

From: Clair Bell, Cabinet Member for Adult Social Care and Public Health
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To: Adult Social Care Cabinet Committee – 13 July 2022

Subject: **KENT HOMELESS CONNECT SERVICE**

Classification: Unrestricted

Past Pathway of report: Adult Social Care and Health Governance Directorate Management Team – 16 June 2022

Future Pathway of report: Cabinet decision

Electoral Division: All

Summary: This report summarises the ongoing activities in relation to the proposal to make savings from the Kent Homeless Connect Service, due to end on 30 September 2022, as part of the Council’s budget plans agreed on 10 February 2022.

The report includes a summary of the engagement with the district, borough and city councils and health colleagues, as well as the findings of the Equalities Impact Assessment and public consultation. Also included is the proposed model for the transition period and the associated costs, which are to be met from the Council’s reserves.

The decision in relation to the contractual arrangements for transition and the associated costs are due to be considered at a meeting of the Council’s Cabinet on 21 July 2022.

Recommendation(s): The Adult Social Care Cabinet Committee is asked to **NOTE** and **COMMENT** on the progress made to date, to implement the savings proposals set out in the Council’s budget plans in relation to the transition plans, associated costs and the contractual vehicle to be used to support the proposal to end the Kent Homeless Connect Service in September 2022

1. Introduction

- 1.1 The Kent Homeless Connect (KHC) Service was commissioned by the Council in October 2018 to support adults with complex support needs who are facing homelessness.
- 1.2 On 10 February 2022, the Council approved its draft budget which included the proposal to allow the service to come to an end when the contract expires on 30 September 2022.

1.3 After this date, the Council agreed to provide protection funding, drawn from its reserves, to ensure continued support for people who use the service for at least the remainder of the financial year (2022/2023) whilst transitional plans are drawn up with district and borough authorities and other stakeholders in order that alternative arrangements for support in the future can be put in place.

2. Background

2.1 The KHC service is delivered over four geographic lots by two Prime Providers, Porchlight and Look Ahead.

Lot	Geographical area	Prime Provider
Lot 1	Canterbury, Dover, Folkestone and Hythe, Thanet	Porchlight
Lot 2	Ashford, Maidstone	Porchlight
Lot 3	Dartford, Gravesham, Swale	Look Ahead
Lot 4	Sevenoaks, Tonbridge and Malling, Tunbridge Wells	Look Ahead

2.2 The service is delivered in three ways:-

- **Support in supported accommodation** - provides support in a safe place to live. Assistance is focused on aiding people in their journey to independence and recovery from homelessness. Once people have gained the skills they need to live independently they are supported to move on to more permanent accommodation.
- **Prevention and move on** - support delivered in the community to people who need support and at risk of homelessness or people who are homeless, regardless of where they live. The service also helps people to settle into a new tenancy.
- **Rough Sleeper Outreach** - workers offer help to rough sleepers, supporting them to access and sustain accommodation, health care and other support, appropriate to their needs, in order to recover from homelessness.

2.3 The £5,069,901 annual cost of the contract is met via the Adult Social Care budget and includes a contribution of £393,200 from the Public Health grant.

3. Current Position

- 3.1 Since the budget proposal was published in January 2022, a timetable of engagement with the Kent Chiefs and Leaders has been agreed. Regular updates have been provided to senior leaders in the district, borough and city councils, and the Council has met monthly with each of the housing authorities to plan the transition, using a shared data set.
- 3.2 A weekly report of the activity has been circulated to a wide constituency of stakeholders. There has been regular attendance and engagement with key groups such as the Kent Housing Group and the Kent Housing Options Group, which is also attended by representatives of the Department of Levelling Up, Housing and Communities (DLUHC).

4 Public Consultation

- 4.1 A public consultation was undertaken between 27 April 2022 to 6 June 2022.
- 4.2 The consultation documents and accompanying Equality Impact Assessment were shared with the leaders of the city, district and borough councils, prior to the consultation launch and one-to-one sessions with the Corporate Director Adult Social Care and Health or Cabinet Member for Adult Social Care and Public Health were offered during the consultation period.
- 4.3 The consultation documents were published online and were also available in easy-read and hard copy. The consultation was promoted through several routes, including social media and media release, Equality Cohesion Council, Kent Homeless Connect and Kent Housing Group websites and Healthwatch. It was also promoted by Kent Homeless Connect providers to individuals accessing the service and to registered participants of Kent County Council’s (KCC) online engagement platform, Let’s Talk Kent. A telephone line and email address were provided to enable residents and other stakeholders to ask questions about the consultation if they needed to.
- 4.4 To broaden the reach of the consultation, the Council arranged a series of four public face-to-face events in libraries across the county (Canterbury, Maidstone, Gravesend and Tonbridge) where representatives from KCC were available to discuss the consultation and listen to views.
- 4.5 In addition to these public events, eight closed drop-in sessions were also arranged, specifically ring-fenced for those who have been supported by KHC, now or in the past. The events were designed to ensure that people who are most affected by the proposal had a meaningful opportunity to respond.
- 4.6 The closed events took place in the following areas

Canterbury	Dover	Thanet	Folkestone & Hythe
Gravesham	Maidstone	Swale	Tunbridge Wells

- 4.7 Residents were asked about any impact of the proposal, other sources of help and for comments on alternative ways to offer support.
- 4.8 A total of 228 responses were received from a broad range of professionals, voluntary organisations, people who use the service and from the public. The in-person events were attended by 80 people. A copy of the consultation report is included in Appendix A.
- 4.9 Though concerns were expressed about the impact of a change in all three aspects of the service, should an alternative not be in place, 94% of respondents highlighted an impact on support in supported housing, including increases in
- homelessness and rough sleeping
 - homeless people being impacted by anti-social behaviour, crime, and exploitation
 - mental health related issues including suicide ideation and self-harm
 - drug and alcohol dependency
 - pressure on other public bodies and partnerships, including the NHS and KCC statutory services
- 4.10 When asked about alternatives sources of help, most respondents identified this to be within the public sector.
- 4.11 When asked about how support could be provided differently in future, the most common responses were to
- increase, retain, redirect, and seek new funding
 - bring existing funding within the sector together to redesign services
 - obtain more support from other organisations and increase joint working
 - increase prevention and outreach services
- 4.12 Three respondents questioned whether the council was meeting its legal duties under the Homelessness Code of Guidance.

5. Financial Implications

- 5.1 The Leader of Kent County Council gave an undertaking to the districts that their budgets would not be adversely affected during 2022/2023 financial year.
- 5.2 There is broad consensus that because of changes in legislation and funding since the service was commissioned, many aspects of the service currently delivered could be delivered by the Local Housing Authorities or their agents.
- 5.3 The Homeless Reduction Act was implemented as the KHC service went live, and because of this change, Local Housing Authorities have been awarded a Homelessness Prevention Grant each year to support them to deliver against their new responsibilities under the legislation such as the Prevention Duty. All housing authorities in Kent receive an allocation of this annual grant, which in 2022 amounted to a total of £6,630k across the county.

- 5.4 Since the KHC service went live, and the Government’s pledge to halve rough sleeping by 2022, and ending rough sleeping by 2027, the Department of Levelling Up, Housing and Communities (DLUHC) has made monies available to support Local Housing Authorities to tackle rough sleeping, significantly through the Rough Sleeper Initiative funding. Local Housing Authorities are encouraged to apply for this funding to provide local support for those living on the streets and to reduce rough sleeping. Since 2018, a total of £12,167k of Rough Sleeper Initiative funding has come into Kent.
- 5.5 The latest round of bids was made by housing authorities in February 2022, though the results are yet to be announced. Some of the interventions that the housing authorities have put in place with this funding can be used to deliver elements of support that are currently available within the KHC Service.
- 5.6 A working model of the transition would see a phased move to new arrangements over three six-monthly stages. The model recognises the complexities of a change in arrangements in supported housing, allowing a longer time to achieve this.
- 5.7 The estimated cost of this approach over an 18-month transition period would be £4,563k, as set out in the table below:-

Six-monthly interval	1 Oct 22 - 31 Mar 23	1 Apr 23 - 30 Sept 23	1 Oct 23 - 31 Mar 24	1 April 24 onwards	Total
Percentage of contract value	80%	60%	40%	0%	
Transition activity	Rough Sleeper outreach	Prevention and Move-on	Supported Housing		
Transition Funding Required	£2,027,961	£1,520,971	£1,013,981	£0	£4,562,913

6. Legal Implications

- 6.1 The current framework contract comes to an end on 30 September 2022. The Council intends to vary the current contracts to include a safe transition of these services into alternative arrangements, which would conclude no later than 31 March 2024.
- 6.2 During the consultation the Council received three responses that suggested it had a legal duty to continue to provide these services. An example is given below

“KCC has not addressed how it intends to address the divergence from those duties placed on it and set out in the Homelessness Code of Guidance that places responsibility for the provision of housing related support on upper-tier authorities. This places KCC open to legal challenge for not fulfilling those duties placed on it by government policy.”

- 6.3 The Council has investigated this matter thoroughly and has established that it does not have a duty in terms to provide these services arising from the Code of Guidance as the respondents have suggested.
- 6.4 KCC is of the view that both the Housing Act 1996 and the Care Act 2014 impose a mutual obligation to co-operate in the exercise of the respective functions of the Local Housing Authority and the County Council, as the relevant social services authority, concerning its responsibilities relating to adults with needs for care and support and the obligation to have regard to the homelessness strategies. KCC's policy position is that where it is asked by a district council to assist the housing authority with the exercise of its functions under the Housing Act 1996, it will offer such co-operation and assistance where it is deemed reasonable to do so and, it does not result in the County Council doing anything which another local authority is required to do under the Housing Act 1996.
- 6.5 KCC continues to carry out its adult social care responsibilities in accordance with the Care Act 2014, including s.2, and relevant regulations, statutory and good practice guidance. It conducts its assessment of need for care and support and prevention functions with regard to the homelessness strategies of district councils and the 'duty to refer' responsibilities placed on the County Council by the Homelessness Reduction Act 2017. Where the County Council is not able to comply with a request to co-operate from a district council, it will give a written reason for its decision.
- 6.6 Following a transition period that will close on 31 March 2024, the Council intends to end its provision of housing related support in Kent Homeless Connect where it does not have statutory duty. The Council will ensure it exercises its duties to ensure those who need an assessment under the Care Act receive one and to consider how care and support needs can be met. The Council will work closely with the city, district and borough councils to develop and support transitional plans to meet the needs of individuals.
- 6.7 The Council has set out its vision for how it plans to make changes to the way it works with the people of Kent and its partners such as the Local Housing Authorities in the Making a Difference Every Day Strategy for Adult Social Care. The strategy is part of wider council plans such as the Interim Strategic Plan and 5-year-plan, local strategic documents such as the Kent and Medway Integrated Care System's Five-year Plan. The County Council and the health economy will work in partnership with the city, district and borough councils, to develop support to local communities.
- 6.8 The Adult Social Care Strategy sets out the way the Council will work to support people to lead the lives they want to live, and in a place they call home, by putting people at the heart of everything we do. It shows how the Council will work with communities early on to help people feel empowered, resilient and develop their independence and access trusted support. People will experience more flexible ways of arranging support, promoting a balance of choice for the people we support, quality and value. The strategy will be underpinned by a co-

produced commissioning strategy which will describe the way changes in the market will support the Council's ambitions.

- 6.9 The strategy will be expressed through the implementation of the locality model way of working, demonstrating how the placed-based working arrangements will provide both capacity and capability of more responsive joined-up working with statutory and non-statutory partners at the district level.
- 6.10 The Council will continue to work closely with each district, borough and city authority and other partners and carry out its duties under the Homelessness Reduction Act 2017 and the Homeless Code of Guidance such as the duty to refer. As stated above, it is the Adult Social Care locality model that provides the basis for collaborating at a more local level, including working with housing authorities which are responsible for drawing up their homelessness strategies. In this regard, when assistance is sought by district councils because of the social care functions held by the County Council, such requests will be honoured.
- 6.11 The Council has considered the feedback on the proposed decision as set out in the consultation papers including the Equality Impact Assessment. A revised Equality Impact Assessment is shown in Appendix B, which considers this feedback.
- 6.12 The consultation has highlighted a potential increase in demand for the County Council's own services. The Council will exercise its duties to ensure those who need an assessment under the Care Act and to consider how care and support needs can be met. Under the new strategy, the Council's move towards working more closely in local areas and strengthening partnership with the city, district and borough councils, local providers, and communities will ensure a joined-up approach to meeting people's needs. In addition, the Council will ensure pathways into its other commissioned services such as treatment and rehabilitation services, mental health and wellbeing and domestic abuse support are well established and facilitated.
- 6.13 The key decision required to enact the budget proposal will be considered by Cabinet on 21 July 2022.

7. Equalities Implications

- 7.1 An Equality Impact Assessment (EQIA) has been undertaken and has been reviewed since the consultation. A copy of the EQIA is attached as Appendix B.

7.2 The EQIA has found that should alternative support not be put in place, the decision to allow the service to end may have a greater impact on some people, based on the following protected characteristics:

- Age
- Gender
- Race
- Disability
- Religion or Belief
- Sexual Orientation
- Gender reassignment
- Marriage or Civil Partnership
- Pregnancy and Maternity

7.3 This assessment was confirmed by the consultation and the EQIA has been finalised based on these findings. These impacts will be addressed through the transition planning with the district, borough and city councils and other partners.

8. Data Protection Implications

8.1 A Data Protection Impact Assessment was completed for the service when it was commissioned.

9. Conclusions

9.1 Following the agreement of the budget on 10 February 2022, a program of work has been undertaken to allow the current service for KHC to come to its natural end on 30 September 2022 and to plan for the transition to new arrangements by 1 April 2024.

9.2 The Council does not have a legal duty arising from the Homelessness Code of Guidance to continue to provide these services.

9.3 There has been regular engagement with the Local Housing Authorities to develop transition plans, and a broad consensus has been reached on a phased approach to transition.

9.4. A public consultation has been undertaken and an EQIA has been completed and the learning has informed the transition planning.

9.5 The cost of the phased approach is £4,562,913, to be met from the County Council's reserves.

9.6 A variation to the current contract will be used as a vehicle for the safe transition of these services to alternative arrangements.

9.7 The decision in relation to the reserves, contractual vehicle and the transition of these services will be taken via Cabinet on 21 July.

10. Recommendations

10.1 Recommendation(s): The Adult Social Care Cabinet Committee is asked to **NOTE** and **COMMENT** on the progress made to date on the work to implement the savings proposals set out in the Council's budget plans in relation to the transition plans, associated costs and the contractual vehicle to be used to support the proposal to end the Kent Homeless Connect Service in September 2022.

11 Background Documents

Making a difference every day. Adult Social Care Strategy April 2022
[Making a difference every day - our adult social care strategy \(kent.gov.uk\)](https://www.kent.gov.uk/adult-social-care-strategy)

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