

Page

Mr Roy Irwin, Chief Inspector for Housing, **Audit Commission** and Mr Alan MacDonald, HM Assistant Chief Inspector of Probation (Supporting People Programme, Youth Offending Team Inspection Programme), **HM Inspectorate of Probation** Ev 1

Ms Vic Rayner, Chief Executive Officer, Mr Nigel Hamilton, Interim Head of Policy and Public Affairs, **Sitra** and Ms Helen Williams, Assistant Director of Neighbourhoods, **National Housing Federation** Ev 7

Mr Mike Short, National Officer, Community and Voluntary Sector, Mr Pete Challis, National Officer, Housing and Local Government, **UNISON** and Mr Andrew van Doorn, **Housing Associations Charitable Trust (Hact)** Ev 11

### Monday 15 June 2009

Mr Paul Corry, Director of Public Affairs, **Rethink**, Mr David Congdon, Head of Campaigns and Policy, **Mencap**, Ms Kate Jopling, Head of Policy and Public Affairs, **Catch 22**, and Ms Jane Keeper, Director of Operations, **Refuge** Ev 16

Mr Maurice Condie, Chief Executive **Byker Bridge**, Ms Gill Brown, Chief Executive, **Brighter Futures**, Ms Rachel Byrne, Executive Director, **Home Group Limited**, and Mr Charles Fraser, Chief Executive, **St Mungo's** Ev 21

Mr Joe Oldman, Senior Policy Adviser, **Housing, Age Concern and Help the Aged**, Mr John Belcher CBE, Chief Executive, **Anchor Trust**, and Mr Louis Loizou, Vice-Chair, **Brighton & Hove Sheltered Housing Action Group** Ev 27

### Monday 29 June 2009

Mr Peter Rush, Supporting People Manager, **Hampshire Supporting People County Core Group**, and Mr Greg Roberts, Supporting People and Homelessness Strategy Manager, **Westminster City Council** Ev 32

Mr Andrew Meakin, Supporting People Manager and Ms Val Bourne, Head of Housing Services, **Stoke-on-Trent City Council**, Ms Julie Nixon, Head of Housing and Councillor Ann McCoy, Cabinet Member for Adult Services and Health, **Stockton-on-Tees Borough Council** Ev 39

Mr Rod Craig, Executive Director for Community and Adult Services, **Cambridgeshire County Council**, Mr Stephen Cheetham, Supporting People Manager, **Cambridgeshire Supporting People team**, Ms Rebecca Potter, Supporting People Manager, **Bath and North East Somerset Council**, and Ms Lisa Moon, Contract Review Officer, Supporting People team, **Bath and North East Somerset Supporting People** Ev 44

**Monday 06 July 2009**

Mr Martin Cheeseman, Supporting People Lead, **Association of Directors of Adult Social Services (ADASS)**, Cllr Dr Gareth Barnard, Vice Chair, **LGA Community Wellbeing Board**, Ms Sue Talbot, Service Inspector, and Mr Peter West, Head of Commissioner Methods, **Care Quality Commission (CQC)** Ev 50

Mr Ian Austin MP, Parliamentary Under-Secretary of State and Ms Lorraine Regan, Head of the Northern Regional Resource Team, **Communities and Local Government** Ev 56

## List of written evidence

---

1	Family Mosaic (SPP 05)	Ev 65
2	Byker Bridge, Brighter Futures and Tyneside Cyrenians (SPP 09)	Ev 67
3	Southdown Housing Association (SPP 11)	Ev 77
4	North Somerset Supporting People (SPP 13)	Ev 78
5	UNISON (SPP 14)	Ev 82
6	Look Ahead (SPP 16)	Ev 88
7	Rethink (SPP 24)	Ev 96
8	Dorset Supporting People Provider Forum (SPP 25)	Ev 98
9	Westminster City Council (SPP 27)	Ev 101
10	Housing 21 (SPP 29)	Ev 105
11	Stoke-on-Trent Supporting People (SPP 33)	Ev 110
12	Anchor Trust (SPP 35)	Ev 116
13	Hyde Group (SPP 37)	Ev 119
14	Casa Support (SPP 42)	Ev 121
15	Stockton-on-Tees Borough Council (SPP 44)	Ev 124
16	Age Concern and Help the Aged (SPP 45)	Ev 127
17	Raglan Housing Association Ltd (SPP 46)	Ev 132
18	Refuge (SPP 48)	Ev 137
19	St Mungo's (SPP 51)	Ev 139
20	Home Group Limited (SPP 54)	Ev 144
21	Mencap (SPP 68)	Ev 150
22	Plymouth City Council Supporting People Independent Provider Forum (SPP 70)	Ev 152
23	Hampshire Supporting People County Commissioning Group (CCG) (SPP 71)	Ev 154
24	Cambridge Supporting People Team (SPP 72)	Ev 157
25	Bath and North East Somerset Council (SPP 75)	Ev 168
26	Audit Commission (SPP 80)	Ev 170
27	Hact (Housing Associations' Charitable Trust) (SPP 93)	Ev 178
28	National Housing Federation (SPP 98)	Ev 181
29	Brighton & Hove Sheltered Housing Action Group (SPP 105)	Ev 187
30	Sitra (SPP 107)	Ev 192
31	Association of Directors of Adult Social Services (ADASS) (SPP 108)	Ev 213
32	Communities and Local Government (SPP 110)	Ev 216

## List of unprinted evidence

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The following memoranda have been reported to the House but to save printing costs they have not been printed. Copies are available on the Committee's website. Copies have also been placed in the House of Commons Library, where they may be inspected by Members. Other copies are in the Parliamentary Archives, and are available to the public for inspection. Requests for inspection should be addressed to The Parliamentary Archives, Houses of Parliament, London SW1A 0PW (tel. 020 7219 3074). Opening hours are from 9.30 am to 5.00 pm on Mondays to Fridays.

David Hart (SPP 01)  
 Endeavour Housing Association (SPP 03)  
 Alpha (RSL) Ltd (SPP 04)  
 The London Borough of Bromley (SPP 06)  
 Service Users Reference Forum (SURF) (SPP 07)  
 Medway Supporting People Providers Forum (SPP 08)  
 G3 "Inspiring Individuals" (SPP 10)  
 Kent Probation (SPP 12)  
 Southend-on-Sea Borough Council Supporting People Team (SPP 15)  
 Devon's Housing Support Strategic Partnership and Devon's Joint Commissioning Body (SPP 17)  
 Tyneside Cyrenians (SPP 18)  
 London Borough of Greenwich (SPP 19)  
 Executive Board of Providers in Kent (SPP 20)  
 Space East (SPP 21)  
 Bournemouth Borough Council (SPP 22)  
 West Midlands Voluntary & Community Sector Housing Network (SPP 23)  
 Plymouth City Council (SPP 26)  
 YOU (SPP 28)  
 The National Association of Almshouses (SPP 30)  
 Nottinghamshire Supporting People Team (SPP 31)  
 Supporting People Commissioning Body (SPP 32)  
 Gloucestershire Supporting People (SPP 34)  
 Cornwall Supporting People Team (SPP 36)  
 Commission for Rural Communities (SPP 38)  
 South Yorkshire Housing Association (SPP 39)  
 Doncaster Supporting People Providers Forum (SPP 40)  
 Sandwell Metropolitan Borough Council (SPP 41)  
 Guinness Care and Support (SPP 43)  
 Salvation Army Housing Association (SPP 47)  
 Southern Housing Group and Subsidiaries, James Butcher Housing Association and South Wight Housing Association (SPP 49)  
 Brighton and Hove City Council (SPP 50)  
 Dudley Supporting People Commissioning Body (SPP 52)  
 Three Oaks Homes Tenants Federation (SPP 53)  
 West Kent Housing Association (SPP 55)  
 CIH (Chartered Institute of Housing) (SPP 56)  
 Imkaan (SPP 57)  
 Shropshire Provider Forum (SPP 58)  
 Homeless Link (SPP 59)  
 West Berkshire Council Supporting People (SPP 60)  
 Foundations (SPP 61)  
 Walsall Supporting People (SPP 62)  
 Retirement Housing Group (SPP 63)  
 Tameside Metropolitan Borough Council (SPP 64)

ARC (Association for Real Change) (SPP 65)  
South Tyneside Council (SPP 66)  
Moat Homes Ltd (SPP 67)  
North Somerset Council (SPP 69)  
Cosgarne Supported Accommodation (SPP 73)  
Depaul UK (SPP 74)  
Staffordshire Joint Commissioning Unit (SPP 76)  
Norfolk Supporting People (SPP 77)  
Wolverhampton City Council (SPP 78)  
Bromford Support (SPP 79)  
Centrepont (SPP 81)  
Midland Heart (SPP 82)  
Action for Children (SPP 83)  
Martin Bellinger Cherchefelle (SPP 84)  
Action for Blind People (in association with RNIB) (SPP 85)  
Milton Keynes Council (SPP 86)  
Regional Supported Housing Strategy Group (RSHSG) and North West Supporting People Strategic Group (NWSPSG) (SPP 87)  
Adult Social Care and Housing in Harrow (SPP 88)  
Stockport Supporting People Team (SPP 89)  
Kent County Council (SPP 90)  
Welsh Womens Aid (SPP 91)  
NAT (SPP 92)  
Catch22 (SPP 94)  
Swindon Borough Council (SPP 95)  
Thames Reach (SPP 96)  
Dorset Supporting People (SPP 97)  
ROCC (SPP 99)  
Warwickshire Supporting People (SPP 100)  
Suffolk Supporting People (SPP 101)  
Somerset Supporting People (SPP 102)  
Framework Housing Association (SPP 103)  
IRRV (Institute of Revenues Rating and Valuation) (SPP 104)  
Dimensions (SPP 106)  
Retirement Security Ltd and the Association of Retirement Housing Managers (SPP 109)  
London Borough of Camden (SPP 111)  
Crisis (SPP 112)  
Women's Aid Federation England (SPP 113)  
Unite the Union (SPP 114)  
Bournemouth SP Providers Forum (SPP 116)

# List of Reports from the Committee during the current Parliament

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The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

## Session 2008–09

First Report	Work of the Committee in 2007–08	HC 120
Second Report	Communities and Local Government's Departmental Annual Report 2008	HC 238 ( <i>Cm 7614</i> )
Third Report	Housing and the Credit Crunch	HC 101 ( <i>Cm 7619</i> )
Fourth Report	Appointment of the Chair of the Infrastructure Planning Commission	HC 354
Fifth Report	New Towns Follow-Up—Government Response to the Ninth Report of the Committee, Session 2007–08	HC 253
Sixth Report	Balance of Power: Central and Local Government	HC 33-I ( <i>Cm 7712</i> )
Seventh Report	Local authority investments	HC 164-I ( <i>HC 1013</i> )
Eighth Report	Housing and the credit crunch: follow-up	HC 568 ( <i>Cm 7695</i> )
Ninth Report	Market Failure?: Can the traditional market survive?	HC 308 ( <i>Cm 7721</i> )
Tenth Report	Need and impact: planning for town centres	HC 517
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