



Brighton & Hove  
City Council

# Overview & Scrutiny

Title:	<b>Adult Social Care &amp; Housing Overview &amp; Scrutiny Committee</b>
Date:	<b>8 March 2012</b>
Time:	<b>4.00pm</b>
Venue	<b>Committee Room 1, Brighton Town Hall</b>
Members:	<b>Councillors:</b> K Norman (Chair), Phillips (Deputy Chair), Buckley, Gilbey, Jones, Peltzer Dunn, Turton, Wealls and Lister (Non-Voting Co-Optee)
Contact:	<b>Giles Rossington</b> <b>Senior Scrutiny Officer</b> 29-1038 Giles.rossington@brighton-hove.gov.uk

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## AGENDA

**Part One**

**Page**

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**47. PROCEDURAL BUSINESS**

- (a) Declaration of Substitutes – Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.
- (b) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

**48. MINUTES OF THE PREVIOUS MEETING**

**1 - 6**

(copy attached)

**49. CHAIRMAN'S COMMUNICATIONS**

**50. PUBLIC QUESTIONS**

No public questions have been received.

**51. LETTERS FROM COUNCILLORS**

No letters have been received.

**52. NOTICES OF MOTIONS REFERRED FROM COUNCIL**

No Notices of Motion have been received.

**53. TELECARE: TRAINING SESSION**

Training session on telecare. To be presented by Diana Bernhardt, Lead

## ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE

Commissioner, Learning Disabilities

### **54. HOUSING ALLOCATIONS**

**7 - 34**

Report of the Strategic Director, Place, on changes to the housing allocations policy for care leavers (copy attached)

### **55. COMMUNITY MEALS, REPORT BACK**

**35 - 42**

Report of the Strategic Director, Resources, on the recent Scrutiny workshop on Community Meals and subsequent developments (copy attached)

### **56. ITEMS TO GO FORWARD TO CABINET OR THE RELEVANT CABINET MEMBER MEETING**

To consider items to be submitted to the next available Cabinet or Cabinet Member Meeting.

### **57. ITEMS TO GO FORWARD TO COUNCIL**

To consider items to be submitted to the next Council meeting for information.

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For further details and general enquiries about this meeting contact Giles Rossington, (291038, email [kath.vlcek@brighton-hove.gov.uk](mailto:kath.vlcek@brighton-hove.gov.uk)) or email [scrutiny@brighton-hove.gov.uk](mailto:scrutiny@brighton-hove.gov.uk)

Date of Publication - Wednesday, 29 February 2012



# Agenda item 48

## BRIGHTON & HOVE CITY COUNCIL

### ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE

4.00PM 12 JANUARY 2012

### COUNCIL CHAMBER, HOVE TOWN HALL

#### MINUTES

**Present:** Councillors K Norman (Chair); Phillips (Deputy Chair), Buckley, Gilbey, Peltzer Dunn, Turton and Wealls

**Co-opted Members:** Robert Brown (BHLINK)

#### PART ONE

#### **34. PROCEDURAL BUSINESS**

##### **35A Declaration of Substitutes**

35.1 There were none.

35.2 Cllr Mike Jones sent his apologies.

##### **35B Declarations of Interest**

35.3 There were none.

##### **35C Declarations of Party Whip**

35.4 There were none.

##### **35D Exclusion of Press and Public**

35.5 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

35.6 **RESOLVED** – that the press and public be not excluded from the meeting.

**35. DRAFT MINUTES OF THE MEETING HELD ON 03 NOVEMBER 2011**

**36.1 RESOLVED – That the minutes of the meeting held on 03 November 2011 be approved and signed by the Chairman.**

**36. CHAIR'S COMMUNICATIONS**

37.1 The Chair told members that the scrutiny panels on vulnerable adults and on the budget were nearing their conclusion.

37.2 The Chair informed members that the scrutiny workshop on community meals and the community meals tasting session had both taken place. A report back will be presented to ASCHOSC at its next meeting.

**37. PUBLIC QUESTIONS**

38.1 A public question from the Brighton & Hove Local Involvement Network (LINK) was received (see minute book). This was debated as part of the agenda item on Homelessness.

38.2 Officers agreed that a written response on the issue raised would be sent to the LINK.

**38. LETTERS FROM COUNCILLORS**

39.1 There were none.

**39. NOTICES OF MOTIONS REFERRED FROM COUNCIL**

40.1 There were none.

**40. PRESENTATION FROM CLLR BILL RANDALL, CHAIR OF THE BRIGHTON & HOVE STRATEGIC HOUSING PARTNERSHIP**

41.1 Cllr Randall spoke to the committee about the working of the Strategic Housing Partnership (SHP).

41.2 Cllr Randall outlined some of the major housing challenges facing the city. These included:

- Homelessness – with the number of people applying for temporary accommodation and the number of rough sleepers both up significantly in the past few months.

- Social Housing – inadequate to meet demand, particularly in terms of family homes. The SHP is actively engaged with city Registered Social Landlords (RSLs), but the new national rent regime requiring RSLs to charge 80% of market rates for rent will make RSL properties unaffordable for many local people.
  - Student Housing – family homes being converted to student accommodation; nuisance problems associated with some homes in multiple occupation (HMOs); lack of dedicated student housing (especially for students at Brighton University). Cllr Randall noted that both city universities were now fully engaged with this issue and taking more responsibility for problems associated with their students. The council was looking to use planning law to check the spread of HMOs, but needed to be circumspect to avoid legal challenge.
  - Private Rented – vacancies in the sector silting up, and significant recent rent increases.
  - Housing Benefit – imminent changes to the benefit system likely to exacerbate housing problems, particularly for young people.
  - New homes – very little activity either nationally or locally. The council is looking to encourage new building on two city sites: Circus Street and Preston Barracks.
  - Empty Homes – looking at reducing the number of empty council properties (currently around 70, although part of this has been necessitated by the development of Seaside Community Homes and the requirements of its financing). Also looking at how best to deal with private sector empty properties.
  - Supporting People – recognising the importance of Supporting People grants and seeking to protect Supporting People activities as much as possible in the current financial climate.
  - Extra Care – increasing demand for a range of supported housing options for older people.
  - Tenants – greater tenant involvement in making decisions about their housing, both in terms of council tenants and people in the RSL or private sector.
- 41.3 Asked whether he would consider remaining as SHP Chair when he takes up mayoral duties in May 2012, Cllr Randall told members that he would certainly consider doing so if asked.
- 41.4 In response to a question on the sub-letting of social housing, Nick Hibberd, Head of Housing and Social Inclusion, told members that tenancy fraud was a priority for the Housing service. Housing and the council's Audit service worked to together to investigate potential sub-letting, either on the basis of tip-offs from members of the public or cross-checking housing records with benefits' data. Although not a problem on the same scale as in some London boroughs, sub-letting was a significant issue and was not tolerated. The council did prosecute suspected fraudsters, although this was a tricky process as it was typically not easy to collect evidence sufficient for a conviction.
- 41.5 The Chair thanked Cllr Randall for attending and answering members' questions.

**41. HOMELESSNESS: TRAINING SESSION**

- 42.1 This item was presented by Narinder Sundar, Commissioning Manager, BHCC Housing Commissioning Unit; and Richard Denyer-Bewick, Quality Assurance and Risk Manager, BHCC Rough Sleepers' Team.
- 42.2 Members were told that rough sleepers present a significant local challenge. Most rough sleepers (around 65%) have no local connection, and may originate from a wide variety of places – they are not just displaced people from London. Rough sleepers typically have very complex needs, including mental health, physical health and substance misuse issues.
- 42.3 The council provides or commissions a number of services for this group of people, working with and alongside other organisations including local church groups. One such organisation currently runs St Patrick's Night Shelter, providing 14 beds, but will shortly be closing the service. A group of city churches plan to open extra cold weather provision, which should replace some of this capacity; and the council also funds an extreme weather shelter scheme.
- 42.4 In answer to questions regarding how the number of rough sleepers was counted, the committee was told that the methodology of the official count was nationally fixed; although recognised as inaccurate, the consistency over time of this count allows the current situation to be compared with past situations. The council also undertakes its own count which is much more accurate; typically, the local count produces around double the results of the national count.
- 42.5 In response to questions regarding the trigger for opening the extreme weather shelter, members were told that the shelter is opened whenever there is a forecast for freezing weather across three consecutive days. The shelter is opened on day 1 of the forecast period, and the situation is reviewed daily thereon.
- 42.6 Members were also told that the location of the emergency shelter is not widely publicised, as the shelter is only accessible via referrals; it would be too dangerous to simply allow rough sleepers to turn up on spec. Although requiring referral might seem to risk delaying access to an emergency provision, in fact the great majority of rough sleepers are known to agencies and can be referred very quickly.
- 42.7 Members were also informed that the council had bid for funding for a project that would identify and swiftly intervene with new rough sleepers, aiming to get them off the streets with immediate effect. This scheme would be available to people with or without a local connection.
- 42.8 In response to a question about the occupancy rate at city hostels, members were told that rates were very high – in practical terms, there is a waiting list for places and the Homelessness team works hard to encourage timely 'move-on' to less intensively



supported accommodation for hostel residents in order to free up places for the most needy.

42.9 The Chair thanked the officers for their contribution, praising their wide knowledge of city homelessness issues.

## **42. SAFEGUARDING ADULTS ANNUAL REPORT**

43.1 This item was introduced by Denise D'Souza, Director of Adult Social Services and Lead Commissioner, People. Also present were Brian Doughty, Head of Adults Assessment, and Michelle Jenkins, Safeguarding Adults Manager

43.2 In response to a question asking how council staff and those of partners were alerted to safeguarding issues, members were told that a variety of means were used, including an email staff register that automatically alerted subscribers. There are still some software incompatibilities, particularly regarding the council's Care First and the NHS Care Programme databases, and non-IT solutions to these may be required.

43.3 In answer to a query about the high number of safeguarding alerts compared to investigations, the committee was told that safeguarding procedures had subsequently been clarified, as it was felt that partners were making alerts where there were care rather than safeguarding issues – many of the alerts were leading to care assessments rather than safeguarding investigation.

43.4 In response to questions regarding the relatively low alarm rates from BME and LGBT communities, members were told that there was ongoing work to raise awareness amongst BME people. Currently, data is not collated on LGBT people, as there is a sensitivity about asking for this information at a time of crisis.

43.5 In answer to a query about the long time taken to conduct some safeguarding investigations/staff investigations, the committee was told that the process was sometimes unavoidably lengthy as investigations into staff misconduct often had to wait until a safeguarding investigation had concluded. However, the process was now as streamlined as possible.

43.6 The Chair commended the council's safeguarding team for their excellent work, reflected in the annual report.

**43.7 RESOLVED – That the annual safeguarding adults report be noted.**

## **43. REPORT OF THE DIRECTOR OF ADULT SOCIAL CARE/ STRATEGIC DIRECTOR, PEOPLE, ON ASC PERFORMANCE**

44.1 This item was introduced by Philip Letchfield, Head of Performance and Contracting, ASC.

44.2 Members were informed that the Department of Health (DH) had launched 'Local Accounts': an annual, locally produced report on ASC performance. Local accounts are

currently voluntary, and there is very little guidance on them, the intention being that each area develops a report that suits its specific needs. The question for Brighton & Hove is therefore how best to take this project forward. The intention is to consult with local people and stakeholders (including BHLINK and the Older People's Council) to produce a Local Account that is of real use to local people.

44.3 In response to comments about the difficulty of getting members of the public to engage in a consultation on the format of the annual social care performance report, members were told that this issue was a tricky one, and that the council would have to plan carefully, considering how best to use stakeholders to encourage debate. Amongst the stakeholder groups/forms of publicity suggested as useful were: the BHLINK newsletter, The Pensioner newsletter, community newspapers, Community Development Teams and the Tenant Disability Group. It was also suggested that ASC might consider running a prize draw to encourage consultation responses.

**44.4 RESOLVED – That the report be noted and officers invited to a future committee meeting to discuss a future iteration of their plans with regard to Local Accounts.**

**44. ITEMS TO GO FORWARD TO CABINET OR THE RELEVANT CABINET MEMBER MEETING**

45.1 There were none.

**45. ITEMS TO GO FORWARD TO COUNCIL**

46.1 There were none.

The meeting concluded at Time Not Specified

Signed

Chair

Dated this

day of

# ADULT SOCIAL CARE & HOUSING OVERVIEW AND SCRUTINY COMMITTEE

## Agenda Item 54

Brighton & Hove City Council

**Subject:** Housing Allocations Policy Report  
**Date of Meeting:** 08 March 2012  
**Report of:** The Strategic Director, Place  
**Contact Officer:** Name: Giles Rossington Tel: 29-1038  
E-mail: Giles.rossington@brighton-hove.gov.uk  
**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report presents for information the report on Housing Allocations Policy due to be considered by Cabinet at its 15 March 2012 meeting. The Cabinet report and its appendices are included as **Appendix 1** to this report.

#### 2. RECOMMENDATIONS:

- 2.1 That members:

- (1) Note the contents of this report

#### 3. BACKGROUND INFORMATION

- 3.1 See additional information contained in **Appendix 1** (Cabinet report and appendices)

#### 4. CONSULTATION

4.1 None for this cover report – refer to Cabinet report (**Appendix 1**)

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

5.1 None for this cover report – refer to Cabinet report (**Appendix 1**)

### Legal Implications:

5.2 None for this cover report – refer to Cabinet report (**Appendix 1**)

### Equalities Implications:

5.3 None for this cover report – refer to Cabinet report (**Appendix 1**)

### Sustainability Implications:

5.4 None for this cover report – refer to Cabinet report (**Appendix 1**)

### Crime & Disorder Implications:

5.5 None for this cover report – refer to Cabinet report (**Appendix 1**)

### Risk and Opportunity Management Implications:

5.6 None for this cover report – refer to Cabinet report (**Appendix 1**)

### Corporate / Citywide Implications:

5.7 None for this cover report – refer to Cabinet report (**Appendix 1**)

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Cabinet Report and appendices

### **Documents in Members' Rooms:**

None

### **Background Documents:**

None

<b>Subject:</b>	<b>Housing Allocation Policy Review</b>		
<b>Date of Meeting:</b>	<b>15 March 2012 - Cabinet</b>		
	<b>Strategic Director for Place, Strategic Director for People,</b>		
<b>Lead Cabinet Member:</b>	<b>Cabinet Member for Housing</b>		
<b>Contact Officers:</b>	<b>Name:</b>	<b>Jugal Sharma</b>	<b>Tel: 9-3101</b>
		<b>James Dougan</b>	<b>9-5511</b>
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		<a href="mailto:james.dougan@brighton-hove.gov.uk">james.dougan@brighton-hove.gov.uk</a>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No: CAB27244</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The current Housing Register Allocations Policy was approved by Housing Cabinet 22 March 2011. Under the current policy young people leaving care (care leavers) are not automatically awarded Band A priority for social housing (Council & Registered Provider), but are assessed for housing depending on their housing need in the same way as other applicants. The current Allocation policy, however, does give the Lead Commissioner for Housing discretion to award priority in exceptional circumstances. There is also a quota system in place for Children's Services to grant up to 15 cases Band A status per annum as decided by Children's Services. This is normally used for re-housing young people from local families.
- 1.2 Care leavers and their representatives have raised concerns with the Council regarding the current policy and have suggested that automatic Band A status should be reinstated for young people leaving care.
- 1.3 To ensure we are reflecting both the need to make best use of limited housing resources and fulfil our corporate parent role to young people leaving care, a review of the policy has been undertaken including public consultation over 12 weeks (7 November 2011 - 29 January 2012). A list of consultees is attached in Appendix 1.
- 1.4 Consequently, this report sets out recommendations for revising the Allocations policy and its operation reflecting a stronger consideration of the Council's role as corporate parent to young people leaving care.

**2. RECOMMENDATIONS:**

- 2.1 That Cabinet recommends to Council that:
- (i) the proposals set out in paragraph 3.22, 3.24 and 3.25 and also Appendix 3 be approved;

- (ii) the Strategic Director, Place, be authorised to amend the Council's Housing Allocations policy to reflect the above changes;
- (iii) the Strategic Director Place and the Strategic Director People, be authorised to take all steps necessary or incidental to the implementation of the proposals in paragraphs 3.22 to 3.25.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The Housing Register Allocations policy has and will continue to be subject to periodic review reflecting legislation, local demographic changes and policy preferences. Where changes are made the Council strives to ensure that the policy remains legal, reasonable, effective and efficient.
- 3.2 Under the previous Housing Allocation policy 2005 care leavers who were assessed as not requiring supported accommodation were awarded Band A priority. This entailed a joint assessment process as part of a Joint Protocol agreed between Children's Services and Housing. This process did not necessarily consider all of the housing tenure options available and how accommodation offers might be accompanied by on-going support packages to ensure accommodation offers and tenancy arrangements were successful.
- 3.3 The policy was reviewed and a report brought to Housing Cabinet 22 March 2011. Based on the consultation, automatic Band A status for care leavers was removed. As such, for care leavers who did not need supported accommodation, it was possible to offer and oblige private rented accommodation as a first option. In part this reflected a concern that housing potentially vulnerable people onto housing estates with relatively high concentrations of deprivation might not be the most appropriate solution.
- 3.4 Subsequently, however, care leavers and their representatives have raised concerns with the Council regarding this decision. They have suggested that automatic Band A status should be reinstated for young people leaving care as a first choice. In response the Council has undertaken a further review of the policy including public consultation over 12 weeks (7 November 2011 - 29 January 2012).

#### **Legal & Policy Considerations**

- 3.5 In considering the how best to resolve matters and proceed, officers have had regard to the legislation and policy relating to care leavers and the obligations on local authorities in meeting their housing needs. The Council has 3 key considerations: it's obligations as Housing Authority; as a Children's Services Authority; and, as a Corporate Parent to care leavers.
- 3.6 The current Allocations policy, looked at on its own, complies with legal requirements under the Housing Act 1996 and Code of Guidance. The list of people we are required to give reasonable preference to is set out in Appendix 4, there is no requirement to award priority to young people leaving care looking at the council's duty as a Housing Authority (as opposed to a Children's Social Services Authority).
- 3.7 In terms of the Children Act 1989, the council has used the Allocations policy as a way of discharging its housing duties to care leavers. S17(6) and S20 of the Act established a duty to provide accommodation for a Child in Need. S23 (b)(8)

also refers to the need to provide “suitable” accommodation, where a care leaver seeks it, defined under the Care Leavers (England) Regulations 2010. (Suitable is defined as accommodation which, in so far as reasonably practicable, is suitable for the child in light of his needs, including his health needs see Appendix 5). This requires the council to look at the needs and wishes of the care leaver and facilities. For those aged 18, s23(a)(2) states there should be a care plan that can include accommodation. To be clear, however, none of these requirements stipulate that the offer of “suitable” accommodation must include a Council tenancy or the award of Band A priority for council housing.

- 3.8 Hence, the current Allocations policy, taken by itself, is lawful. As long as the council complies with its duties under the Children Act regarding the provision of “suitable” accommodation, there is no requirement or inference that this should necessarily be via the Housing Allocations policy and the council is at liberty to discharge that function by other means if it so wishes.

### **Options for moving forward**

- 3.9 Care leavers and their representatives have signalled that they may seek a judicial review of the current policy and their opportunity to be consulted and make representations on changes. Whilst the view of the Council’s legal officer is that the Council’s position is legally safe and robust, there are policy options open to the Council. If the Council considers that a council or other social housing tenancy would be best as a general rule to meet care leaver’s needs, then we would need to give the care leaver sufficient priority within the Allocations policy.
- 3.10 In considering this your officers have reviewed the key operational issues. There is a risk of tenancy breakdown when a young person becomes a tenant for the first time and this may impose some costs in reinstating the property and also dealing with the personal care aspects of the breakdown. Experience to date has been mixed but there is agreement amongst housing and social service professionals that systems need to be in place to ensure that young people are prepared and that their assessment clearly demonstrates they are ready to live independently. Support may be appropriate to help young people in sustaining their tenancy and to develop the practical, financial and emotional skills and resilience to live independently.
- 3.11 Housing and social service professionals are also in agreement that that care leavers should be involved, in so far as is reasonable, in all decisions relating to their care. As a corporate parent, we may want to give particular weight to the wishes and feelings of care leavers in determining their housing options. At present, responsibility for care leavers housing allocations falls primarily on the Lead Commissioner, Housing following consultation with Children’s Services professionals. Where professional differences of opinion on an appropriate housing option cannot be reconciled, protocols are currently in place to refer the matter to the Strategic Director People to arbitrate. To support the Lead Commissioner, Housing and the Strategic Director People, it may be helpful establish a board to review the impact of care leaver housing allocations and where necessary advise on potential service improvements. Such a board is often a feature of other local authorities’ care leaving arrangements and could involve feedback from care leavers and/or their representatives.

- 3.12 In light of the review and the response to recent consultation on the policy, there is an option for the Council to give greater weight to its role as a Corporate Parent to care leavers and thus offering Band A housing priority to care leavers. This reflects paragraphs 7.13 and 7.32 of The Children Act 1989 whereby the responsible authority has to satisfy itself as to the character and suitability of the landlord or other provider complying with health and safety requirements related to rented accommodation. The Act also requires the responsible authority, in so far as reasonably practicable, to take into account the child's wishes and feelings and also education, training or employment needs.
- 3.13 Consequently in undertaking formal assessments, officers would have regard to both a professional view as to whether the care leaver is ready for independent living as well as the wishes of the individual. Officers would have particular regard to the significance of security of tenure, affordability and emotional well being, particularly in the early years of adult life where young people leaving care may be at a critical stage in full time education, employment and/or training and would benefit from stability of tenure.
- 3.14 Where Council accommodation is not readily available or might be considered otherwise inappropriate, the council may also consider offers to care leavers of accommodation in relation to private sector landlords where these can also be assured as offering security of tenure, affordability and emotional well being.
- 3.15 In all cases, the judgement of the professional parent and the views of the care leaver child would need to be carefully considered in deciding upon a housing option. Where necessary, the council may also seek to provide supplementary packages of support (see Appendix 5 Schedule 2) to enable a care leaver to make a successful transition to independent living irrespective of the Band A status.
- 3.16 To ensure that the policy and its operation is achieving the desired impact and is not generating any adverse and unintended consequences, it may also be prudent for a joint annual report from Children's Services and Housing to be submitted to an appropriate (sub) Committee regarding the impact on social housing management and the well being of care leavers.

#### **Implications for housing supply & housing waiting lists**

- 3.17 Care leavers generally need studios or 1 bed properties. In the last year the number of studios and 1 bed properties becoming available was 584. In terms of demand, there were a total of 7,495 households waiting for this size property, which comprise: 142 in Band A, 519 in Band B, 5164 in Band C and 1670 in Band D (see Table 1).

**Table 1: Council Housing Availability & Waiting List Priorities**

Size	Number of properties available	Waiting households	Banding Priority			
			A	B	C	D
Studios and 1 bedroom	584	7,495	142	519	5,164	1,670
2 bedroom	231	3,181	105	263	1861	952
3 bedroom	82	1,386	48	220	816	302
4+ bedroom	10	203	17	59	98	29



### Care Leaver Housing Requirements

- 3.18 Children's Services provide close monitoring of young people leaving care. Table 2 below shows where they go.

**Table 2: Housing Accommodation for Young (18 year old) People Living Care**

	2006	2007	2008	2009	2010
Supported Lodgings	4	8	14	7	2
With Parents Or Relatives	5	8	7	12	7
Foyers And Similar Supported Lodging	2	0	2	4	11
Community Home Or Other Residential Care	0	5	3	2	2
<b>Independent Living *</b>	<b>15</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>18</b>
SSD Not In Touch With Young Person	0	0	2	0	0
Semi-Independent Transitional Accommodation	2	3	1	0	0
Other Accommodation	1	0	1	0	0
Ordinary lodgings without formal support	0	0	0	0	0
In Custody	2	0	0	3	1
Bed And Breakfast	0	1	2	1	0
Emergency Accommodation	0	0	0	0	1

**Note:** About five young people outside of the 18 year old age bracket are also likely to be assessed as ready for independent living.

\* independent living – this group goes to a mixture of local authority housing both in the city (80%) and beyond, as well as private rented accommodation.

- 3.19 The number of young people leaving care and entering council enabled accommodation is recorded at between 14 to 18 per year. Looking forward, based on young people currently in care and due to reach their eighteenth birthday, the number seeking and able to sustain independent living is forecasted in Table 3.

**Table 3: Forecast of Young People Leaving Care Seeking & Able to Sustain Independent Living**

	2011	2012	2013	2014	2015
<b>Independent Living only</b>	<b>17</b>	<b>17</b>	<b>18</b>	<b>18</b>	<b>19</b>

- 3.20 As such the forecast pressure on annually available suitable council housing accommodation is relatively modest and would not unduly distort the allocation of council housing across all recognised needs groups in the city.

### Recommended Option

- 3.21 In light of the review and the results of consultation, the options are:
- Status quo. Although this complies with Housing law it leaves the council open to challenge under the Children Act.

- b) Amend the current arrangements to reflect the Council's corporate parent role by giving care leavers an appropriate priority subject to formal assessment.
  - i) Band A. There are a finite number of properties that become available and so there are implications for other client groups by increasing the priority of one group.
  - ii) Band B. This would give a high priority but may not be the best option to give sufficient priority to enable the Council to discharge its duties under the Children Act.

If option b) is chosen it is also recommended that it be accompanied by a robust assessment of the needs of the care leaver and a support package as set out in Appendix 5, Schedule 2.

- 3.22 Given the reasons set out in this report, officers recommend option b) i) such that young people leaving care are awarded Band A as a first choice option unless a formal assessment concludes otherwise.
- 3.23 Where a care leaver seeks to appeal an assessment decision and/or agreement cannot be reached by professional assessors, the matter is to be referred to the Strategic Director People to arbitrate as the delegated corporate parent for the Council.
- 3.24 In addition, the Strategic Director People and the Strategic Director Place, will provide an annual report to the Council through a proposed Corporate Parent (Sub) Committee on the impact of housing allocations on the management of council housing stock and the well being of care leavers.
- 3.25 With regard to other issues raised as part of the consultation as set out in Appendix 3, officers recommend that these changes are also accepted by Cabinet and subsequently recommended by Cabinet to Full Council for approval 22 March 2012.

### 3.26 **Timetable**

29 January 2012	End of Consultation with the City
19 February 2012	End of Consultation with Tenants
8 March 2012	Adult Social Care and Housing O&S Committee to consider proposals and make recommendations to Cabinet
15 March 2012	Cabinet to consider the proposals and make recommendations to Full Council in accordance with the Budget and Policy Framework procedure rules.
19 March 2012	Housing Management Consultative Committee
22 March 2012	Full Council for final approval.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 A minimum 12 week consultation process with city stakeholders over the proposed changes has now been completed and extended until 19 February for council tenants so that feedback from all area panels are taken into account when considering final recommendations. Stakeholders include our Communities of Interest, our partner agencies, Age Concern, support agencies, people on the Housing Register, CYPT, and support providers (a full list is provided in Appendix 2). The Community Engagement Framework and standards have been used in undertaking this consultation. Feedback is set out in Appendix 2.
- 4.2 Cabinet should note that the Housing Management Consultative Committee declined to consider a report (See Appendix 8) on this matter at its meeting 6 February 2012. This updated report will be submitted for comment to the HMCC meeting 19 March prior to Full Council.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 The 2011/2 budget for the Home Move team is £0.337m which mainly consists of staffing costs (£0.284m) and the Home Move Magazine (£0.052m).
- 5.2 The recommendations of this report will not directly impact the cost of housing services provided by the Council. The impact on the children's services budget is likely to be cost neutral given that the appropriate pathway is already provided based on assessment.
- 5.3 It is proposed to closely monitor the progress of such tenancies and ensure that any subsequent additional costs or loss of income, such as non payment of rent, are reported in due course. It is intended that any Officer time required for additional reporting requirements, attendance at panel etc would be met from existing resources.

*Finance Officer Consulted: Anne Silley*

*Date: 21/02/12*

##### Legal Implications:

- 5.2 As stated in the body of the report, the Council has legal duties both as a local housing authority and as a children's social services authority. The proposed arrangements, taken together, should be such as to enable the Council to discharge both duties, including the Council's obligations to provide "suitable accommodation" to care leavers. If the option of giving care leavers priority B is adopted, then there may be a need to retain residual discretion to the Lead Commissioner for Housing to award priority A if the result of the joint housing and social services assessment is that council housing is the most appropriate accommodation for a particular individual care leaver and there are no other means of securing that outcome.

*Lawyer Consulted: Abraham Ghebre-Ghiorghis Date: 1 February 2012*

##### Equalities Implications:

- 5.3 Equalities Impact Assessment has been carried out for the proposed options to change the Policy (Appendix 6).

Sustainability Implications:

- 5.4 The proposals will ensure that better use is made of the housing stock and will contribute to sustainable housing solutions

Crime & Disorder Implications:

- 5.5 None

Risk and Opportunity Management Implications:

- 5.6 There is no risk of legal challenge under Housing law but there is a risk of challenge under the duties toward young people leaving care under the Children Act if the local authority are relying on the Allocation policy to discharge it's duties to care leavers. The local authority's duty to care leavers is to provide suitable accommodation and it is open to the local authority to determine what and how this is achieved. (Appendix 5)

Public Health Implications:

- 5.7 The report, by addressing the issues of accommodation for care leavers will effectively contribute positively to their health and wellbeing. However, as there is a finite supply of available housing, there may be adverse implications for other client groups.

Corporate / Citywide Implications:

- 5.8 Limited social housing stock will be used in the best and most efficient way possible and that the city will benefit from clearer communication and updated Local Lettings Plans

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The alternative to the amendments would be for the policy to remain as per the current policy however this would not fully address the concerns raised by care leavers and their representatives.
- 6.2 We looked at the other councils in East and West Sussex in addition to some London Authorities Croydon, Westminster and Southwark. There is a mixture of prioritisation awarded to care leavers, between Band A (or equivalent) and Band B (or equivalent). Full details are in Appendix 7.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The recommendations reflect the outcome of consultation on the housing Allocations policy and officer review whereby the council give greater weight to its role as a Corporate Parent to care leavers and thus offer Band A housing priority to care leavers.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. List of people and organisations consulted
2. Feedback
3. Minor Amendments
4. Code of guidance for local housing authorities 2002 - Allocation of Accommodation CHAPTER 5 Allocation Scheme, Reasonable preference
5. Duties under the Children Act relating to accommodation
6. Equality Impact Assessment
7. Allocation Schemes and priority for care leavers in other Local Authorities
8. HMCC Allocations Review Report, March 2012

### **Documents in Members' Rooms**

None

### **Background Documents**

- Housing Act 1996 and Code of Guidance
- The Children Act 1989
- Housing Register Allocations Policy was approved by Housing Cabinet 22 March 2011
- Housing Allocation policy 2005



## **Appendix 1 List of people and organisations consulted.**

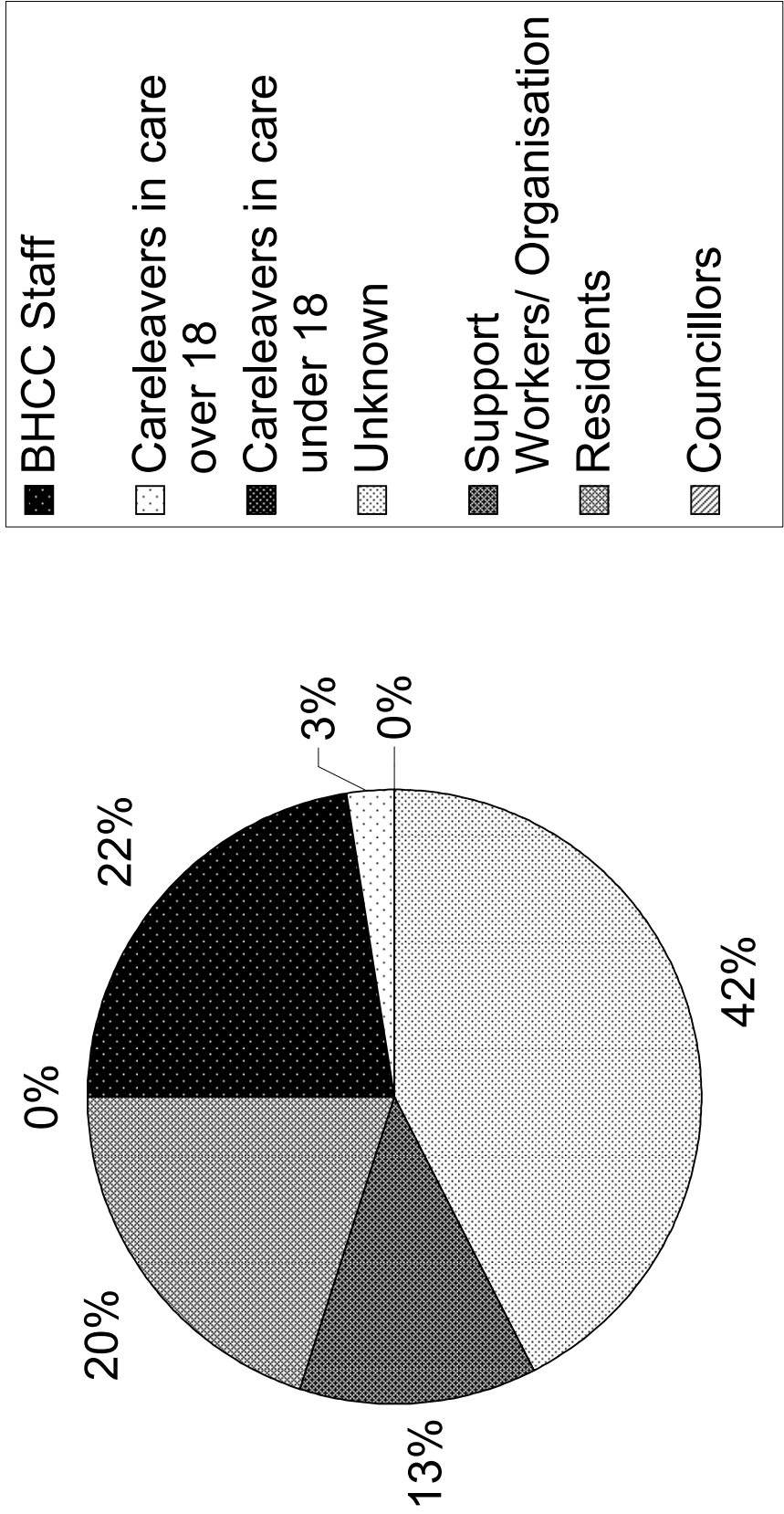
Who has been consulted and how:

<b>Who we consulted with</b>	<b>How we consulted</b>	<b>When</b>
Housing Commission staff	email	16.11.11
Housing & Social Inclusion Staff	email	16.11.11
Sheltered Team	email	16.11.11
All Cllrs	email and have met face to face with a few	17.11.11
All RSL partners	via email and several telephone conversations	17.11.11
Local MPs	email	17.11.11
Choice Based Lettings tenant group	Meeting	17.11.11
(also meeting with Terry Parkin)	Meeting	7.2.11
Own work, BHCC and tenant involvement	Twitter and Facebook pages	17.11.11
DWF, BME & LGBT	email and attended groups	17.11.11
City Assembly	attended myself	19.11.11
Terry Parkin, John Barradell, Andy Whippy, Dermot Anktell, Kate Wiggett, Chris Brunstrom, Claire Blakemore, Barbara Bates, Nigel Hancock, Miranda Wareham, Sylvia Peckham, Simon Court, Jugal Sharma, Geoff Raw	Email	17.11.11
Consultation portal	Consultation portal	16.11.11
Older peoples working group	email and Jamie to attend next group as last one missed due to sickness	17.11.11
612 households emails or sent consultation (408 Homeseekers and 204 Transfers) randomly taken from the housing register	email & letter	21.11.11
Terrance Higgins Trust, Disability Fed, Age UK, MIND, RNIB, RIND, Blind Association, BHT, Brighton and Sussex universities, Shelter, Emmaus, RISE and the DV working group, all YMCA's, Surveyors network, CMHT, Community Base, The Gender	email and telephone conversations	21.11.11

<b>Who we consulted with</b>	<b>How we consulted</b>	<b>When</b>
Trust, Rainbow foundation, MOSIAC, Assert, Brighton women's centre, Autism Sussex Ltd, Clockwork Tower Sanctuary, Scope, Stop over outreach, Jobcentre, Brighton Deaf Centre, SDA for the Deaf, Mencap, PALS at Royal Sussex Hospital, Crisis, Grace Eyre, Oxfam, Samaritans, Martletts		
Sheltered Choice Based Lettings Group (Charles Penrose and Bryan Balchin) met with and will be taking to SHAG	face to face	7.12.11
All area panels will be attended up to and including 14.2.12 and the response from this will be taken into account even though it is after the official close date (this has been agreed by head of Law)	meeting	Up to 14.2.12
Was placed on the Wave for ALL council staff and will be again in the New Year.	Wave	Ongoing
It has also been asked that all staff and anyone who has received the consultation it is passed on to friends, family, colleagues etc so that it is spread as far as possible.	Word of mouth	Ongoing



# NO PRIORITY





### **Appendix 3 Minor Amendments**

Wording change to:

From:

#### **Full Time Carers**

If the prime applicant(s) provide care in an area of the City, the priority may be applied for in the area in which they provide care. Carers must have been providing for a continuous period of at least 6 months up to the point of application and the same at point of offer.

To:

#### **Full Time Carers (outside of your current household)**

If the prime applicant(s) provide care to someone outside of their current household in an area of the City where they have placed a bid (with a 1 mile radius of the place of care), the priority may be applied for in the area in which they provide care. Carers must have been providing for a continuous period of at least 6 months up to the point of application and the same at point of offer.

From

#### **Income caps**

In order to ensure those households most in need benefit from the council's Working Priority, income caps will be applied according to the size of property needed.

For those who need a property of 2 or more bedrooms the cap will be £35,000pa gross income to include all forms of income to the household.

For households requiring studio or 1 bed property, the cap will be £17,000 pa gross to include all forms of income to the household.

To

#### **Income caps**

In order to ensure those households most in need benefit from the council's Working Priority, income caps will be applied according to the size of property needed.

For those who need a property of 2 or more bedrooms the cap will be £35,000pa gross income to include all forms of income to the household.

For households requiring studio or 1 bed property, the cap will be £17,000 pa gross to include all forms of income to the household.

Please note that any benefits received will not be taken into account on the above amounts, these figures are based on gross income only.

Remove the following paragraph so that there is no discretion but that each circumstance is covered by a criteria in the policy. This will ensure the policy is tighter.

**Lead Commissioner for Housing Discretion for other exceptional circumstances not covered by this scheme**

From time to time a situation may arise that is not adequately reflected in this Allocations Scheme but the needs or circumstances are exceptional and significant. Where a case is considered exceptional but the applicant does not meet any of the Banding criteria or it is felt that a higher Banding than the one awarded is more appropriate then the Lead Commissioner for Housing in Brighton & hove City Council reserves the right to override this scheme and allow an applicant to have a higher priority than they would be entitled to under the Scheme. These cases will be few in number and will be closely monitored and reported on to ensure that the duty to achieve Reasonable Preference overall is not compromised. Lead Commissioner for Housing Discretion can also be used to block an allocation or to make a direct allocation of a property in circumstances not predicted by this scheme but where the Council is satisfied someone has unfairly taken advantage of the scheme to the detriment of those in housing need. Again, these cases will be monitored and will be few in number.

All of the above cases will be taken to Housing Management Consultative Committee on a yearly basis to review the numbers submitted, the outcome of the cases and brief reason for the case being submitted via this route.

## **Appendix 4**

### **Code of guidance for local housing authorities 2002 - Allocation of Accommodation**

#### **CHAPTER 5**

#### **Allocation Scheme**

#### **Reasonable preference**

“5.8 In framing their allocation scheme so as to determine priorities in the allocation of housing, housing authorities must ensure that reasonable preference is given to the following categories of people, as set out in s167 (2) of the 1996 Act:

- (a) people who are homeless (within the meaning of Part 7 of the 1996 Act); this includes people who are intentionally homeless, and those who are not in priority need;
- (b) people who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3);
- (c) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- (d) people who need to move on medical or welfare grounds; and
- (e) people who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others).

5.9 It is important that the priority for housing accommodation goes to those with greater housing need. In framing their allocation scheme to give effect to s.167(2), housing authorities must have regard to the following considerations –

- a) the scheme must include mechanisms for:
  - i) ensuring that the authority assess an applicant’s housing need, and for
  - ii) identifying applicants in the greatest housing need
  
- b) the scheme must be framed so as to give reasonable preference to applicants who fall within the categories set out in s.167(2), over those who do not;

c) the reasonable preference categories must not be treated in isolation from one another.

Since the categories can be cumulative, schemes must provide a clear mechanism for identifying applicants who qualify under more than one category, and for taking this into account in assessing their housing need;

d) there is no requirement to give equal weight to each of the reasonable preference categories. However, housing authorities will need to be able to demonstrate that, overall, reasonable preference for allocations has been given to applicants in all the reasonable preference categories. Accordingly it is recommended that housing authorities put in place appropriate mechanisms to monitor the outcome of allocations; and

e) a scheme may provide for other factors than those set out in s 167(2) to be taken into account in determining which applicants are to be given preference under a scheme, provided they do not dominate the scheme at the expense of those in s.167(2). (See para. 5.25 below)  
Otherwise, it is for housing authorities to decide how they give effect to the provisions of s.167(2) of the 1996 Act in their allocation scheme.

### **Allocation scheme flexibility**

5.25 While housing authorities will need to ensure that, overall, reasonable preference for allocations is given to applicants in the relevant categories in s167 (2), these should not be regarded as exclusive. A scheme should be flexible enough to incorporate other considerations. For example, housing authorities may wish to give sympathetic consideration to the housing needs of extended families. However, housing authorities must not allow their own secondary criteria to dominate schemes at the expense of the statutory preference categories. The latter must be reflected on the face of schemes and be evident when schemes are evaluated over a longer period.

## **Appendix 5: Duties under the Children Act relating to accommodation**

Children Act 1989 23 (b) (8)

“(8)The responsible local authority shall safeguard and promote the child’s welfare and, unless they are satisfied that his welfare does not require it, support him by—

- (a)maintaining him;
- (b)providing him with or maintaining him in suitable accommodation; and
- (c)providing support of such other descriptions as may be prescribed.

(9)Support under subsection (8) may be in cash.

(10)The [F4“appropriate national authority] may by regulations make provision about the meaning of “**suitable accommodation**” and in particular about the suitability of landlords or other providers of accommodation

### **Careleavers (England) Regs 2010**

#### **Part 4**

(9) (2) For the purposes of section 23B(10), “**suitable accommodation**” means accommodation—

- (a)which so far as reasonably practicable is suitable for the relevant child in the light of their needs, including any health needs and any needs arising from any disability,
- (b)in respect of which the responsible authority have satisfied themselves as to the character and suitability of the landlord or other provider, and
- (c)in respect of which the responsible authority have, so far as reasonably practicable, taken into account the relevant child’s—
  - (i)wishes and feelings, and
  - (ii)education, training or employment needs.

### **SCHEDULE 2 Regulation 9**

#### **Matters to be considered in determining the suitability of accommodation**

1. In respect of the accommodation, the—
  - (a)facilities and services provided,
  - (b)state of repair,
  - (c)safety,
  - (d)location,

(e) support,

(f) tenancy status, and

(g) the financial commitments involved for the relevant child and their affordability.

**2.** In respect of the relevant child, their—

(a) views about the accommodation,

(b) understanding of their rights and responsibilities in relation to the accommodation, and

(c) understanding of funding arrangements.”



## Appendix 6 Equalities Impact Assessment

<p><b>Aim of Policy / Scope of Service:</b></p> <p><b>Equality Impact Assessment for Careleavers – Review 2012</b> Analysing what would be the impact of proposed changes to the Allocations policy for care leavers in particular and the different assessments combinations.</p>	
<p><b>Different Groups included in scope</b> Care leavers. Others on the Housing Register who would potentially be affected by a change.</p>	

	Impact	Potential actions to minimise negative impact and maximise positive impacts
<p><b>1- if Care leavers were assessed as Band A</b></p>	<p>(+) Highest priority enables them to be re-housed promptly to a secure tenancy            (+) secure tenancy will provide stability (leaving care is challenging and confusing time for many young people).            (-) Don't always have the support, if needed, which will help them manage independent accommodation.            (-) There is a finite supply of housing.            (-) It will impact on other applicants in band A that need one bedroom property for reasons such as:            * Overriding medical            * TIS            * Witness protection nominations            * Accepted Homeless</p>	<p><b>ACTION:</b></p> <ul style="list-style-type: none"> <li>* support package from Children's services coupled with that from housing officer should be provided to careleaver when they first move into social housing</li> <li>* Life-skills course provision</li> <li>* Monitor the impact on other groups to assess which groups adversely affected</li> <li>* For those careleavers that could benefit for other type of accommodation:               <ul style="list-style-type: none"> <li>- Work with social worker to encourage careleaver to explore the housing options available in the City in the private rented</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>* Transfer needing a permanent decant</li> <li>* Private sector nomination</li> <li>* Priority transfers</li> <li>* Lead Commissioner of Housing discretion</li> <li>* Non statutory successors</li> <li>* Retiring council and HA employees</li> </ul> <p>(-) Less dynamic housing list. More people in Band A will mean that people in lower bands have reduced opportunity to obtaining a property.</p> <p>(-) Some care leavers could benefit from other type of accommodation that is not Council o HA.</p> <p>(+) (-) To treat all the Groups in the same measure. (positive for careleaver and negative for other applicants which assessment is based on their housing need)</p>	<p>sector which may include a house share with other young people or their own private rented flat. This could enable careleavers to remain in an area of the city they had been living in.</p> <ul style="list-style-type: none"> <li>- Encourage connections with other young people looking to privately rent so that complimentary groups can rent shared accommodation</li> <li>- Assistance with deposits, guarantors</li> </ul>
<p><b>2- if assessed as band B</b></p>	<p>(-) careleavers would have reduced opportunity in obtaining a property than if they were in Band A</p> <p>(-) They will compete with other applicants in band B needing one bedroom property for reasons such as:</p> <ul style="list-style-type: none"> <li>* management transfers</li> <li>* major medical</li> <li>* Ex tenants returning from institutions</li> <li>* Multiple needs</li> <li>* Unsatisfactory Housing conditions (Category 1 hazard)</li> </ul> <p>(+) careleavers would have increased opportunity to obtaining a property than people in lower bands.</p> <p>(-) There is a finite supply of housing.</p> <p>(-) Don't always have the support, if needed, which will help them manage independent accommodation.</p> <p>(+) likely to be re-housed fairly quick under the scheme</p> <p>(+)(-) To treat all the Groups in the same measure</p>	<p><b>ACTION:</b></p> <ul style="list-style-type: none"> <li>* support package from Children's services coupled with that from housing officer should be provided to careleaver when they first move into social housing</li> <li>* Life-skills course provision</li> <li>* Monitor the impact on other groups to assess which groups adversely affected</li> <li>* For those careleavers that could benefit for other type of accommodation: <ul style="list-style-type: none"> <li>- Work with social worker to encourage careleaver to explore the housing options available in the City in the private rented sector which may include a house share with other young people or their own private rented flat. This could enable careleaver to remain in an area of the city they had been living in.</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>- Encourage connections with other young people looking to privately rent so that complimentary groups can rent shared accommodation</li> <li>- Assistance with deposits, guarantors</li> </ul>
<p><b>3- if assessed as band C</b></p>	<p>(-) careleavers would have reduced opportunity in obtaining a property than if they were in Band A or band B</p> <p>(-) They will compete with other applicants in band C needing one bedroom property for reasons such as:</p> <ul style="list-style-type: none"> <li>* Homeless on T.A, short hold tenancy</li> <li>* minor medical</li> <li>* unsanitary housing conditions</li> <li>* Multiple needs</li> <li>* To give or receive support</li> </ul> <p>(-) unlikely to be re-housed promptly which could impact negatively on their health and wellbeing, unless they are working in which case up to 50% of all available properties</p> <p>(-) There is a finite supply of housing.</p> <p>(+) careleavers would have increased opportunity to obtaining a property than people in band D</p>	<p><b>ACTION:</b></p> <ul style="list-style-type: none"> <li>* Work with social worker to encourage careleaver to explore the housing options available in the City in the private rented sector which may include a house share with other young people or their own private rented flat. This could enable careleavers to remain in an area of the city they had been living in.</li> <li>* Encourage connections with other young people looking to privately rent so that complimentary groups can rent shared accommodation</li> <li>* Assistance with deposits, guarantors</li> <li>* Life-skills course provision</li> <li>* Monitor the impact on care leavers</li> <li>* support from housing officer should be provided to careleaver when they first move into social housing</li> </ul>
<p><b>4- if assessed according to their housing need</b></p>	<p>(-)(+) Treated as all other applicants in the same measure</p> <p>(+) Dynamic housing list</p> <p>(-) some careleavers will have not priority need and it will be very unlikely for them to be re-housed under Homemove.</p> <p>(-) the health and wellbeing of careleavers may be</p>	<p><b>ACTION:</b></p> <ul style="list-style-type: none"> <li>* Work with social worker to encourage careleaver to explore the housing options available in the City in the private rented sector which may include a house share with other young people or their own private rented flat. This could enable careleavers to remain in an</li> </ul>

	<p>impacted if suitable accommodation can not be provided.</p>	<p>area of the city they had been living in.  * Encourage connections with other young people looking to privately rent so that complimentary groups can rent shared accommodation and help raise aspirations.  * Assistance with deposits, guarantors  * Life-skills course provision  * Monitor the impact on care leavers</p>
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Lead Equality Impact Assessment Officer:  
Head of Service  
Cabinet Member for Housing:

Elena Castells  
Sylvia Peckham  
Councillor Liz Wakefield

Date  
Date  
Date

25.01.2012

**Appendix 7: Allocation Schemes and priority for care leavers across Sussex and other Local Authorities.**

Of the schemes looked at most use banding either A-D or 1-4.

<b>Name of Authority</b>	<b>Priority</b>	<b>Comments</b>
<u>Sussex Councils:</u>		
Arun District Council	B	“as authorised by Housing Services manager
Worthing District Council	A	“evidenced with relevant care plan, references where appropriate and plans in place to meet future care or support needs”
Horsham District Council	B	Need agreed careplan that has been discussed and approved through young person panel.
Mid Sussex District Council	A	12 weeks to bid successfully or Homemove bid on applicant’s behalf. If refuse offer, lose Band A status and banded according to housing need.
Lewes District Council	A	
Crawley Borough Council	B	
Eastbourne Borough Council	A	
<u>Unitary Authorities</u>		
Southwark Council	2	
Croydon Council	2	“is genuinely prepared for a move to indept living including life skills to manage a tenancy including a rent account. Careleaver is in need of either a long term or medium term tenancy support package, rather than short term which has been assessed and is in place.
Portsmouth City Council	2	“nominated by head of safeguarding subject to pre-agreed quota of tenancies.”
Medway council	B	Move on from care or leaving supported housing
Shropshire Council	B (Gold)	Move on from supported – no mention of care leavers
Barnet Council	B	Careleavers: <ul style="list-style-type: none"> <li>- need to possess lifeskills to manage a tenancy including a rent account.</li> <li>- Support package is in place.</li> <li>- Careleaver is in need of either long term or medium term tenancy support</li> </ul>

Name of Authority	Priority	Comments
Bedfordshire Council	3 (C)	
Northumberland Council	A (Priority Band)	
Cornwall Council		Priority decided by a Welfare Panel
<p>Westminster City Council - they award points rather than a banding system. They have a quota system in place and if agreed by the Children Act Accommodation Panel for a social housing tenancy they will be awarded 400 points. Only those needing to be decanted from a council tenancy and Cash Incentive scheme (ie. tenants wanting to downsize) are awarded higher points for studio and 1 bed accommodation.</p>		
<p>Southampton Council – we couldn't find any reference to careleavers in their scheme.</p>		

# ADULT SOCIAL CARE AND HOUSING OVERVIEW AND SCRUTINY COMMITTEE

## Agenda Item 55

Brighton & Hove City Council

**Subject:** Community Meals: Report Back from Workshop

**Date of Meeting:** 08 March 2012

**Report of:** The Strategic Director, Resources

**Contact Officer:** Name: Giles Rossington Tel: 29-1038  
E-mail: Giles.rossington@brighton-hove.gov.uk

**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 At its September 2011 meeting the Adult Social Care and Housing Overview & Scrutiny Committee (ASCHOSC) considered a report on the future of the council's Community Meals service. ASCHOSC decided to hold a workshop to consider this matter in detail, and this took place in January 2012.
- 1.2 A note from the Community Meals workshop is included as **Appendix 1** to this report. Information from Adult Social Care, detailing their plans following the workshop is included as **Appendix 2**.

#### 2. RECOMMENDATIONS:

- 2.1 That members:
- (1) Note the content of this report and its appendices.

#### 3. BACKGROUND INFORMATION

- 3.1 Community Meals are meals delivered to the homes of people who may struggle to prepare their own food or who choose to have some meals prepared for them. Currently, the city council has a contract with a third sector provider, WRVS, to deliver this service to Brighton & Hove residents.
- 3.2 The current contract ends shortly, and although WRVS delivers a satisfactory service, there are some significant issues with the *model* of provision that is currently contracted. These issues include: the cost to the council of providing community meals; the fact that meals are neither locally sourced nor prepared; and the need to have a community meals service which fits supports the 'personalisation' of social care.
- 3.3 Adult Social Care (ASC) are therefore taking the opportunity to explore a number of options for the future of the Community Meals service. These range from maintaining the status quo, to offering only a signposting service (i.e. the council directing clients to providers but not itself running a community meals service), to contracting with a number of providers. Consideration is also being given to whether it is tenable to retain the current level of subsidy for this service.
- 3.4 At the scrutiny workshop, the various options were explained to members and the pros and cons of each type of model discussed. The meeting note included as **Appendix 1** to this report encapsulates this discussion. Members who attended the workshop agreed some general principles which ASC should consider when taking this work forward (also included in **Appendix 1**). The ASC response to these points, and a general update on progress since the workshop is included as **Appendix 2** to this report.

#### **4. CONSULTATION**

- 4.1 This report has been written in consultation with officers from ASC.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 None to this report for information.

##### Legal Implications:

- 5.2 None to this report for information.

##### Equalities Implications:

- 5.3 None to this report for information.



Sustainability Implications:

5.4 None to this report for information.

Crime & Disorder Implications:

5.5 None to this report for information.

Risk and Opportunity Management Implications:

5.6 None to this report for information.

Corporate / Citywide Implications:

5.7 None to this report for information.

## **SUPPORTING DOCUMENTATION**

**Appendices:**

1. Note of the Jan 12 workshop meeting
2. Additional information supplied by ASC

**Documents in Members' Rooms:**

None

**Background Documents:**

None



## **ASCHOSC Community Meals Workshop: Meeting Note**

**Present:** Cllrs K Norman (Chair), A Norman, Gilbey, Peltzer Dunn, Buckley; Avril Fuller (LINK co-optee)

Philip Letchfield (ASC)

PL introduced the workshop, explaining that the community meals contract (currently held by WRVS) is due to finish in April 12. The contract can be extended to October 12, with an option to extend for a further 6 months, at relatively low risk of challenge, but beyond this it will be necessary to re-tender (or meet demand by other means).

There are a range of options for the service in the future, all of them in use by local authorities across the country. These include:

- A 'sign-posting/ model where the LA does not provide or contract a community meals service, but simply publicises the range of commercial options available to residents.
- A 'framework' contract where the LA contracts with a number of providers, but does not guarantee any provider a particular volume of work – customers are free to choose the provider they prefer, or to make their own arrangements.
- Re-tendering for a similar contract to the one currently in place (i.e. a single provider which makes its own arrangements with suppliers)
- Re-tendering, but splitting the contract between several suppliers (with each supplier responsible for a particular area etc)
- Re-tendering, but stipulating that the provider(s) must work together with local suppliers, so as to ensure the use of local produce/encourage the local economy etc.

PL told members that there were some very positive aspects of the current contract with WRVS: the service is of a good and consistent standard, customer satisfaction is relatively high. However, the service is subsidised by BHCC, the food provided is not locally sourced or prepared, and the service is not personalised (customers have no choice of providers).

Moreover, there has been a significant fall in demand for community meals over the past few years (although this has recently plateaued). This trend is likely to continue, with the move to personalisation of care seeing more people choosing to develop their own care solutions rather than being reliant on a bulk provider, and the increasing availability of a range of commercial products (supermarket ready-meals etc).

Members were informed that, whilst increasing consumer choice was desirable, it might also have drawbacks, as the cost of community meals

provision is typically predicated on having a very large volume of sales: the unit price is kept relatively low by the size of the overall contract. Since providing greater choice will inevitably see a reduction in activity for any single provider, it may inevitably lead to a significant increase in the unit price. It may also be the case that the current provider, WRVS, would be unable to function with greatly reduced volumes, as it has considerable fixed costs.

Members agreed that they would ideally like to see community meals provided locally from locally sourced fresh produce. They would also like to see the quality of community meals improved.

It was recognised that there was no locally based provider currently able to manage a contract of this size – particularly as provision needs to be absolutely guaranteed and available 365 days a year. However, members thought it might be feasible for a contractor to make much more use of local producers and providers. Members specifically mentioned City College in this context.

Members discussed the issue of subsidising community meals. BHCC currently provides a considerable subsidy, but plans to reduce this, potentially by restricting its subsidy to customers who meet the social care eligibility threshold – currently customers who do not have severe/critical need may still receive subsidised community meals - and increasing the charges for the meals to closer reflect actual costs. Members agreed that there were sound reasons for reducing this subsidy, although any action needed to be phased.

### **Conclusions:**

- Members agreed that, in the long term, the community meals service should provide people with locally sourced and provided nutritious, tasty meals.
- This long term aim may not be achievable in the short term, but the re-tender of the community meals contract should require bidders to work with local producers and providers in order to grow local capacity.
- Subsidies for community meals should be reduced, but this must be phased in so as to minimise the impact upon local residents.
- The possibility of a pilot scheme involving local producers/providers should be explored by ASC.

## Appendix 2

### Adult Social Care and Housing Overview Scrutiny Committee

#### An update on the proposals re the future Commissioning of a Community Meals Service

1. Since the ASHOSC workshop officers have held an internal workshop which included representatives from Adult Social Care Commissioning, Corporate Procurement, Consultation, Finance and the Delivery Unit (Assessment).
2. The notes from the ASHOSC workshop were available to the meeting and the meeting focused upon identifying the broad principles that could inform future commissioning plans. These were identified as :
  - i. The commissioning plans should promote personalisation and individual choice and control
  - ii. The commissioning plans will promote locally sourced food in the delivery of this service
  - iii. The Council will ensure that it can meet its statutory duties for those with eligible care needs through the new arrangements
  - iv. The commissioning plans will encourage an innovative, creative approach to meals provision and encourage partnership working. We will be looking at services that could be city wide or neighbourhood based and that could be providing meals to the person's home or in a community based setting. The potential for pilot projects will also be explored.
  - v. The signposting and information available on the range of services available will be improved so that anyone interested in accessing such a service is better able to do so. This will include information regarding the nutritional value of the meals.
  - vi. The current level of subsidy will be reduced on a phased basis and any remaining subsidy will be only available for those people who have eligible needs.
  - vii. That transitional arrangements are considered to ensure that current service users continue to receive a service
3. These principles are believed to be in line with those established through the scrutiny workshop.

4. A programme of actions was identified to progress the commissioning plans and this includes :
  - a. gathering more in depth data and analysis in relation to people who currently use the service, their needs and their location.
  - b. a consultation programme to get the views of stakeholders including existing service users and prospective service users.
  - c. a stakeholder event of all services across the city with an interest in providing a meals related service to promote innovation, partnership and also map out more fully what is currently available. This could include the potential to identify pilot projects.
  - d. building on the initial work already undertaken to identify the approach taken by other Councils and any best practice we can utilise locally
  - e. Ensuring that all future referrals into the service are completed by Adult social care staff and individual's needs are entered onto Council systems.
  - f. Identifying additional resources to support this work
  - g. Developing a clear and timetabled project plan that will incorporate all these actions.
5. A report covering these principles and proposed actions will be taken to the Cabinet Member Meeting on March 12<sup>th</sup> 2012. The notes from the ASHOSC workshop will be included as an appendix and verbal update will be provided following the ASHOSC Meeting on March 8<sup>th</sup> 2012.