

Economy and Enterprise Overview and Scrutiny Committee

18 December 2023



Supported Housing Improvement Programme / Non-Commissioned Supported Accommodation

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Electoral divisions affected:

Countywide

Purpose of the Report

- 1 The purpose of this report is to provide the Economy and Enterprise Overview and Scrutiny Committee with an update on the Supported Housing Improvement Programme (SHIP) working with non-commissioned supported housing providers across County Durham.

Executive summary

- 2 Supported housing can be both commissioned and non-commissioned:
 - a) supported housing that is commissioned by the local authority is inspected and monitored with a clear performance framework in place; and
 - b) there is however currently no regulator of non-commissioned supported housing and providers can set up without approval from the local authority.
- 3 Currently in County Durham there are 19 providers of non-commissioned supported housing. These providers manage 522 properties providing transitional/short term supported accommodation for approximately 650 people. The number of supported bedspaces provided by non-commissioned providers has increased by approximately 40% since early 2020.
- 4 Both nationally and regionally there have been increasing reports of poor-quality non-commissioned supported housing. As a result, there are concerns about the detrimental impact this can have on resident

wellbeing and outcomes, the neighbourhoods surrounding these schemes and the pressure this can place on public services. A BBC Panorama documentary exploring this issue was produced in August 2022.

- 5 To address the emerging challenges within the non-commissioned supported housing sector the Department for Levelling Up, Housing and Communities (DLUHC) launched the SHIP in summer 2022. Local authorities were invited to bid for a share of £20 million to help address poor quality supported housing and improve standards of support and provision.
- 6 Durham submitted a bid and in autumn 2022 was awarded £578,795 to implement the SHIP in County Durham. The main objectives of SHIP are to improve the standards of accommodation and support provided by non-commissioned supported housing providers.

Recommendation

- 7 It is recommended that the Economy and Enterprise Overview and Scrutiny Committee note the contents of this report and presentation delivered at the meeting and provide feedback accordingly.

Background

- 8 Supported housing is accommodation packaged with support to enable some of the most vulnerable people to live as independently as possible in the community. The cohorts this sector supports include*:
- a) individuals at risk of or who have experienced homelessness;
 - b) people recovering from drug or alcohol dependence;
 - c) people with experience of the criminal justice system;
 - d) young people with a support need (such as care leavers or teenage parents);
 - e) people with mental ill health; and
 - f) people fleeing domestic abuse.
- (*These are not always distinct groups and many individuals may have multiple needs).
- 9 Supported housing can be both commissioned and non-commissioned.
- 10 Supported housing that is commissioned by the local authority is inspected and monitored with a clear performance framework in place.
- 11 There currently is however no regulator of non-commissioned supported housing and providers can set up without approval from the local authority. This can provide many problems including developers and landlords setting up for 'commercial gain' and not for the welfare of the client, as well as not providing the level of 'care, support and supervision' as set out in their housing benefit application. These properties are often purchased in cheaper locations including regeneration areas therefore potentially adding to existing problems of anti-social behaviour. A recent example of this was a provider who bought properties across the county, some of which were in Horden, a targeted delivery plan area. This provider could not demonstrate an adequate provision of 'care support and supervision' to their tenants and subsequently resulted in non-payment of housing benefit by Durham County Council. This decision was made in late 2022 in advance of the SHIP programme.
- 12 Currently in County Durham there are 19 providers of non-commissioned supported housing. These providers manage 522 properties providing transitional/short term supported accommodation

for approximately 650 people. The number of supported bedspaces provided by non-commissioned providers has increased by approximately 40% since early 2020.

- 13 Landlords can request for their scheme to be classed as 'exempt accommodation'. Exempt accommodation is a term used in housing benefit regulations to describe supported accommodation which is exempt from certain housing benefit provisions. One of the main criteria to qualify for 'exempt supported accommodation' is that 'care, support or supervision' (CSS), above a minimal amount, is being provided in connection with the property and is beyond the 'normal' management tasks a landlord would be expected to perform.
- 14 It is however difficult to determine if the tenants are receiving the stated level of care and support and if the standards of these schemes/properties meet basic regulatory requirements. It is also important to establish that the tenant has a support need to justify their tenancy within supported accommodation. Across the housing providers there is a broad range of ways in which CSS is provided and funded.
- 15 Both nationally and regionally there have been increasing reports of poor quality non-commissioned supported housing. As a result, there are concerns about the detrimental impact this can have on resident wellbeing and outcomes, the neighbourhoods surrounding these schemes and the pressure this can place on public services. A BBC Panorama documentary exploring this issue was produced in August 2022 where the provider 'My Space' was investigated.
- 16 To address the emerging challenges within the non-commissioned supported housing sector the DLUHC launched the SHIP in summer 2022. Local authorities were invited to bid for a share of £20 million to help address poor quality supported housing and improve standards of support and provision.
- 17 The council submitted a bid and in autumn 2022 were awarded £578,795 to implement the SHIP in County Durham. The funding will enable the council to increase its oversight and involvement in the non-commissioned supported housing sector, the proposed outcomes of the programme are:
 - a) improved property and management standards of supported accommodation;
 - b) improved knowledge and introduction of a new gateway approach to better manage supply of supported accommodation across the county;

- c) quality support tailored to meet individual tenant needs;
- d) value for money for both providers, tenants and the council;
- e) upskilling of the providers' workforce;
- f) improved engagement and support to service users from the council;
and
- g) collaborative production of a supported accommodation charter to help establish and maintain high standards.

18 The proposed SHIP activity in Durham includes:

- a) creation of a multi-disciplinary team (MDT) (project co-ordinator, two housing benefit officers, housing needs officer, private sector housing officer and adult social care support officer);
- b) visits to properties and tenants housed by non-commissioned supported accommodation providers focusing on one provider at a time;
- c) review all housing benefit decisions including rents and service charges and the eligibility of the exempt accommodation status;
- d) review the quality and suitability of the care, support and supervision provided;
- e) inspect properties to identify any areas of disrepair or hazards and ensure they are being let in line with relevant legislation;
- f) identify any safeguarding concerns or unassessed tenant vulnerabilities and take appropriate action; and
- g) discuss move on plans to longer term accommodation and work with providers and tenants to prevent evictions.

Supported Housing Improvement Programme Core Activity - Review of Providers currently operating in County Durham

19 Recruitment of the SHIP MDT is now complete and all members of the MDT are in post. A SHIP project group has been established to provide oversight of the delivery of the programme.

- 20 SHIP funding runs until March 2025 and during this time the SHIP will review each of the 19 non-commissioned supported housing providers currently operating in County Durham. The reviews will ensure high standards are being maintained in terms of both property management and support for the tenants. The programme will also offer support and guidance to supported housing providers where required.
- 21 The SHIP team is now working with five of the 19 providers, that has included meetings with the providers, property inspections and tenant reviews to determine the level of CSS received by the tenants. As of 15 November 2023, 92 tenant reviews have taken place and 64 property inspections.
- 22 The SHIP team liaises with each provider throughout the inspections and tenant reviews to:
- a) understand how their organisation operates;
 - b) obtain data in relation to referrals; and
 - c) support plans, engagement with tenants and move on plans etc.
- 23 At the end of the inspections and reviews, a final report is produced with feedback and recommendations and an action plan is developed with the provider to ensure improvements are made within appropriate timescales.
- 24 Early findings identified via SHIP reviews include:
- a) the vast majority of tenants have a support need;
 - b) a significant proportion of tenants have been in supported accommodation for in excess of two years with examples where tenants have been in supported accommodation for five years or more;
 - c) in some cases there is a lack of evidence that the support provided is tailored to meet the needs of the tenant;
 - d) there is concern around staff knowledge and development including expertise to appropriately support all tenants needs and ability to direct referrals to other agencies and support services; and
 - e) in most instances property standards are of a satisfactory standard with only low / medium level repairs needing to be carried out.

- 25 The SHIP MDT is working with providers to ensure improvements are made, some examples include:
- a) training for providers in relation to:
 - (i) accessing the Durham Key Options (DKO) housing register;
 - (ii) referrals to other supports agencies;
 - (iii) safeguarding;
 - (iv) trauma informed practices; and
 - (v) accessing the private rented sector.
 - b) providing move on information to enable tenants who are ready to move onto independent living and prevent 'bed blocking';
 - c) ensuring support is tailored to meet the needs of individuals;
 - d) identification of cases who may require additional support from adult services;
 - e) engagement with training and employment services;
 - f) housing benefit advice, e.g. annual rent reviews;
 - g) re-inspections of properties where standards did not meet the regulatory requirements; and
 - h) subsequent visits after a period of time (in most instances this will be no later than six months) to ensure recommendations are being actioned.
- 26 DLUHC has appointed consultants' 'Kantar' to co-ordinate the monitoring of the SHIP programme. Six monthly monitoring information (MI) has been submitted with future dates for MI returns planned. Regular meetings have taken place with both Kantar and DLUHC to discuss the progress of the programme to date.

Supported Housing Improvement Programme Additional Activity

Training and Development

- 27 The SHIP programme has provided a number of training opportunities that supported housing providers have been encouraged to attend. This includes training on property standards:
- a) trauma informed approaches;
 - b) DKO; and
 - c) Durham Drug and Alcohol Recovery Service.
- 28 The SHIP MDT will continue to communicate with providers on training need and provide training and support where needed.

Non-Commissioned Supported Housing Forum –

- 29 This was established in the summer of 2022 to bring together non-commissioned housing providers to share best practice and improve working practices with housing solutions around referrals and void properties. The forum meets quarterly and is an opportunity to engage with providers in relation to:
- a) SHIP;
 - b) training;
 - c) updates on key topics; and
 - d) address local emerging challenges.
- 30 The forum is well attended with many of the County Durham providers attending.

Non-Commissioned Supported Housing Charter

- 31 The housing strategy and partnerships team, along with the SHIP MDT, are in the process of working together with housing providers to co-produce a charter for providers of non-commissioned housing. The charter will aim to set out minimum expectations in relation to property standards, quality of support and value for money. This will be finalised over the next six months, ready for implementation in April 2024.

Supported Housing Steering Group

- 32 Housing and housing benefits facilitate an overarching supported housing steering group (the group was established following recommendations contained in a report shared with Corporate

Management Team in December 2021). The group which is made up of officers from housing, commissioning (adults and children), housing benefit and adult services has a remit to ensure all supported accommodation in County Durham (commissioned and non-commissioned) is of a consistently good standard. SHIP officers are members of this group and have previously brought non-commissioned supported housing queries to this group for discussion at a strategic level. Recently, a number of task and finish groups have been established which will address the emerging priorities of the supported housing steering group. Task and Finish groups are:

- a) gateway approach, position statement and registered provider status;
- b) eligibility for supported accommodation and pathway for move on;
- c) development of a common referral portal for all supported accommodation; and
- d) impact of the supported housing act.

Drug and Alcohol Recovery Services

- 33 Durham County Council has accessed a Supplementary Substance Misuse Treatment and Recovery (SSMRT) housing support grant. A proportion of the grant will be used to fund three recovery workers who will work directly with the non-commissioned supported housing sector (providers and tenants) to address substance misuse issues in their accommodation and encourage people to access drug and alcohol recovery services. In the interim, prior to the SSMRT recovery workers being recruited, the SHIP MDT has engaged Humankind (County Durham's drug and alcohol recovery service) and public health to provide additional support and resources to providers and their tenants where there had been increased instances of drug and alcohol misuse, which on one occasion recently has led to a death at the property. Humankind has intervened to provide additional support and signposting for the providers and tenants. Information has also been shared with the Police.

Health Squad

- 34 The SHIP MDT is working closely with Durham County Council's health squad to address health inequalities within supported housing. The health workers will work with supported housing tenants to provide advice on:
- a) weight;

- b) blood pressure;
 - c) mental health;
 - d) healthy eating and cooking; and
 - e) smoking and alcohol consumption.
- 35 They will also support tenants to sign up to GPs, dentists and support services and groups (e.g. exercise opportunities and gardening groups).

Engagement with Police, Probation Services and Fire Services

- 36 The SHIP MDT has provided SHIP updates to these services including an overview of SHIP work to date and findings and action required following engagement with providers. Moving forward, bi-monthly meetings have been planned in with Community Policing Teams and Probation where the SHIP team and the Police will share anti-social behaviour and criminality concerns and intelligence linked to supported housing.

Non-Commissioned Supported Housing 'Gateway'

- 37 Officers from the SHIP team are represented on the task and finish group which is developing a gateway approach for new and existing providers of supported housing, looking to set up or expand provision in County Durham. Currently, the authority deals with queries from providers on a case-by-case basis as requests are received. Moving forward Durham County Council would like to implement clear processes for how the authority deals with new or expanding provision. The council have discussed this with existing providers via a recent forum event, that we would encourage them to speak with us if they are considering expansion within Durham.

Improved Engagement and Comms

- 38 A new supported housing webpage has been developed on the Durham County Council website, to provide updates to members of the public, providers, local Members and tenants. A generic SHIP inbox, ship@durham.gov.uk, has also been developed to direct and co-ordinate all queries in relation to non-commissioned supported housing providers. This has been shared with services across the council and can be used by members to the public, tenants, providers and local Members to raise queries or log concerns.

- 39 Regular updates in relation to the activity and progress from the SHIP project are given at relevant management teams.

Housing Benefit Subsidy Loss

- 40 SHIP officers are currently supporting housing benefit services and the council's finance team to identify solutions to reduce the council's 'subsidy loss shortfall'.
- 41 If a supported accommodation provider is a registered provider, Durham County Council receives 100% of the housing benefit payment back from the Department for Work and Pension (DWP) however where the provider is not a registered provider (16 of the 19 currently operating in County Durham) the local authority will only receive 60% (approximately) of the costs back DWP, the remaining 40% is a cost to the local authority.
- 42 In addition to an increase in new providers of supported accommodation who are not registered providers, there has also been an increase in the number of housing units offered by existing non-registered providers in the last 18 months. As a result, this has increased the council's subsidy in recent years. The SHIP work will contribute to the council's plan to reduce subsidy loss by:
- a) encouraging providers to become registered;
 - b) encouraging tenants to move out of supported accommodation into their own tenancy;
 - c) ensuring tenants in supported housing have a support need; and
 - d) ensuring supported housing costs are correct.

Supported Housing (Regulatory Oversight) Act 2023

- 43 In response to the challenges linked to non-commissioned supported housing sector, the Government has implemented the Supported Housing (Regulatory Oversight) Act. The Act, which received royal ascent in June 2023, will:
- a) require local authorities in England to review supported housing in their areas and develop strategies;
 - b) provide for the creation of a national expert advisory panel to advise on matters related to supported housing;

- c) give the Secretary of State power to introduce national support standards;
- d) give local authorities power to create local licensing schemes for exempt accommodation; and
- e) give the Secretary of State an option to introduce a new planning Use-Class for exempt accommodation.

44 Consultation on the Supported Housing Act will commence in January 2024 with implementation of the Act expected to commence from April 2025.

Conclusion

- 45 The number of non-commissioned housing providers has increased by 40% over the last three years across County Durham. As an unregulated sector, the council have had a lack of resources to be able to inspect and monitor provision and standards within the sector.
- 46 The SHIP funding has enabled the recruitment of an MDT that will work intensively with the non-commissioned housing providers to improve property and support standards.
- 47 Additional work, including the development of a charter, a gateway approach and partnership working with health colleagues will add value to the SHIP Project.
- 48 The Supported Housing Act 2023 will introduce requirements for both housing providers and the local authority, with the aim of providing a framework to improve standards across the sector.

Background papers

- None.

Other useful documents

- None.

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Appendix 1: Implications

Legal Implications

Supported housing providers have a legal responsibility to ensure properties they own or lease are safe for the tenants that occupy them. Durham County Council has a duty to act if properties are unsafe.

Durham County Council's housing benefit team can legally request documents and information from supported housing providers to ensure tenants are receiving more than minimal CSS.

Finance

The funding awarded to Durham County Council for SHIP is to support the local authority to achieve the outcomes and objectives set out in the funding bid.

Consultation and Engagement

Durham County Council will ensure it carries out any consultation requirements linked to changes in supported housing moving forward.

Equality and Diversity / Public Sector Equality Duty

Durham County Council will take all opportunities to obtain feedback from hard-to-reach individuals across the county.

Climate Change

None.

Human Rights

None.

Crime and Disorder

The programme aims to work with supported housing providers improve crime and anti-social behaviour within supported housing.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.