

**EXCERPT OF MINUTE OF MEETING OF HOUSING AND TECHNICAL SERVICES COMMITTEE
HELD ON 3 NOVEMBER 2005**

~~AGENDA ITEM NO. 1~~ **4**

CARE COMMISSION INSPECTION 2005/2006 - HOUSING SUPPORT SERVICES

6. With reference to paragraph 6 of the Minute of the meeting of this Committee held on 31 October 2002 when, inter alia, the Director of Housing and Property Services was authorised to exercise the new powers offered by the Housing (Scotland) Act 2001 to fund housing support services provided for a person's sole or main residence, there was submitted a report (docketed) dated 30 August 2005 by the Director of Housing and Property Services regarding the proposed inspection of the Department's directly provided Housing Support Services (1) outlining the background to Housing Support Services, which were introduced through the Supporting People Programme; (2) advising that the Care Commission had conducted a pilot inspection of the Sheltered Housing Support Services in Motherwell and Coatbridge in 2004, and a full inspection of these Services would be carried out in September and November 2005; (3) intimating that (a) the services would be assessed taking account of the National Care Standards for Housing Support Services, with a summary of the Standards attached as Appendix 1 to the report, and (b) the final report would be made available to the public on completion of the inspection, and (4) indicating that any areas for improvement would be highlighted within the final report with an agreed Action Plan to meet the recommendations or requirements of the report.

Decided:

- (1) that the terms of the report be noted;
- (2) that a further report be submitted to a future meeting of the Committee following completion of the Care Commission Inspection, and
- (3) that the report be remitted to the Social Work Committee for information.

NORTH LANARKSHIRE COUNCIL

REPORT

AGENDA ITEM No. 4

To: HOUSING AND TECHNICAL SERVICES COMMITTEE		Subject: Care Commission Full Inspection 2005/06 - Housing Support Services
From: DIRECTOR OF HOUSING AND PROPERTY SERVICES		
Date: 30 August 2005	Ref: TMcK/KI	

1. Introduction

1.1 This report is to advise committee of the proposed inspection of the Housing and Property Services directly provided Housing Support Services. The Care Commission will conduct full inspections of the Department's Housing Support Services between September and November 2005.

2. Background

- 2.1 The Scottish Commission for the Regulation of Care (the Care Commission) was introduced in April 2002 under the Regulation of Care (Scotland) Act 2001 (the Act). The Care Commission was established to regulate care services in Scotland and to improve the quality of care services for people who use them and their carers.
- 2.2 All providers of care and support services must be registered with the Care Commission and they have a statutory duty to inspect all registered care services annually.
- 2.3 Housing support services were introduced in April 2003 through the Supporting People Programme and provide support to vulnerable people to enhance their ability to sustain independent living. The types of support include assistance with benefit claims, dealing with neighbours, help accessing GP's and resettlement into the community if homeless etc.
- 2.4 Following guidance from the Care Commission, Housing and Property Services adopted a 'Branch' structure to meet registration criteria and have 12 registered housing support services.
- 2.5 The sheltered warden's service has 6 branches across North Lanarkshire covering the main townships of Airdrie, Coatbridge, Cumbernauld/Kilsyth, Bellshill, Motherwell and Wishaw/ Shotts. The tenancy support service for homeless and potentially homeless people has also been structured to provide services across the 6 areas mentioned above.

2.6 The Care Commission previously conducted a pilot inspection of the Department's sheltered housing support services in Motherwell and Coatbridge between October and December 2004.

3. Proposals

3.1 The Care Commission have advised that they will carry out a full inspection of Housing and Property Services housing support services between September and November 2005.

3.2 The Care Commission will interview area managers and tenancy support co-ordinators to agree the inspection process including the timescale for inspection, feedback to managers and the final report, which will be made available to the public on completion.

3.3 Care Commission officers will inspect the housing support service from the view of the person(s) using the service and they will assess whether it meets the regulations contained within the Act . The service will also be assessed taking account of the National Care Standards for Housing Support Services. A summary of the standards is attached as appendix 1.

3.4 An initial liaison meeting took place on 14th July 2005 between Housing and Property Services and the Care Commission to agree a programme for the inspection. The inspection will involve surveys of service users, staff and partners as well as exploring service quality, policies and procedures.

3.5 The Care Commission will produce separate reports on each of the 12 geographically based services at the end of the inspection, highlighting any areas for improvement with an agreed action plan to meet the recommendations or requirements of the report.

4. Corporate Considerations

4.1 Social Work Department including the Supporting People Team has been notified of this report.

4.2 There are no financial implications for Housing and Property Services.

5. Recommendations

It is recommended that:

- i) Committee note the content of the report.
- ii) A report be presented to committee following completion of the Care Commission Inspection.
- iii) Remit this report to Social Work Committee for information.

6. Background Information

Available from within Housing and Property Services.



 Thomas McKenzie
Director of Housing & Property Services

Introduction

Housing support services

Housing support services have developed over a number of years as an imaginative response to a wide range of needs. Housing support services should help people to live independently in the community, regardless of their tenure. Having and keeping a stable place to live is essential for many vulnerable people who want to stay in their own home.

At the moment, the largest group of people who receive housing support is older people living in sheltered housing. However, a wide range of people with particular needs can receive housing support services, including homeless people, refugees, women escaping domestic violence, people with a chronic illness, people with a physical impairment or learning disability, ex-offenders, people with drug and alcohol related problems, and others who need support. They may use these services when their accommodation is temporary (for example, in a crisis) or when they are being re-housed.

There is a wide range of supported accommodation models, including sheltered housing with 30 or 40 self-contained units of accommodation with on-site warden support, communal facilities and call systems; homeless hostels; group homes where people share accommodation supported by residential or visiting housing support workers; individual scattered or clustered dwellings with floating (flexible) support; and 'wet houses' for people with substance misuse problems.

At the moment, housing support services are provided or commissioned by a landlord as part of a tenancy agreement. Some services are delivered to people who live in accommodation that is registered with the local authority under the terms of their occupancy agreement. Housing support services can range from around one hour a week to 24-hour residential support.

What is housing support

Housing support covers a range of activities that allow people to maintain their accommodation, meet their duties and responsibilities as a tenant and get involved in the local community. The range of services has been defined by the funding systems which support these activities, Housing Benefit, transitional Housing Benefit and Communities Scotland Special Needs Assistance Package (SNAP). For the purpose of funding, housing support has included advice on budgeting and debt management; assistance with benefit claims; maintaining the security of the dwelling; assisting with disputes with neighbours; and general counselling and advice.

New legislative framework

The Scottish Executive is going to introduce a new policy and funding framework which also covers, for the first time, regulation of housing support services. Section 91(8) of the Housing (Scotland) Act 2001 gives local authorities the power to fund housing support services that are provided for a

person's sole or main residence. This means that people living in owner-occupied housing will also be eligible. The regulations which are made under this section of the Housing Act will contain detailed definitions of housing support services. Section 2 (27) of the Regulation of Care (Scotland) Act 2001 provides for the regulation of these services.

Supporting People Grant

The new arrangements which will apply from April 2003 will introduce a new funding system for housing support services called the Supporting People Grant. This will replace current funding arrangements and will be administered by local authorities in partnership with other agencies. Under the new system anyone who needs it will get housing support, regardless of tenure. The support may be provided by the landlord, a housing support agency or specialist voluntary body, or by the local authority itself.

The nation care standards

Scottish Ministers set up the National Care Standards Committee (NCSC) to develop national standards. The NCSC carried out this work with the help of a number of working groups. These groups included people who use services, their families and carers, along with staff, professional associations, regulators from health and social care, local authorities, health boards and independent providers. Many others were also involved in the consultation process.

As a result, the standards have been developed from the point of view of people who use the services. They describe what each individual person can expect from the service provider. They focus on the quality of life that the person using the service actually experiences.

The standards are grouped under headings which follow the person's journey through the service. These are as follows.

Before using the service (standards 1 to 4)

1. Information and deciding
2. Your legal rights
3. Management and staffing arrangements
4. Housing support planning

Using the service (standards 5 to 8)

5. Lifestyle – social, cultural and religious belief or faith
6. Choice and communication
7. Exercising your rights
8. Expressing your views

Choosing to leave or end the service (standard 9)

9. Choosing to leave or end the service

Using the national care standards

If you are thinking about using housing support services, you will want to refer to the standards to help you decide. You may want to discuss the standards with:

- your social worker or care manager, if you have one; or
- someone acting on your behalf, for example, your lawyer or other independent representative.

If things go wrong, you can refer to the standards to help you raise concerns or make a complaint. (See 'Expressing your views', standard 8.)

Providers will use the standards to find out what is expected of them in offering housing support services. The standards make it clear that everything about the service should lead to you enjoying a good quality of life. They should guide the owner or manager over who to employ and how they should manage the service.

In a small number of cases, people may be subject to compulsory orders under *The Mental Health(Scotland)Act 1984* or *The Adults with Incapacity (Scotland) Act 2000*. These orders may affect the way in which some of the standards are delivered. If this affects you, then anything in the standards that has to be different, and the legal reasons for that difference, will be shown in your personal plan. It will be in line with the principles and legal requirements of the current legislation.

The principles behind the standards

The standards are based on a set of principles. The principles themselves are not standards but reflect the recognised rights which you enjoy as a citizen. These principles are the result of all the contributions made by the NCSC, its working groups and everyone else who responded to the consultations on the standards as they were being written. They recognise that services must be accessible and suitable for everyone who needs them, including people from black and ethnic minority communities. They reflect the strong agreement that your experience of receiving services is very important and should be positive, and that you have rights.

The main principles

The principles are dignity, privacy, choice, safety, realising potential and equality and diversity.

Dignity

Your right to:

- be treated with dignity and respect at all times: and
- enjoy a full range of social relationships.

Privacy

Your right to:

- have your privacy and property respected, and to receive the time, the space and the facilities you need and want: and
- be free from intrusion as long as it is safe for you and everyone else.

Choice

Your right to:

- make informed choices, while recognising the rights of other people to do the same;
- know about the range of choices; and
- get help to fully understand all the options and choose the one that is right for you.

Safety

Your right to:

- feel safe and secure in all aspects of life, including health and wellbeing;
- enjoy safety but not be over-protected; and
- be free from exploitation and abuse.

Realising potential

Your right to have the opportunity to:

- achieve all you can;
- make full use of the resources that are available to you; and
- make the most of your life.

Equality and diversity

Your right to:

- live an independent life, rich in purpose, meaning and personal fulfilment;
- be valued for your ethnic background, language, culture, and faith;
- be treated equally and live in an environment which is free from bullying, harassment and discrimination; and
- be able to complain effectively without fear of victimisation.

The Scottish Commission for the Regulation of Care

The Regulation of Care (Scotland) Act 2001 ("the Act") set up the Care Commission, which registers and inspects all the services regulated under the Act, taking account of the national care standards issued by Scottish Ministers. The Care Commission has its headquarters in Dundee, with regional offices across the country. It will assess applications from people who want to provide housing support services. It will inspect the services to make sure that they are meeting the regulations and in doing so will take account of the national care standards. You can find out more about the Care Commission and what it does from its website (www.carecommission.com).

The Scottish Social Services Council

The Act created the Scottish Social Services Council ("the Council") which was established on 1 October 2001. It also has its headquarters in Dundee. The Council has the duty of promoting high standards of conduct and practice among social services workers, and in their education and training. To deliver its overall aims of protecting service users and carers and securing the confidence of the public in social services, the Council has been given five main tasks. These are: to establish registers of key groups of social services staff; to publish codes of practice for all social services staff and their employers; to regulate the conduct of registered workers; to regulate the

training and education of the workforce to undertake the functions of the National Training Organisation for the Personal Social Services. The Council has issued codes of practice for social service workers and employers of social service workers. These describe the standards of conduct and practice within which they should work. The codes are available from the Council website (www.sssc.uk.com).

How standards and regulations work together

The Act gives Scottish Ministers the power to publish standards which the Care Commission must take into account when making its decisions. It also gives Scottish Ministers the power to make regulations imposing requirements in relation to housing support services.

The standards will be taken into account by the Care Commission in making any decision about applicants for registration (including varying or removing a condition that may have been imposed on the registration of the service).

All providers must provide a statement of function and purpose when they are applying to register their service. On the basis of that statement, the Care Commission will determine which standards will apply to the service that the provider is offering.

The standards will be used to monitor the quality of services and their compliance with the Act and the regulations. If, at inspection, or at other times, for example, as a result of the Care Commission looking into a complaint, there are concerns about the service, the Care Commission will take the standards into account in any decision on whether to take enforcement action and what action to take.

If the standards were not being fully met, the Care Commission would note this in the inspection report and require the service manager to address this. The Care Commission could impose an additional condition on the service's registration if the provider persistently, substantially or seriously failed to meet the standards or breached a regulation. If the provider does not then meet the condition, the Care Commission could issue an improvement notice detailing the required improvement to be made and the timescale for this. Alternatively, the Care Commission could move straight to an improvement notice. The Care Commission would move to cancel the registration of any service if the improvement notice does not achieve the desired result. In extreme cases (i.e. where there is serious risk to a person's life, health or wellbeing) the Care Commission could take immediate steps to cancel the registration of any service without issuing an improvement notice.

Regulations are mandatory. In some cases not meeting a regulation will be an offence. This means a provider may be subject to prosecution. Not meeting or breaching any regulation is a serious matter.

Decisions by the Care Commission on what to do when standards or regulations are not met will take into account all the relevant circumstances and be proportionate.

You can get information on these regulations from the *Regulation of Care (Scotland) Act 2001*, which is available from the Stationery Office Bookshop at a cost of £7.95 a copy. You can also see the Act on-line (see Annex B for the address).

You can also see the Scottish Statutory Instrument for the Regulation of Care Regulations 2002 on-line (see Annex B for the address).

Scottish Commission for the Regulation of Care: National Housing Support Care Standards

Informing and Deciding

Standard 1: You have all the information you need to help you decide about using the service.

1. You have an introductory pack, which clearly explains how the service works. Everything is written in plain English or in a language and format that is suitable for you. It should include:
 - The housing support service brochure.
 - How to use the service.
 - Any charges for the service, what these are and to whom you should pay them.
 - What is available in the housing support service.
 - How the quality of housing support service is monitored.
 - The complaints procedure.
 - A statement of your rights and responsibilities as a person who uses the housing support service.
 - Policies and procedures for managing risk and recording and reporting accidents and incidents.
 - The relevant policies and procedures of the housing support service.
 - The most recent Care Commission inspection report.
2. If you agree, your family, carer, friends, staff and managers will be involved in discussions with you.

Your Legal Rights

Standard 2: You will receive a written agreement, which clearly defines the service that will be provided to meet your needs. This will set out the terms and conditions for receiving the service, and arrangements for changing or ending the agreement.

1. You will have a copy of this written agreement in a format that you can understand.
2. You will be able to look at the Care Commission's inspection reports that relate to the housing support service.

Management and Staffing Arrangements

Standard 3: You experience good quality housing support. This is provided by management and staff whose professional training and expertise allow them to meet your needs. The service operates in line with all applicable legal requirements and best practice guidelines.

1. You can be assured that the provider has policies and procedures, which cover all legal requirements, including:
 - staffing and training.
 - 'whistle blowing'.
 - managing risk.
 - proper record-keeping, including recording incidents and complaints.
2. You can be confident that staff know how to put these policies and procedures into practice. They have regular training to review this and to learn about new guidance.
3. You can be confident that the staff providing your housing support have the knowledge and skills gained from the experience of working with people whose needs are similar to yours. If they are new staff, they are being helped to get this experience as part of a planned training programme.
4. You can be confident that all the staff use methods that reflect up to date knowledge and best practice guidance, and that the management is continuously striving to improve practice.
5. You know that the provider's staff and managers are all recruited and selected through a process which includes:
 - Taking up references.
 - Criminal records checks where required.
 - Cross-reference to the registers of the Scottish Social Services Council, the United Kingdom Central Council for Nurses, Midwives and Health Visitors (UKCC), or other professional organisations, where appropriate.
6. You can be confident that at all times the number of staff who are trained and who have the necessary skills will be sufficient to meet your housing support needs. The levels are agreed between the Care Commission and the provider.
7. You know that the service has a staff development strategy and an effective yearly training plan for all its staff.
8. You know that whenever staff are involved in any financial transaction, it will be carefully recorded. This will be done in a way that can be checked by the Care Commission.

Housing Support Planning

Standard 4: You will be fully involved in developing your personal plan and in any later reviews. You will receive copies of these that have been signed and dated by the housing support provider.

1. Your personal plan will set out the way the service is shaped to meet your needs.
2. Your personal plan will contain information about:
 - What you prefer to be called.
 - Who should be involved in reviewing of your care.
 - Any special communication needs you may have.
 - What communication arrangements need to be put in place if your first language is not English.
 - Any housing support you need to help you with financial or administrative arrangements.
 - When, and in what circumstances, friends, relatives, carers will be contacted.
 - Which other services must be contacted if there is an important change in your health or personal circumstances.
 - An independent person to contact if you want to make a complaint or raise a concern.
 - Who else is contributing to your support and care.
 - When the housing support is provided and who provides it.
3. You know how to change your personal plan for either planned or unplanned events (for example, going to hospital, or on holiday, or on a day out), or how to end your housing support service.
4. You can be confident the housing support service provider will check with you regularly (within three months of the service starting and at least once a year after that) that the service meets your needs that are identified in your personal plan.
5. You are told about any unexpected changes to your housing support as soon as possible.
6. You know about any changes to charges and how and when these will happen.
7. You know how to contact the housing support service provider if your housing support worker does not appear when you are expecting her or him.

Lifestyle – Social, Cultural and Religious Belief or Faith

Standard 5: Your social, cultural and religious belief or faith are respected by the provider in supplying the service. You can live your life in keeping with these beliefs.

1. You are treated as an individual with unique needs.

2. Staff will know what your social, cultural and religious belief or faith will mean for how you live your life.
3. Where necessary, you have help to take part in religious, cultural and spiritual activities.
4. Your sexuality is accepted and your legitimate sexual needs and preferences are viewed as being important to you.

Choice and Communication

Standard 6: You can be helped by housing support staff to make choices about the service that is provided and how it links to your personal and social life.

1. You are given good information about the choices that are available to you and the effect they will have on you. If you want, you can ask for an independent representative or for specialist advice.
2. You are free to carry out these choices unless any specific legal provision applies to you.
3. You can be confident that the housing support service provider has clear ways of communicating your wishes to your housing support staff so you do not have to repeat things.

Exercising Your Rights

Standard 7: You keep your rights as an individual.

1. Your personal plan explains your rights and responsibilities as a user of the service, and you know what is expected of you and what you can expect of housing support staff.
2. You will not suffer any form of abuse from housing support staff.
3. You have the right to confidentiality, unless any specific legal provision applies. Your personal plan explains how information about you will be handled and how your confidentiality will be protected.
4. You do not have to give the housing support provider any information, which is not essential for your housing support services. The housing support provider will tell you why they need information about you.
5. Your personal information will be kept secure and easily available to you and anyone else you want to be able to look at it.
6. Your housing support worker will respect your privacy when talking to you and when talking to other people living in or visiting your house.

7. Your housing support worker will not gossip about you, your home or your family.
8. You will have a housing support worker who will be your usual contact with the housing support service provider.
9. Your housing support worker will deal with your requests for help politely and quickly.

Expressing Your Views

Standard 8: You are encouraged and helped to make your views known on any aspects of the housing support service.

1. You know how to make a complaint or comment to the housing support provider about the service. You are also aware of the procedure for making complains directly to the Care Commission.
2. You do not have to give your name when you make a comment or complaint.
3. You will know how the housing support provider monitors the quality of support it offers.
4. You can be confident that the housing support service provider deals with concerns and complaints quickly and sympathetically, and provides full information about what will happen as a result of the complaint.
5. If you want, you are helped and supported to use an independent and confidential advocacy service that can act for you. Staff will have information about any service that would help you in this way.
6. If you have an independent representative (for example, an independent advocate), staff will listen to what she or he has to say on your behalf, as if you were expressing the views yourself.
7. You can play a part in the Care Commission's inspection of your service.
8. You know that the manager of the housing support service will make available a copy of each inspection report so that you and your representative can look through it.

Choosing to Leave or End the Service

Introduction to Standard 9

Choosing to leave or end the service should be a positive experience. You should be able to choose when to leave or end the service.

If choosing to end the service is to be successful, you must be able to take your time. You must be supported by the people around you.

Standard 9: You and the housing support service provider will plan and discuss how to end the service.

1. You will know about any action that is being taken (usually with your agreement) to end a contract, service or housing support arrangement.
2. You will have discussed ending your housing support service at your personal plan reviews.
3. Your housing support service provider will help you if you decide to use a different service.
4. You can end your housing support service after talking about this with your housing support provider.
5. You will know what will happen to any records that relate to you when the housing support service ends or changes. If your records have to be passed on to a new housing support provider, they will be complete and up to date, and will have been put together with your involvement and agreement.