

**By:** Angela Slaven, Customer and Communities Directorate,  
Director - Service Improvement

**To:** Supporting People Commissioning Body 26 January 2012

**Subject:** Kent Supporting People Eligibility Policy 2012/13

**Classification:** Unrestricted

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## Summary

This report presents an amended Kent Eligibility Policy based on a general review of the current Kent Eligibility Policy which was agreed by the Commissioning Body in 2008. The Policy ensures that the Supporting People Programme funds agreed and defined housing related support activities. The Eligibility Policy also reaffirms the principle of open and fair access to short term accommodation based services for the vulnerable people of Kent based on need rather than local connection. However, three groups can access services from outside Kent because of their particular need to leave their areas of origin out with of Kent: rough sleepers, people escaping domestic abuse and offenders.

## 1. Introduction

(1) The Kent Supporting People Eligibility Policy defines housing-related support services that are funded under the Programme and identifies other activities that can not be funded by the Programme. These tend to be of a statutory nature or relate to housing management. The Commissioning Body agreed the current Kent Eligibility Policy in September 2008. The Policy incorporated statutory guidelines issued by the then Office of the Deputy Prime Minister (ODPM) in 2003 and the provisions of Supporting People Grant Conditions for Excellent Authorities.

(2) Previously Supporting People services were funded by direct grant from the then ODPM. Supporting People Grant Conditions (2003/2005) defined housing related support as:

*“Support services which are provided to any person for the purpose of developing that person’s capacity to live independently in accommodation or sustaining his capacity to do so.”*

Whilst Kent as an excellent Authority was not under any obligation to adhere to the grant conditions, the Authority adopted those conditions and incorporated them in its Eligibility Policy which was first introduced in 2006 and which governed access to services. The Kent Eligibility Policy was amended in 2008 following the ODPM’s revised Grant Conditions for Excellent Authorities in order to incorporate the principle of fair and open access to

strategically relevant short term accommodation based services: access was to be based on need irrespective of individuals having a local connection to the area covered by the Administering Authority.

## **2. Amended Kent Eligibility Policy 2012/13**

(1) The Supporting People Grant had the ring fence removed in April 2010 and become subject to area based grant funding. In April 2011 it was incorporated into formula funding allocated to the county council by central government. The incorporation into formula funding means that there are no grant conditions that are applied to the Programme by central government.

(2) The Kent Supporting People Programme has reviewed and amended the Policy. The main amendments are as follows:

- Removal of reference to Supporting People Grant Conditions
- Re-affirmation of commitment to continue enabling open access to short term accommodation based services irrespective of local connections within Kent. Three client groups are exempt from this because individuals might need to leave the area of other authorities outside of Kent for very particular reasons: rough sleepers, people escaping domestic abuse and offenders.
- Further clarifications about types of assistance that are not housing related support and which might be statutory responsibilities
- Greater emphasis on outcomes including the promotion of independent living and that service users will not require advice and support on an on-going basis within short term services and will be facilitated where possible within longer term services to become independent

## **3. Consultation and Communication**

(1) The Supporting People Programme consulted with districts and boroughs and service users. The responses were incorporated into the criteria where it was considered relevant, appropriate and feasible. Service users were consulted through two consultation events held in east and west Kent.

(2) Stakeholders agreed that there should be retention of the commitment to open and fair access to short term accommodation based services for vulnerable people within Kent. Service users were concerned about a perceived gap between housing related support, housing management and health and social care. The attached Equality Impact Assessment contains a summary of issues raised at the service user consultations.

## **4. Risk and Business Continuity Management**

(1) The Supporting People Programme is working with Families and Social Care and providers to identify any areas of service delivery that cannot be met by housing related support, housing management, health and social care. The Programme will need to work with key stakeholders, providers and service

users to identify alternative solutions to needs that cannot be met by the public sector.

(2) The Core Strategy Group requested that a report about the implementation of the Southwark Judgement and its impact on short term supported housing services should be made to the meetings of the Core Strategy Group and the Commissioning Body at the start of the new financial year (Core Strategy Group and Commissioning Body dates for 2012/13 have not yet been finalised).

## **5. Financial Implications**

(1) There is no anticipated financial impact in relation to the Eligibility Policy on the Programme in Kent since its purpose is to ensure that the Programme funds housing related support. The Programme is working to ensure that other public services are not impacted and providers and service users are not materially affected.

## **6. Legal implications**

(1) An Equality Impact Assessment has been undertaken and the document is attached.

## **7. Sustainability Implications**

(1) The Supporting People Programme will work with its partners to ensure that services are sustainable.

## **8. Conclusion**

(1) The proposed amended Kent Eligibility Policy 2012/13 is based on a review of the current Eligibility Policy which was agreed in September 2008. The revised Eligibility Policy seeks to provide further clarification in relation to eligible and ineligible support activities and reaffirms the principle of fair and open access to accommodation based services within Kent irrespective of local connection. It is accepted that vulnerable individuals who are escaping domestic abuse, offenders or rough sleepers may have particular reasons for leaving their areas of origin out with of Kent and may need to access Kent services in order to meet statutory requirements, to maintain their welfare or due to the transitory nature of their life style.

### **Recommendations**

The Commissioning Body of the Kent Supporting People Programme is asked to;

- 1) **Agree** the Kent Supporting People Eligibility Policy 2012/13

### **Background Documents**

Department of Health, 'Supported Housing and Care Homes', Guidance (2002)

Kent Eligibility Policy September 2006

Grant Conditions for Excellent Authorities 2008/09

Kent Eligibility Policy September 2008

Department of Health, 'Social Care and Health Act (Regulated Activities)', Regulations 2010

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**Appendix One:** Draft Kent Supporting People Eligibility Policy 2012/13

**Appendix Two:** Equality Impact Assessment - Kent Supporting People Eligibility Policy 2012/13

**Appendix 1 - KENT SUPPORTING PEOPLE  
PROGRAMME**

**Draft**

**ELIGIBILITY POLICY**

**2012/13**

## INTRODUCTION

The overarching aim for the Supporting People Programme in Kent is:-

Working in partnership to deliver needs led, value for money, high quality housing support services for vulnerable people.

In addition the programme aims to ensure that these services are;

- accessible to those who need them
- promote independence and well being
- enable people to take control over their lives
- participate fully in the social and economic life of their communities
- complement services delivered by statutory and non-statutory agencies
- support service users who have little or no recourse to alternative statutory or non statutory services

Services commissioned by the Kent Supporting People Programme are about promoting independence and enabling service users to manage their own affairs without recourse on an on-going basis to public or voluntary services, statutory and non statutory, and:

- are outcome focused
- maximise utilisation and throughput
- emphasise timely move on to independent living and the principle of reconnection

The Kent Eligibility Policy 2012/13 sets out services which are eligible for delivery by the Supporting People Programme and those which are excluded because they relate to a statutory responsibility or a non- housing related support function.

The phraseology 'facilitating' and 'enabling' is intended to endure throughout the period of support that is permitted, e.g. up to one year for floating support, up to two years for short term accommodation based services and on a weekly basis in sheltered housing and to a maximum number of permitted hours within long term accommodation based services.

Supporting People services are tendered for and a contract and specification is attached to each service.

## SUPPORTING PEOPLE ELIGIBLE SERVICES

<p><b>Managing accommodation</b>  <u>(does the service user require a housing related support service or is a housing management, social care or nursing service required)</u></p> <ul style="list-style-type: none"> <li>• Raise awareness of tenancy obligations (rent and service charges/ mortgage conditions/appropriate behaviours in order to retain a housing situation)</li> <li>• Sustain tenancy with appropriate support as outlined within the criteria</li> <li>• Offer advice about maintaining safety and security of the home and the equipment required to maintain safety and security (with an expectation that the service user will not require this advice on an ongoing basis)</li> <li>• Raise awareness of health and safety procedures, and consult with service users, e.g. at the start of a tenancy and within a house meeting context</li> <li>• Signposting to appropriate services which enable a service user to retain their home (with an expectation that the service user will not require this advice on an ongoing basis)</li> <li>• Signposting to appropriate services in relation to organising repairs or improvements to their homes, or adaptations, or other appropriate services offered by HIAs and handy person services</li> </ul> <p><u>Note:</u> House meetings can and should include housing related support issues that may need to be discussed with all the residents within a service.</p>	<p><b>Income/Benefits</b></p> <ul style="list-style-type: none"> <li>• Enabling and facilitating the service user to claim benefits/maximise income by advising and signposting to appropriate services (with an expectation that the service user will not require this advice on an ongoing basis). Should the benefits regime change during the period of housing related support provision, the service user can be advised/signposted to appropriate services (with an expectation that the service user will not require the renewed advice on an on-going basis).</li> </ul>
<p><b>Personal administration</b></p> <ul style="list-style-type: none"> <li>• Enabling and facilitating the service user to deal with official correspondence (with an expectation that the service user will not require this advice on an ongoing basis)</li> </ul>	<p><b>Bills/Budgeting</b></p> <ul style="list-style-type: none"> <li>• Enabling and facilitating the service user to maintain their housing situation by making appropriate payments to service providers that relate to their property, e.g. utilities, landlords and prevent the loss of their home due to debt</li> <li>• Enabling and facilitating the service user to budget and to be given the skills to manage their budget in the</li> </ul>
	<p><b>Bills/Budgeting (Cont.)</b></p>

	future and to try to promote a healthy lifestyle that can be maintained within their budget
<p><b>Education/Training/Work/meaningful day activity</b></p> <ul style="list-style-type: none"> <li>• Enabling and facilitating service users to access education, training or work or meaningful activities, within a given time scale (with an expectation that the service user will not require this advice on an ongoing basis).</li> <li>• Encourage service users to attend Supporting People Programme service user involvement and consultation events.</li> </ul>	<p><b>Social networks and relationships</b></p> <ul style="list-style-type: none"> <li>• Enabling and facilitating the service user's contact with support worker/service/peer support</li> <li>• Enabling and facilitating the service user to establish links to public, private and voluntary sector services in their local communities</li> <li>• Enabling and facilitating service users to establish/re-establish appropriate links with family and friends within a given time scale.</li> </ul>
<p><b>Health</b></p> <ul style="list-style-type: none"> <li>• Enabling and facilitating <b>initial</b> access to (public) health services (and any appropriate re-referral during the period of support provision), e.g. signing on with a doctor or dentist. Housing related support does not extend to regularly accompanying individuals to health appointments or counselling. In an emergency situation this would be permissible. Housing related support is not intended to fund an on-going involvement with health/social care professionals in relation to health issues e.g. monitoring a service user with a diabetic condition.</li> <li>• Enabling and facilitating service users to acquire the skills to prepare and cook their own food and try and maintain a healthy diet within their budget/income</li> </ul>	<p><b>Offending Behaviours</b></p> <ul style="list-style-type: none"> <li>• Enabling and facilitating initial access to criminal justice agencies and any appropriate intervention that is required during the period of support provision, e.g. compliance with statutory orders</li> <li>• Enabling and facilitating the service user to address offending behaviours that may jeopardise their housing situation, e.g. anti-social behaviours</li> </ul>
<p><b>Moving-On</b></p> <ul style="list-style-type: none"> <li>• Enabling and facilitating the service user to access move on into affordable accommodation, e.g. through Choice Based Lettings scheme or private rented sector, e.g. rent/service charge</li> </ul>	



## EXCLUSIONS

Supporting People funds can not be used to fund the services described below.

<b>Statutory Duties</b>	<b>Personal and General Social Care</b>
<p>Services by the Administering Authority in satisfaction of a statutory duty placed on that authority, such as:</p> <ul style="list-style-type: none"> <li>• Section 47(1) of the NHS &amp; Community Care Act 1990</li> <li>• The Chronically Sick and Disabled Persons Act 1970, if a service user is classified as disabled</li> <li>• NHS Act 1997</li> <li>• Care Standards Act 2000</li> <li>• Social Care and Health Act 2008 (Regulated Activities)</li> <li>• Section 117 (2) of the Mental Health Act 1983</li> <li>• Joint Health/Local Authority Circular (HSC 2000/03: LAC (2000) 3)</li> <li>• Leaving Care Act 2000</li> <li>• Children Act 1989 and Children Act 2004</li> <li>• Services to enforce specific requirements imposed by a court of law (such as supervision by the support service of curfews, drug treatment or other specific programmes).</li> <li>• Provision of housing advice under housing/homelessness legislation</li> </ul> <p><b><u>NOTE:</u></b></p> <ol style="list-style-type: none"> <li>1. It is possible for housing-related support providers to provide services which meet statutory requirements, but Supporting People Grant should not fund this element of the service provided.</li> <li>2. The Southwark Judgement made in May 2009 confirmed the Government's view that local children's services authorities should presume that any lone, homeless child should be provided with accommodation under section 20(1) of the Children Act 1989 unless the child is not in the local authority's judgement (based on an initial screening assessment), a child "in</li> </ol>	<ul style="list-style-type: none"> <li>• DOH Paper Supported Housing and Care Homes-Guidance on Regulation (August 2002) – The paper refers to four levels of care which are:             <ol style="list-style-type: none"> <li>1. assistance with bodily functions such as feeding, bathing, and toileting</li> <li>2. care which falls just short of assistance with bodily functions, but still involving physical and intimate touching, such as helping a person get out of a bath and helping them to get dressed</li> <li>3. non-physical care, such as advice, encouragement and supervision relating to the foregoing, such as prompting a person to take a bath and supervising them during this</li> <li>4. emotional and psychological support, including the promotion of social functioning, behaviour management, and assistance with cognitive functions</li> </ol> </li> <li>• Within the Social Care and Health Act 2008 (Regulated Activities), Regulations 2010, the definition of personal care has been widened to include prompting together with supervision of the person, in relation to a number of activities that are listed below. The activities in personal care cover:             <ul style="list-style-type: none"> <li>- eating or drinking</li> <li>- toileting-washing or bathing</li> <li>- dressing</li> <li>- oral care</li> <li>- Care of skin, hair and nails</li> <li>- Prompting and supervision where the person is unable to make a decision for themselves in relation to performing such an activity without such prompting and supervision</li> </ul> </li> </ul>

<p>need". The House of Lords reiterated that the Children Act has primacy over the Housing Act in providing for children in need. The duties of local children's services authorities to accommodate children in need cannot be circumvented by referring the child to the housing authority, whose duties under Part 7 of the <i>Housing Act 1996</i> provide a safety net only for those (very few) homeless children who will not meet the criteria for accommodation under section 20 of the 1989 Act.</p>	
<p><b>Landlord Duties</b></p> <ul style="list-style-type: none"> <li>• Setting, collecting and accounting for the rent and service charges</li> <li>• Establishing, issuing and enforcing the licence or tenancy agreement. This could include liaison with Housing Benefit as a Housing Management function</li> <li>• Organising the inspection, repair, improvement or replacement of the property or contents supplied by the landlord (including alarms)</li> <li>• Organising the provision of any accommodation related services</li> <li>• Ensuring that the residents are aware and receive their rights according to housing law, Homes and Communities Agency guidelines, and contractual commitments through the licence/tenancy</li> <li>• The payment for equipment relating to community/social alarms</li> <li>• The physical fitting/replacement of batteries relating to community/social alarms by scheme managers / wardens / peripatetic wardens or floating support workers.</li> <li>• Health and Safety duties and responsibilities relating to the building and its fittings and fixtures, e.g. lifts, smoke alarms</li> </ul> <p><b><u>NOTE:</u></b></p> <ol style="list-style-type: none"> <li>1. Landlords do provide other services as well and it depends on the context whether these could be determined as housing management or housing-related support.</li> </ol>	<p><b>Other Exclusions</b></p> <ul style="list-style-type: none"> <li>• Building works (other than advice and assistance to service users in relation to organising repairs or improvements to their home or personal support services during the work, enabling and assisting service users to arrange for adaptations to cope with disabilities, or the provision of equipment). This typifies the work undertaken by Home Improvement Agencies/handyperson services within the Programme.</li> <li>• Provision of equipment (such as stair lifts and adaptations to a house and the provision of community/social alarms);</li> <li>• Psychological therapy or programmes of specialist counselling</li> <li>• Facilitation of social events such as holidays, days out, or social activities such as games and any activities that relate to attendance or participation in relation to above. Housing related support workers can signpost service users to these events. These activities may be part of a mainstream landlord function or a community organised event.</li> <li>• Facilitation of sports activities and accompanying service users to these activities e.g. taking people swimming, or to badminton</li> <li>• Facilitation and accompanying to social groups set up by the landlord or other key stakeholders</li> <li>• Organising and accompanying to social events such as bingo, coffee mornings, meals or refreshments</li> </ul>

<p>2. This includes issues such as helping service users to reduce their rent arrears, and ensuring that they know how to use equipment safely.</p> <p>3. <u>If the service were open to all tenants of a particular landlord or a particular estate, then this activity is likely to be regarded as housing management.</u> If it was part of a support package directed at specific groups of 'vulnerable' people, then this could be classed as housing related support. This clause does not apply to supported housing or sheltered</p>	<ul style="list-style-type: none"> <li>• Provision of meals (including purchasing meals on a tenant's behalf)</li> <li>• Accompanying service users to access a meal or accompanying them to access transport with the exception of accompanying the service user the first time they need to utilise transport for a specific purpose</li> <li>• Collection of welfare benefits/money and managing money on behalf of service users</li> <li>• Resident/tenant meetings specific to</li> </ul>
<p><b>Landlord Duties (Cont.)</b></p> <p>4. housing. <u>The same staff may carry out the two functions.</u></p> <p>5. Landlords do provide other services as well and it depends on the context whether these could be determined as housing management or housing-related support.</p> <p>6. This includes issues such as helping service users to reduce their rent arrears, and ensuring that they know how to use equipment safely.</p> <p>7. <u>If the service were open to all tenants of a particular landlord or a particular estate, then this activity is likely to be regarded as housing management.</u> If it was part of a support package directed at specific groups of 'vulnerable' people, then this could be classed as housing related support. This clause does not apply to supported housing or sheltered housing.</p> <p>8. <u>The same staff may carry out the two functions.</u></p>	<p><b>Other exclusions (Cont.)</b></p> <p>housing management</p> <ul style="list-style-type: none"> <li>• Housekeeping activities such as cleaning</li> <li>• Moving and manual handling of service users (such as picking someone up from the floor and supporting them to return to a seated or lying position). There is no exclusion to a housing related support worker providing first aid if they are first aid trained including putting a service user in a recovery position.</li> <li>• Administration or monitoring of drugs including prompting. Housing related support workers can contact health/social care professionals if they believe that someone in short or long term supported housing or a floating support recipient has stopped medication.</li> <li>• Arranging and accompanying service users to health appointments on a continual basis</li> <li>• Intervening in arrangements that relate to health and social care provision</li> </ul>

## OTHER GENERAL CONDITIONS

<p><b>General Service Conditions</b></p> <ul style="list-style-type: none"> <li>Providers commissioned to deliver Supporting People funded services must comply with the European Working Time Directive (No 93/104/EC) 23<sup>rd</sup> November 1993. The directive states at article 3 that: 'employers will ensure that all workers under their employment are entitled to take a minimum daily rest period of 11 consecutive hours within a 24 Hour period'.</li> </ul> <p><b>NOTE:</b></p> <ol style="list-style-type: none"> <li>This can be varied at the discretion of the employer/employee by local agreement.</li> </ol>	<p><b>Local Connection</b></p> <ul style="list-style-type: none"> <li>Short-term supported housing services that receive Supporting People funding shall not operate local connection policies that exclude vulnerable people who come from Kent, i.e. from a different district or borough council.</li> <li>Services should only be provided to people who live within the twelve districts/boroughs of Kent, with the exception of rough sleepers, offenders and people escaping domestic abuse.</li> <li>Where short and long term supported accommodation services in certain areas of Thanet (Cliftonville and Margate Central) are concerned, with the exception of women fleeing domestic abuse those services are for the exclusive use of people within Thanet.</li> </ul>
<p><b>Short-Term Services</b></p> <ul style="list-style-type: none"> <li>Short-term services are defined as services which aim to bring about independent living within two years or aims to increase the capacity for independent living through a package of time-limited support which has an intended duration of less than two years. Supported housing schemes will be expected to resettle residents into the community for a duration of up to three months with a possible extension of three months</li> </ul>	<p><b>Floating Support</b></p> <ul style="list-style-type: none"> <li>Floating support is defined as a service which aims to bring about independent living within one year through a package of time limited housing related support.</li> </ul>
<p><b>Long Term Services</b></p> <ul style="list-style-type: none"> <li>Long term services are defined as services which aim to bring about independent living which could lead to the service user moving to general needs accommodation within a time period of more than two years. The expectation is that service users will be encouraged not to consider the accommodation as a home for life with the exception of vulnerable people living in sheltered accommodation.</li> </ul>	

**KENT COUNTY COUNCIL**

**EQUALITY IMPACT ASSESSMENT  
Kent Supporting People Eligibility Policy 2012/13**

**Directorate:**

Customers and Communities

**Name of policy, procedure, project or service**

Supporting People Eligibility Policy 2012/13

**Type**

Policy

**Responsible Owner/ Senior Officer**

Claire Martin, Head of Supporting People

**Date of Initial Screening**

September 2011

## Screening Grid

Characteristic	Could this policy, procedure, project or service affect this group differently from others in Kent? YES/NO	Could this policy, procedure, project or service promote equal opportunities for this group? YES/NO	Assessment of potential impact HIGH/MEDIUM/LOW/ NONE/UNKNOWN		Provide details: a) Is internal action required? If yes, why? b) Is further assessment required? If yes, why? c) Explain how good practice can promote equal opportunities
			Positive	Negative	
<b>Age</b>	No - 1) Supporting People funded services require providers to meet equality & diversity in services, including fair access and monitor this through the Quality assessment Framework. The Eligibility Policy ensures that Supporting People funded services focus on vulnerable people who have housing related support needs irrespective of age, disability, gender, gender identity, race, religion, or sexual orientation.	Yes - 1) The Eligibility Policy defines housing related support needs and ensures that support is focused on vulnerable people meeting the criteria of housing related support many of who would not meet the eligibility criteria of statutory services.	High	None	a) Ensure that service users moving on from supported accommodation into independent accommodation are supported for a period of time by the provider in order to resettle. c) Supporting People will continue to monitor and review services and referrals to services, including diversity to ensure that vulnerable people including people who are vulnerable because of age and who need the services can access them.
		Yes - 2) The Policy re-affirms the principle that housing related support services should provide fair access to all, based on need. Services must not operate restrictive practices excluding those who do not meet local connection criteria.			As above

Characteristic	Could this policy, procedure, project or service affect this group differently from others in Kent? YES/NO	Could this policy, procedure, project or service promote equal opportunities for this group? YES/NO	Assessment of potential impact HIGH/MEDIUM/LOW/ NONE/UNKNOWN		Provide details: a) Is internal action required? If yes, why? b) Is further assessment required? If yes, why? c) Explain how good practice can promote equal opportunities
			Positive	Negative	
		Yes – 3) Making the Policy more accessible in other formats will improve the understanding of eligibility criteria and what is housing related support	High	None	a) Ensure that the Eligibility Policy is translated into easy read format and other formats, as appropriate c) Better information will improve understanding of the nature of housing related support
<b>Disability</b>	As above	Yes - 1) The Eligibility Policy defines housing related support needs and ensures that support is focused on vulnerable people meeting the criteria of housing related support many of who would not meet the eligibility criteria of statutory services.	High	None	a) Ensure that service users moving on from supported accommodation into independent accommodation are supported for a period of time by the provider in order to resettle. c) Supporting People will continue to monitor and review services and referrals to services, including diversity to ensure that vulnerable people including people who are vulnerable because of age and who need the services can access them.

Characteristic	Could this policy, procedure, project or service affect this group differently from others in Kent? YES/NO	Could this policy, procedure, project or service promote equal opportunities for this group? YES/NO	Assessment of potential impact HIGH/MEDIUM/LOW/ NONE/UNKNOWN		Provide details: a) Is internal action required? If yes, why? b) Is further assessment required? If yes, why? c) Explain how good practice can promote equal opportunities
			Positive	Negative	
		Yes - 2) The Policy re-affirms the principle that housing related support services should provide fair access to all, based on need. Services must not operate restrictive practices excluding those who do not meet local connection criteria.	High	None	As above
		Yes – 3) Making the Policy more accessible in other formats will improve the understanding of eligibility criteria and what is housing related support	High	None	a) Ensure that the Eligibility Policy is translated into easy read format and other formats, as appropriate c) c) Better information will improve understanding of the nature of housing related support
<b>Gender</b>	As above	Yes - 1) The Eligibility Policy defines housing related support needs and ensures that support is focused on vulnerable people meeting the criteria of housing related support many of who would not meet the eligibility criteria of statutory services.	High	None	a) Ensure that service users moving on from supported accommodation into independent accommodation are supported for a period of time by the provider in order to resettle. c) Supporting People will continue to monitor and review services and referrals to services, including diversity to



Characteristic	Could this policy, procedure, project or service affect this group differently from others in Kent? YES/NO	Could this policy, procedure, project or service promote equal opportunities for this group? YES/NO	Assessment of potential impact HIGH/MEDIUM/LOW/ NONE/UNKNOWN		Provide details: a) Is internal action required? If yes, why? b) Is further assessment required? If yes, why? c) Explain how good practice can promote equal opportunities
			Positive	Negative	
					ensure that vulnerable people including people who are vulnerable because of age and who need the services can access them.
		Yes - 2) The Policy re-affirms the principle that housing related support services should provide fair access to all, based on need. Services must not operate restrictive practices excluding those who do not meet local connection criteria.	High	None	As above
		Yes – 3) Making the Policy more accessible in other formats will improve the understanding of eligibility criteria and what is housing related support	High	None	a) Ensure that the Eligibility Policy is translated into easy read format and other formats, as appropriate c) c) Better information will improve understanding of the nature of housing related support
<b>Gender identity</b>	Not applicable				

Characteristic	Could this policy, procedure, project or service affect this group differently from others in Kent? YES/NO	Could this policy, procedure, project or service promote equal opportunities for this group? YES/NO	Assessment of potential impact HIGH/MEDIUM/LOW/ NONE/UNKNOWN		Provide details: a) Is internal action required? If yes, why? b) Is further assessment required? If yes, why? c) Explain how good practice can promote equal opportunities
			Positive	Negative	
<b>Race</b>	As above	Yes - 1) The Eligibility Policy defines housing related support needs and ensures that support is focused on vulnerable people meeting the criteria of housing related support many of who would not meet the eligibility criteria of statutory services.	High	None	a) Ensure that service users moving on from supported accommodation into independent accommodation are supported for a period of time by the provider in order to resettle. c) Supporting People will continue to monitor and review services and referrals to services, including diversity to ensure that vulnerable people including people who are vulnerable because of age and who need the services can access them.
		Yes - 2) The Policy re-affirms the principle that housing related support services should provide fair access to all, based on need. Services must not operate restrictive practices excluding those who do not meet local connection criteria.			As above
		Yes – 3) Making the Policy more accessible in other formats will improve the understanding of eligibility criteria and what is housing related	High	None	a) Ensure that the Eligibility Policy is translated into easy read format and other formats,

Characteristic	Could this policy, procedure, project or service affect this group differently from others in Kent? YES/NO	Could this policy, procedure, project or service promote equal opportunities for this group? YES/NO	Assessment of potential impact HIGH/MEDIUM/LOW/ NONE/UNKNOWN		Provide details: a) Is internal action required? If yes, why? b) Is further assessment required? If yes, why? c) Explain how good practice can promote equal opportunities
			Positive	Negative	
		support			as appropriate c) Better information will improve understanding of the nature of housing related support
<b>Religion or belief</b>	Not applicable				
<b>Sexual orientation</b>	Not applicable				
<b>Pregnancy and maternity</b>	Not applicable				

## **Part 1: INITIAL SCREENING**

### **Context**

The Supporting People Programme commissions the non-statutory provision of housing related support in a range of services including short term accommodation based supported housing. The commissioning of Supporting People funded services is guided by the Supporting People Strategy 2010-2015. The strategy aims to work in partnership with stakeholders to deliver where possible needs led, value for money and high quality housing support services for vulnerable people.

The overarching objectives of the Supporting People Strategy 2010-15 are: -

- Delivering housing related support the primary objective of which is to promote “independent living”.
- Housing related support is to have clear preventative benefits, promote well being and meet identified need and link with partners’ objectives in delivering the Programme
- Focusing on the priority outcomes including the maximisation of independence and prevention
- Addressing the needs of socially excluded groups, particularly in areas of high deprivation, whose needs are not met by current support provision. Services will apply principles of equal opportunities and fair access. This will enhance diversity and social inclusion in local communities.

The original definition of housing related support was contained within grant conditions. From 2003 Supporting People services were funded by direct grant from the then ODPM under Supporting People Grant Conditions (2003/2005) which defined housing related support as:

*“Support services which are provided to any person for the purpose of developing that person’s capacity to live independently in accommodation or sustaining his capacity to do so.”*

Whilst Kent as an excellent Authority was not under obligation to adhere to grant conditions, the Authority did in effect adopt those conditions and incorporated them in its Eligibility Policy which was first adopted in 2006 and which governed access to services. The Policy provided definitions of eligible and ineligible activities, and defined the blurred boundaries between housing management, housing related support, social care and health. The Kent Policy was amended in 2008 following Grant Conditions for Excellent Authorities to incorporate the principle of fair and open access to strategically relevant services including that the Authority:

*‘In respect of short-term services shall not take account whether an applicant has a local connection to the area covered by the Administering Authority’.*

### **Aims and Objectives**

The overall aim of the Policy is to ensure that services provide defined housing related support and fair access to vulnerable people.

From 2010/11 Supporting People funding is no longer a named grant within the Area Based Grant and is incorporated into formula funding to Kent County Council.

The aim of revising the Supporting People Eligibility Policy was to re-affirm the parts of the Policy which remain unchanged and identify services which are eligible for delivery and those which are excluded because they relate to a statutory responsibility or a non- housing related support function. Supporting People funding remains distinct from Adult and Children's' Social Care and Health funding. Any activities or support which are the statutory responsibility of Adult or Children's' Services or Health are therefore ineligible for SP funding. The programme also does not fund statutory responsibilities relating to districts and boroughs and any housing management functions relating to social, affordable rent or private sector landlords.

In summary, the Policy has been reviewed and amended in relation to the following:

1. Definition of what is housing related support and distinguishing it from other types of assistance for which there might be statutory responsibilities
2. Definitions of what are short and what are long term services
3. Commitment to continue enabling open access to short term accommodation based services irrespective of local connections within Kent, with the exception of three client groups (rough sleepers, people escaping domestic abuse and offenders)
4. Greater emphasis on outcomes including the promotion of independent living and that service users will not require advice and support on an on-going basis within short term services and will be facilitated where possible within longer term services to become independent

## **Beneficiaries**

The beneficiaries of the Programme are vulnerable people in need of housing related support services in Kent as defined in the Kent Supporting People Eligibility Policy. They include:

- single homeless people with support needs and rough sleepers
- older people with support needs
- people with physical/sensory disabilities and people with learning disabilities
- people with mental health problems
- families with support needs and teenage parents
- young people at risk and care leavers
- offenders
- people at risk of domestic abuse
- people with alcohol and/or drug problems

Any provider commissioned by the Supporting People Programme to provide one or more of the proposed services is awarded a contract which is monitored through the Quality Assessment Framework (QAF). The QAF has clear and explicit standards to ensure that all Supporting People funded services are inclusive to all members of the community. All contracts have clauses requiring providers to work within the Equality Act 2010 and the Human Rights Act 1998. Providers must all have an equal opportunities policy that complies with all statutory obligations as stipulated by the Equality and Human Rights Commission as far as possible.

All contracts also contain service specifications setting out eligibility criteria for the service that comply with the Eligibility Policy.

### **Consultation and data**

The revised Policy is based on:

- Analysis of types of support activities delivered in Supporting People funded services. This information was collected as part of monitoring and reviewing visits to services and previous strategic reviews of services.
- Consultations with districts and boroughs and all providers. Providers were asked to consult with their service users in order to inform their response to the consultation.

As part of the impact assessment, the Supporting People programme also engaged with service users themselves. Consultation consisted of two meetings arranged on an east and west Kent basis. 51 service users from different client groups attended the events. A summary of the consultations is attached at appendix 1.

### **Potential Impact**

The Supporting People Programme monitors and reviews the services it commissions to ensure that they are accessible to the vulnerable people who need them irrespective of race, religion, gender identity, and sexual orientation. Potential adverse impacts could only affect the protected characteristics of age, disability, race (only where this affects a floating support service specifically for BME groups) and gender (where services are focused on those escaping domestic abuse and teenage parents).

The Eligibility Policy does exclude certain groups from receiving housing related support: this concerns support such statutory services provided by health, housing, probation and social services (adults and children).

The Supporting People Eligibility Policy applies to all client groups equally and will not affect groups of people with the protected characteristics more than others.

### **Adverse Impact:**

A review of the revised Eligibility Policy has been considered and based on the information currently available no adverse impacts have been identified that may affect one group of people with the protected characteristics disproportionately more than others.

Contracts contain specific targets regarding Equality and Diversity, particularly monitoring arrangements around fair access. The specific needs of minority groups are constantly reviewed.

### **Positive Impact:**

The amended Eligibility Policy re-affirms the principle of fair access to vulnerable people who need housing related support. It defines housing related support in order to ensure that all client groups with such needs have equal opportunity to gain access to services. Therefore, it ensures that the most vulnerable who may not meet the criteria of statutory services can access housing related support and do not slip through the net.

The Policy re-affirms the principle that accommodation based services should be accessible to the vulnerable people of Kent who need them and should not restrict access on the basis of local connection within Kent (with the exception of three client groups: rough sleepers, people escaping domestic abuse and offenders).

Whilst the Eligibility Policy enables services to apply agreed eligibility criteria those criteria are applied to all vulnerable people equally and do not disadvantage one group of people with the protected characteristics disproportionately more than others.

Supporting People will continue to performance manage and apply contractual obligations which oblige providers to ensure that services are accessible to all who need them. The Programme will also regularly review the Eligibility Policy.

## **JUDGEMENT**

**Option 1 – Screening Sufficient                      NO**

Following this initial screening our judgement is that further action is required.

### **Justification:**

**Option 2 – Internal Action Required                      YES**

Following this initial screening our judgement is that whilst no adverse impacts have been identified that may affect one group of people with the protected characteristics disproportionately more than others there is room for further improvement with regard to the protected characteristics of age, disability, race and gender. It is recommended that:

- Providers of short term accommodation based services to support service users moving on to resettle in independent accommodation for a period of 3 months with a potential extension of a further 3 months
- Publish an easy read version of the Eligibility Policy in order to make it accessible to all vulnerable people and ensure that the Policy is available in other formats if required (including other languages for speakers of English as second language, where required)

**Option 3 – Full Impact Assessment                      NO**

### **Sign Off**

*I have noted the content of the equality impact assessment and agree the actions to mitigate the adverse impact(s) that have been identified.*

**Senior Officer**

Signed:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned below the 'Signed:' text.

Date: 28 October 2011

Name: Claire Martin

Job Title: Head of Supporting People



## Equality Impact Assessment Action Plan

Protected Characteristic	Issues identified	Action to be taken	Expected outcomes	Owner	Timescale	Cost implications
<b>Age</b>	Providers of short term supported accommodation to support service users moving on to independent accommodation to resettle for a period of 3 months with a potential extension of 3 months	Incorporate provision into new contracts issued April 2012	Service users given help to resettle in independent accommodation	Supporting People	April 2012	None
	Need to improve information available to service users about supported housing	Draft and publish the revised Eligibility Policy in easy read and other appropriate formats	Improved understanding of housing related support and the eligibility criteria of services	Supporting People	April 2012	None
<b>Disability</b>	Providers of short term supported accommodation to support service users moving on to independent accommodation to resettle for a period of 3 months with a potential extension of 3 months	Incorporate provision into new contracts issued April 2012	Service users given help to resettle in independent accommodation	Supporting People	April 2012	None
	Need to improve information available to service users about supported housing	Draft and publish the revised Eligibility Policy in easy read format	Improved understanding of housing related support and the eligibility criteria of services	Supporting People	April 2012	None
<b>Gender</b>	Providers of short term supported accommodation to support service users moving on to independent accommodation to resettle for a period of 3 months with a potential extension of 3 months	Incorporate provision into new contracts issued April 2012	Service users given help to resettle in independent accommodation	Supporting People	April 2012	None

Protected Characteristic	Issues identified	Action to be taken	Expected outcomes	Owner	Timescale	Cost implications
	Need to improve information available to service users about supported housing	Draft and publish the revised Eligibility Policy in easy read format	Improved understanding of housing related support and the eligibility criteria of services	Supporting People	April 2012	None
<b>Gender identity</b>	<b>N/A</b>					
<b>Race</b>	Providers of short term supported accommodation to support service users moving on to independent accommodation to resettle for a period of 3 months with a potential extension of 3 months	Incorporate provision into new contracts issued April 2012	Service users given help to resettle in independent accommodation	Supporting People	April 2012	None
	Need to improve information available to service users about supported housing	Draft and publish the revised Eligibility Policy in easy read format and if necessary, into other accessible formats including other languages for speakers of English as a second language, where required	Improved understanding of housing related support and the eligibility criteria of services	Supporting People	April 2012	None
<b>Religion or Belief</b>	<b>N/A</b>					
<b>Sexual orientation</b>	<b>N/A</b>					
<b>Pregnancy or maternity</b>	<b>N/A</b>					

### Service User Consultation Events

The consultation events were held in Maidstone and Dover in September 2011 and involved meeting an overall total of 51 service users from a range of client groups. Some were accompanied by their support workers in order to facilitate their participation in the events. Following a presentation, service users were invited to express their views and ask questions.

Service User Views/Concerns	Supporting People Response
<p>Many service users lack confidence to attend appointments by themselves, for example health appointments</p>	<ul style="list-style-type: none"> <li>• The Eligibility Policy makes provision for support workers facilitating initial appointments and appointments in emergencies. Supporting People programme promotes independence rather than dependence. The objective is for service users to become autonomous individuals who can manage their day to day living requirements.</li> </ul>
<p>Some people with mental health problems need to be accompanied to appointments in order to maintain their mental health. Some do not remember what is said during the appointment and do not feed back to staff.</p>	<ul style="list-style-type: none"> <li>• Supporting People Programme is not a statutory service and is responsible for commissioning housing related support rather than services that are aimed at maintaining mental health.</li> <li>• There is a difference between maintaining someone's health (not eligible task) and promoting/prompting people to lead healthy lifestyles (eligible task)</li> </ul>
<p>Many service users in supported accommodation are unable to regain their confidence, for example those that suffer from dementia. One service user described a service where some people need help with basic tasks of living and really need to move on to perhaps residential care but nobody helps to do so. In effect, other residents in the scheme are supporting them.</p>	<ul style="list-style-type: none"> <li>• In these cases individuals might need personal and social care and should be referred for assessment to Social Services.</li> </ul>
<p>Support workers should facilitate social events</p>	<ul style="list-style-type: none"> <li>• Organising social events has never been a Supporting People eligible task. But, a support workers signposting a service user to social activities is an eligible task.</li> </ul>
<p>Many service users moving on from supported accommodation are waiting for a long time for floating support. They need the support at time of moving. They also need the support for longer and there will be more people needing support.</p>	<ul style="list-style-type: none"> <li>• Supporting People will require all providers of supported accommodation to support service users moving on to independent accommodation to resettle, for a period of 3 months with a possible extension of a further 3 months. Supporting People will add a clause to new contracts to be issued April 2012.</li> <li>• With regards to duration of support, Supporting People resources are finite and need to become more focused on those most in need. Restricting duration to one year will enable more vulnerable people getting the support they need.</li> </ul>
<p>Some service users find it difficult to understand the policy. The format it is</p>	<ul style="list-style-type: none"> <li>• Supporting People will develop and publish an easy read version of the policy.</li> </ul>

Service User Views/Concerns	Supporting People Response
written in is not really accessible.	
Some service users commented on the cut in support hours in long term supported accommodation that has been agreed by the Commissioning Body as part of delivering the savings. Many cited examples of support needed which may be called 'social care'.	<ul style="list-style-type: none"> <li>Individuals need to be assessed by Social Services to see if they have additional social care needs which should be met by Families and Social Care.</li> </ul>
Some service users queried the exclusions.	<ul style="list-style-type: none"> <li>Supporting People advised that the Programme cannot fund what statutory services should fund</li> </ul>
Some service users were concerned with needing on-going help with benefits because there will be changes in the system	<ul style="list-style-type: none"> <li>Supporting People will add to the relevant section in the policy that where the benefit regime changes during the period of receiving housing related support that the service user can be advised as long as the renewed advice is not given on an on-going basis.</li> </ul>