

HOUSING CABINET MEMBER MEETING

Agenda Item 128

Brighton & Hove City Council

Subject: Choice Based lettings and Extra Care
Date of Meeting: 24th April 2009
Report of: Director, Adult Social Care and Housing
Contact Officer: Name: Karin Divall/Sylvia Peckham Tel: 29-4478
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Key Decision: No
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report explores how we could develop a model of allocation for extra care housing that provides transparency, addresses value for money, and meets the care and support needs of vulnerable people in the City within a framework of Choice Based Lettings.
- 1.2 Extra Care is a resource that meets the long term care needs of older people so that the assessment for and provision of social care is essential. However we also recognise the benefits of delivering extra care within Choice Based lettings, the approach adopted for the allocation of housing across the City.
- 1.3 Extra Care housing is funded through a mixture of housing, social care and supporting people funding streams and as such it is a specialist form of supported housing that is allocated based on social care needs. It is currently allocated following a social care; Fair Access to Care (FACS) assessment which is based on care and support needs rather than housing needs, although the person may be in housing need.
- 1.4 There are currently 33 extra care flats in the City managed by Hanover Housing that are available for rent, with a further 40 rented flats available at Patching Lodge from May 2009. Some of these properties are already committed to former tenants of Patching Lodge who were given an undertaking prior to decanting that they could return if they wished.

2. Recommendations

- 2.1 That the Cabinet Member endorse that Extra Care Housing should be allocated through Choice Base Lettings in line with the allocation of other affordable housing across the City

- 2.2 That the Cabinet Member endorse that all extra care vacancies are marked as such within the Homemove publications and are available only for people following an ASC assessment and confirmation that they meet ASC eligibility for extra care housing.

3.0 RELEVANT BACKGROUND INFORMATION

Choice Based Lettings

- 3.1 Choice Based Lettings (CBL) is the platform adopted by the Council through which to allocate properties based on housing need. Households are assessed under the Allocation policy and are awarded a Banding depending on their housing need and medical circumstances and a priority date depending on when they either applied to join the Housing Register or were re-assessed into a higher band.
- 3.2 Housing Management and partner RSLs advertise vacant properties and households bid for up to 3 each fortnight. The shortlist is drawn up on the basis of the household in the highest band with the earliest priority date having first been checked for eligibility i.e. if the property is for over 50s and a person under 50 bids on it.
- 3.3 We have explored whether Extra Care Housing could be incorporated into CBL in line with the legal framework for housing allocations. All authorities are required to introduce an element of choice in their allocations policy by 2010. This would provide improved transparency and is in line with increased choice and control for users of Adult Social Care services.

Extra Care Housing

- 3.4 Extra Care is a relatively new concept and has been promoted by the Department of Health as a more appropriate response to meeting the long term care needs of older people. What distinguishes it from sheltered or supported housing is the level of personal social care on site. The commissioning of the care and pathway have therefore been managed through Adult Social Care assessment and have come from all housing tenures. Extra Care housing is a “meeting point” for two historically different approaches.
- 3.5 Extra care Housing is currently allocated by Adult Social Care using the following criteria that tenants would usually:
- be ordinarily resident in Brighton & Hove, and
 - be over 55 years of age, and
 - be assessed as requiring support to maintain independent living that cannot be provided within their own homes, or
 - be *at risk* of being admitted to residential care, or
 - be currently living in residential care but able to live more independently, or
 - be leading an unacceptably poor quality of life with no prospect of improvement so long as they continue to live at home.
 - Should be willing to accept support and have a care plan.

4 PROPOSAL

4.1 Housing Strategy are reviewing the way both Sheltered Accommodation and Adapted Properties are allocated and are proposing that such properties are advertised through Choice Based Lettings with bidding being restricted to those households who have been assessed as needing that type of accommodation. This will safeguard households bidding for properties they do not need and will ensure better use is made of the stock.

4.2 Extra Care housing could also be allocated using the same procedures. When a unit becomes available it would be advertised with details as to the level of mobility and number of hours care that can be offered. Only those households who have been assessed as needing Extra Care accommodation* and need the level of care that matches that available unit, will be able to then bid for it. A shortlist will then produced of all eligible households who have been assessed as needing that type of accommodation will be produced and the accommodation offered accordingly.

* meeting Fair Access to Care Services (FACS) substantial or critical eligibility criteria and the extra care criteria

4.3 The development of this approach would bring additional benefits:

- People would be able to apply for extra care within Choice Based Lettings and an appropriate Adult Social Care assessment could then be arranged.
- Appropriate Adult Social Care assessments could be arranged so that people are properly supported when they move into sheltered or supported housing.
- The assessment process could be developed to include other specialist and supported housing currently managed within Housing Services.
- Involvement of Adult Social Care in the housing process would improve knowledge and therefore appropriate access for Adult Social Care service users into housing.
- The allocation of specialist housing would be transparent with fair and equal access to those who needed it.
- The system of allocation by Adult Social Care would be set within a publicly accessible system of housing allocation.

5. ISSUES

5.1 Housing Register

In order to be eligible for Homemove, people have to first register on the transfer or joint housing register and they will be allocated within a band

dependant upon their housing needs. Those households who need Extra Care housing will then be put forward to Adult Social Care for assessment if they haven't already been assessed under the existing arrangements. The assessment will establish that

- they do need Extra Care
- the level of mobility and number of hours care that they require.

When a vacancy within extra care is identified the care provider will advise Homemove and include the level of care that is available; low (less than 5 hours per week), medium (5-10 hours per week) or high (over 10 hours). This will then be advertised in Homemove, and people will be able to bid on those available Extra Care properties which meet their requirements. In this way, needs will be matched to accommodation. A shortlist will then be drawn up and the accommodation will be offered to the household whose care needs are banded at the available level (low, medium or high) with the highest housing need (who are in the highest housing band).

- 5.2 FACS.** In order to continue to maximise value for money and the appropriate use of extra care for people with levels of care and support that can best be met in extra care, prospective applicants will need to meet eligibility criteria for social care services and to have either had an assessment or for an assessment to be undertaken. This is unlikely to delay the letting of extra care flats as the assessment will need to be undertaken anyway before the flat can be offered.
- 5.3 Security of Tenure.** People in Extra Care Housing, have Assured Tenancies, the same as tenants in general needs permanent RSL housing. This means that the RSL are not able to move people on if the service user chooses not to move because they have security of tenure.
- 5.4 Other Benefits.** Other Local Authorities who have included Extra Care housing advertising in CBL have found that because they are able to more easily demonstrate the level of need for that type of accommodation, they have been successful in attracting additional funding to develop more units. It has assisted the whole planning and development process in being able to better identify need in the area.
- 5.6 Moving On.** When people are ready to move out of Extra Care Housing, which happens very rarely, they will apply to join the Housing Register and will be assessed according to their housing need. They will then bid on properties which are suitable for their need. In addition, their Housing options will be assessed so as to advise on the most appropriate option to enable them to move from Extra Care housing. If the providers of Extra Care become partners of CBL, then those tenants needing to move out can be treated as transfers.
- 5.7 Deposits.** Supporting People have recently agreed £100k set aside to be used as Deposit Guarantees to enable people ready to move on from supported housing to access private rented accommodation. It is confirmed that this would also cover those people ready to move on from Extra Care Housing.

6. CONSULTATION

6.1 None

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

The proposed model of allocation of extra care housing should produce efficiencies in the process, be delivered within the budget and support value for money through the delivery of extra care support

Finance Officer Consulted: Anne Silley

Date: 25.02.09

Legal Implications:

7.2 Each local housing authority is statutorily required to have an allocation scheme for determining priorities and as to the procedure to be followed in allocating housing accommodation. The Council has an allocation scheme – Choice Based Lettings. Local housing authorities must not allocate accommodation otherwise than in accordance with their scheme. The Council must afford all registered social landlords with whom they have nomination rights the opportunity to comment on changes to a scheme which constitutes a major change of policy. (section 167 (7) Housing Act 1996.) It is not considered that the proposed changes dealing with the allocation of extra care housing amount to a major change of policy.

The report recommends adopting a model of allocation for extra care housing which should enable the Council to meet the housing needs of older and disabled service users in a fair and transparent manner and utilising value for money principles. The allocation of such housing will be made in accordance with existing eligibility criteria which is a lawful and proper methodology for Councils to use in terms of meeting their statutory duties within available resources.

It may be necessary to ensure that appropriate support is given to vulnerable adults who are eligible for such housing in terms of using the bidding process to ensure that they do have unfettered access to this service. There are no other specific legal /human rights implications which arise from this report, in terms of community care legislation.

Lawyer Consulted: Liz Woodley/Hilary Priestley

Date: 25.02.09

Equalities Implications:

7.3 Extra Care Housing provides housing and care for some of the most vulnerable people in the City and enables people to live independently and securely with high levels of health and care needs.

Sustainability Implications:

7.4 Extra Care housing that has been newly developed in the City has been built to high standards of sustainability and in accordance with the City's policies.

Crime & Disorder Implications:

- 7.5 Extra Care housing provides a secure yet independent form of housing for vulnerable older and disabled people.

Risk and Opportunity Management Implications:

- 7.6 Failure to adopt the changes prescribed in the attached new Allocations Policy could render the Local Authority vulnerable to legal challenge.

Corporate / Citywide Implications:

- 7.7 This proposal will increase the choice of services available locally for people who need Extra Care Housing and so enable them to participate as equal citizens in the city of Brighton & Hove.

8. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 8.1 The alternative would be for the policy to remain as per the current policy. This however may leave the Local Authority open to legal challenge as Extra Care Housing would be allocated outside of the Council's adopted policy of Choice Based lettings.

9. REASONS FOR REPORT RECOMMENDATIONS

- 9.1 This decision is being sought so that extra care housing can be allocated in a transparent way which will prevent any potential for legal challenge in the future.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents In Members' Rooms

None

Background Documents

None