

**KENT SUPPORTING PEOPLE
PROGRAMME**

(DRAFT)

ELIGIBILITY POLICY

2008/09

INTRODUCTION

Supporting People is a Central Government Programme under the auspices of the *Communities and Local Government* (CLG) department. The Programme's intention is to help vulnerable people to improve the quality of their lives through the stability and greater independence made possible when housing-related support needs are met. The service is intended to be tenure neutral and to provide services to 21 client groups. In order to achieve this, we need to ensure that Supporting People grant funds only eligible services that address those needs.

The purpose of this policy is to clarify what services are eligible to claim the Supporting People Grant in Kent. It aims to provide definitions of eligible and ineligible activities, and define the blurred boundaries between housing management, housing related support and care. As an Excellent Authority, Kent's Eligibility Policy is framed by the Supporting People Programme Grant Conditions for Excellent Authorities as published by the then Office of the Deputy Prime Minister in 2003 and the updated Grant Conditions for Excellent Authorities. The Grant Conditions outline that the Grant is to be spent on 'welfare' services. Although the Grant Conditions do not define 'welfare services', the document provides some clear guidelines as detailed below:

1. Under Section 93, Local Government Act 2000, the Secretary of State pays Supporting People grant towards excellent authorities' eligible expenditure for the provision of welfare services.
2. The Administering Authority has a range of general obligations which are detailed in Annex B to the grant determination, paragraphs 2:
Administering Authorities...must ensure the grant is spent only for the purpose of providing, or contributing to the provision, of welfare services.

WELFARE SERVICES

Kent would normally spend Supporting People Grant on 'welfare services' that provide housing-related support or other welfare services. Supporting People Programme Grant Conditions for Excellent Authorities (2003) defines 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 the community or sustaining his/her capacity to do so."

Welfare services are defined as support services which are provided to any person provided that the person:

- has specific and identifiable vulnerabilities that render them in need of welfare services, and that the support service is therefore allocated on the basis of a defined selection/admission criteria that the service user is assessed against (This means that services are not provided to the general public but to people who for some specific reason are in need of the support on offer.)
- is a non-dependent over the age of 16 (and not a care leaver who is eligible for a statutory service)

And that the welfare service provided

- is principally focused on enabling the service user to secure or maintain their accommodation
- is based on a support plan which has been agreed with the service user. (An exception may be a direct access service at least initially).
- is not the responsibility of a statutory body to fund from other budgets than Supporting People Grant
- is not designed to enforce a court order
- is supplementary to any housing management service provided by the same provider to the same service user i.e. it is a specific landlord function for which housing benefit is potentially available, or is a service charge which falls within the remit of the landlord function
- does not include elements that could be defined as personal or general social care
- is strategically relevant, value for money and of a good quality. This means a service must meet key Supporting People objectives as assessed against
 - Kent's strategic priorities as defined in the Kent Five Year Supporting People Strategy 2005-2010 (see link on www.kent.gov.uk/supportingpeople)
 - The wider government agenda for services including keeping service users from institutional care, homelessness, and re-offending.

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| <ul style="list-style-type: none">• may be not directly related to housing related support but be considered ancillary to such support and be provided on an occasional basis to an individual service user rather than on a regular basis to all service users. Kent Supporting People will take decisions on such services on a case by case basis. |
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The Kent Eligibility Policy will be reviewed and updated every year in line with new grant conditions and other relevant national and local policy changes.

EXAMPLES OF WELFARE SERVICES

This list is for guidance only and is not definitive. To be eligible for funding, it is expected that service users would be enabled and supported to any of the activities described below.

<p>Managing accommodation</p> <ul style="list-style-type: none"> • Raise awareness of tenancy obligations/mortgage conditions • Sustain tenancy with support • Maintain safety and security of home • Proactively obtain advice and assistance • Guidance to service users on how to use equipment in their own home • Advice and assistance to service users in relation to organising repairs or improvements to their homes, or enabling and assisting service users to arrange for adaptations to cope with disabilities 	<p>Income/Benefits</p> <ul style="list-style-type: none"> • Help to claim benefits/maximise income • Enable service user to understand entitlements • Enable the service user to manage own claim
<p>Personal administration</p> <ul style="list-style-type: none"> • Support and enable service user to deal with official correspondence • Increase ability of service user to seek help in dealing with administration 	<p>Bills/Budgeting</p> <ul style="list-style-type: none"> • Assist in establishing regular payments, e.g. rent, utilities • Support to resolve or prevent housing debts or other debts that may impinge on service users' ability to pay for their housing • Prevent further debt accumulation • Establish realistic budget and develop ability to live within budget • Enable service user to work out own budget and manage
<p>Education/Training/Work/meaningful day activity</p> <ul style="list-style-type: none"> • Help will involve brokering access to services • Enable service user to identify aspirations and areas of interest and select options • Support access to chosen options and sustain engagement/attendance • Improve life skills in chosen areas • Obtain and sustain employment and other meaningful daytime activities • Escort service users to Supporting People Programme service user involvement and consultation events. 	<p>Social networks and relationships</p> <ul style="list-style-type: none"> • Establish regular contact with support worker/service • Provide information on community facilities and services available to service users • Establish and sustain contact with external groups/services • Develop social skills • Establish/sustain positive relationships with significant others • Reduce likelihood of involvement in conflict situations

<p>Health</p> <ul style="list-style-type: none"> • Help to broker access to services • Ensure continuing engagement with health services • Ensure that substance misuse is being managed with other professionals where appropriate • Sustain improvements in health • Reduce lapses in mental health that require hospitalisation 	<p>Offending Behaviours</p> <ul style="list-style-type: none"> • Engage with probation service • Support to enable compliance with statutory orders • Support to address offending behaviours • Reduce offending behaviours
<p>Other Welfare Services (decided on case by case basis)</p> <ul style="list-style-type: none"> • Accompanying service user on initial appointments (e.g. hospital) • Assistance in arranging for tidying the garden for an older person perhaps to allow support workers access to the property to deliver support • Advocacy with health workers over medication and related matters • Support to take up employment opportunities • Advice and assistance in relation to maintaining relationships <p><u>NOTE:</u></p> <ol style="list-style-type: none"> 1. The Grant Conditions also allow payments to be made with respect to “<i>occasional welfare services</i>”. These are welfare services provided on an ad hoc basis and considered by the Administering Authority to be ancillary to housing related support services. <u>The general rule of thumb is that an ancillary service is provided by those delivering housing-related support on an ad hoc basis for a short/limited period of time.</u> 2. Some of the activities will not be eligible for Supporting People grant under this provision because the support is provided under the terms of statutory duty. 	<p>Moving-On</p> <ul style="list-style-type: none"> • Advice and support to service users to enable them to move to more appropriate accommodation • Support with facilitating accessing general needs accommodation (e.g. through Single Agency Assessment, Choice Based Lettings scheme)

EXCLUSIONS

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

Statutory Duties	Personal and General Social Care
<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"> • Section 47(1) of the NHS & Community Care Act 1990 • The Chronically Sick and Disabled Persons Act 1970, if a service user is classified as disabled • Section 117 (2) of the Mental Health Act 1983 • Leaving Care Act 2000 • 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). <p><u>NOTE:</u></p> <ol style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> • Nursing or personal care under the Care Standards Act 2000, or provided in a registered care home or by a care provider who must register under the Care Standards Act 2000, such as: <ul style="list-style-type: none"> - assistance with bodily functions such as feeding, bathing, and toileting - care which falls just short of assistance with bodily functions, but still involving physical and intimate touching, including activities such as helping a person get out of a bath and helping them to get dressed - 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 - emotional and psychological support, including the promotion of social functioning, behaviour management, and assistance with cognitive functions <p><u>NOTE:</u></p> <ol style="list-style-type: none"> 1. Non-physical care, emotional and psychological support, or general social care services are intended to help people with their day to day lives and are not primarily intended to help people to gain access to accommodation, or maintain their accommodation. 2. <u>In some circumstances, elements of such support may be part of housing related support where it is designed to help an individual to maintain their tenancy.</u>

Landlord Duties

- Setting, collecting and accounting for the rent and service charges
- Establishing, issuing and enforcing the licence or tenancy agreement. This could include liaison with Housing Benefit as a Housing Management function
- Organising the inspection, repair, improvement or replacement of the property or contents supplied by the landlord (including alarms)
- Organising the provision of any accommodation related services
- Ensuring that the residents are aware and receive their rights according to housing law, Housing Corporation guidelines, and contractual commitments through the licence/tenancy
- The payment for equipment relating to community/social alarms
- The physical fitting/replacement of batteries relating to community/social alarms by scheme managers / wardens / peripatetic wardens or floating support workers.

NOTE:

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.
2. This includes issues such as helping service users to reduce their rent arrears, and ensuring that they know how to use equipment safely.
3. 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. If it was part of a support package directed at specific groups of 'vulnerable' people, then this could be classed as housing related support.
4. The same staff may carry out the two functions.

Other Exclusions

- 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 within the Programme.
- Provision of equipment (such as stair lifts and adaptations to a house and the provision of community/social alarms);
- Psychological therapy or programmes of specialist counselling
- Facilitation of social events such as holidays, days out, or social activities such as games
- Organising social events such as bingo, coffee mornings and outings
- Provision of meals (including purchasing meals on a residents tenant's behalf)
- Resident/tenant meetings specific to housing management
- Housekeeping activities such as cleaning
- 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)
- Administration of drugs

OTHER GENERAL CONDITIONS

<p>General Service Conditions</p> <ul style="list-style-type: none"> Providers commissioned to deliver Supporting People funded services must comply with the European Working Time Directive (No 93/104/EC) 23rd 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’. <p><u>NOTE:</u></p> <ol style="list-style-type: none"> This can be varied at the discretion of the employer/employee by local agreement. 	<p>Local Connection</p> <ul style="list-style-type: none"> Short-term services that receive Supporting People grant shall not operate local connection policies that exclude vulnerable people who come from outside Kent or from a different district or borough council. <p><u>NOTE:</u></p> <ol style="list-style-type: none"> Grant conditions state that ‘<i>An Authority shall ensure fair and open access to appropriate and strategically relevant Supporting People services and, without prejudice to the operation of any reconnection policy that it has developed, in respect of short-term services shall not take account of whether an applicant has a local connection to the area covered by the Authority.</i> Grant Conditions explain that ‘local connection’ has the meaning given in section 199 of the Housing Act.
<p>Short-Term Services</p> <ul style="list-style-type: none"> 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. <p><u>NOTE:</u></p> <ol style="list-style-type: none"> Short-term services funded under grant conditions should not be provided for people whose capacity for greater independence is limited by their condition. Grant Conditions for Excellent Authorities 2008–09 are explicit in excluding ‘<i>any service whose aim is the maintenance of a limited degree of independent living which is not expected to increase</i>’. 	