

Barnet Supporting People Commissioning Board

Eligibility Criteria For Supporting People Grant Funding

Policy Guidelines

Introduction

Supporting People Grant is allocated by the Department of Communities and Local Government to Barnet for the purchase of services providing *housing related support* for vulnerable people. The nature and types of support services that may be funded by Supporting People Grant are subject to statutory definition in the Supporting People Grant Conditions 2004 and in national guidance issued by the Department of Communities and Local Government.

The Grant Conditions are complex and there is significant provision for local discretion in their interpretation. This document sets out the policy of the Barnet Supporting People Commissioning Board and Barnet Council concerning local eligibility for Supporting People Grant funding. Its key purpose is to distinguish activities that are eligible for Supporting People funding from other types of services that must be paid for from other funding.

The distinction between “housing related support” and other forms of assistance such as advice, care and housing management that are ineligible for Supporting People grant funding is often difficult to make in practice. The same organisation may be responsible for providing both eligible and ineligible services or responsibilities may be shared between different organisations. In either case it is the responsibility of Barnet Council and Supporting People providers, to ensure that services are correctly attributed and funded in compliance with the national regulations and this Policy

Transitional Protection - Legacy Funded Services

Services that existed on 31 March 2003 and which became eligible for Supporting People Grant funding on expiry of legacy funding streams on that date continue to be eligible for funding whether or not they comply with this Policy until the date of completion of the first Supporting People service review. It is intended that all service reviews will be completed by 1 April 2006.

Although transitional protection is time-limited, it is accepted that there may be circumstances where service providers are unable to achieve full compliance with this Policy immediately following service review. This may be the case where a service that is ineligible under this Policy has been provided legitimately for many years and where cessation would create difficulty or distress for service users.

Supporting People service providers that are providing Supporting People-funded support that is or appears to be ineligible under this Policy should seek advice and guidance from the council's Supporting People Team

Housing Related Support - Summary Of Eligibility Criteria

Definition of Housing Related Support - *Support which is provided for any person for the purpose of developing that person's capacity to live independently in accommodation or sustaining his capacity to do so*

The Service User must:

- Have specific and identifiable vulnerabilities that renders her/him in need of the support service (Page 3)
- Be aged 16 or over and have an "interest" in the property where they are living or are moving to (Page 3-4)

The Support Service must

- be mainly intended to enable the Service User to manage their housing successfully in order to avoid homelessness and/or institutional admission (Page 4-7)
- provide either short term support intended to resolve specific immediate needs such as resettlement, or provide longer-term support intended to enable the service user to sustain maximum independence consistent with individual capacity (Pages 7-8)
- be provided in accordance with a formal Support Plan or Agreement with the Service User (Page 8)
- not include any activity that constitutes housing management (Page 8-9)
- not be provided in order to discharge a statutory duty owed to the Service User by a statutory body or to enforce an order of a Court (Page 9-11)
- not include any activity that constitutes health care, personal care or general social care (page 11-12)

Eligibility for Supporting People Grant Funding

Needs Assessment

Supporting People services are not open to the general public. They must be provided only to people who have been assessed as in need of support.

Each service must have a statement of criteria for admission to the service and a documented process for needs assessment

An assessment in each case may already have been made by the agency that has referred the person to the service but the service provider must carry out a further assessment concerning the person's need for support

Each service users' needs must be attributable to specific vulnerability. National guidance sets out the following examples:

- People with Mental Illness
- Single Homeless people with support needs
- Older people with support needs
- Young People at risk
- People with Learning Disabilities
- Women at risk of Domestic Violence
- Homeless Families with support needs
- People with Physical Disability / Sensory Impairment
- Teenage Parents
- People with HIV / Aids
- People with Drug Problems
- People with Alcohol problems
- Offenders and people at risk of Offending

Eligible Households

The services must be provided only to adults who have the capacity to hold an interest in housing. A service user may be a single person or a member of a household that includes other adults and/or children. Two or more vulnerable adults within the same household may be service users, each with a an individual support plan, linked as appropriate

Services cannot be provided directly to or for children, although support plans may include objectives concerning service users' children. The sole exception to this condition is set out in the Government's Supporting People Briefing Note 4 on Woman's Refuges which defines specific circumstances in which "childcare" might be eligible for Supporting People grant:

Housing Circumstances

The national Supporting People Grant Conditions require services to provide support that enables vulnerable people *to live independently in accommodation or sustaining (the) capacity to do so*. The services are consequently concerned with people who have rights and responsibilities in relation to the housing where they are living

Services may only be provided to people who:

- Hold a tenancy or licence of rented accommodation
- Are living in temporary accommodation provided by the council
- Are home owners
- Are living in someone else's home as a guest or family member and need support with accessing independent housing or in preparation for a planned move to independent housing

Support Activities

Supporting People grant is only payable for housing related support, which has been defined in statutory guidance as

Support services, which are provided for any person for the purpose of developing that person's capacity to live independently in accommodation or sustaining his capacity to do so.

When considering whether a service is eligible for Supporting People funding, the statutory guidance states that the key question is

Would this person be unable to move to more independent housing or be at risk of losing their home if this housing related support was not available?

The level of Supporting People grant allocated to Barnet is insufficient to meet the needs indicated by our Supporting People Needs Survey and by the local indices used in the national Distribution Formula currently in development.

Barnet's Supporting People Commissioning Board has therefore concluded that the key objective for Supporting People grant eligibility should be

Support to enable the individual to sustain their current accommodation or to move to more independent accommodation and not solely or mainly about the achievement of wider aims such as an improved quality of life.

Barnet will encourage service providers to deliver holistic support but as part of time-limited, person centred support planning that focuses on delivery of the core objective.

Eligible Expenditure - Overview

SPN Grant may be used to pay the costs incurred by the service provider in connection with:

- Employing support staff
- Managing and administering the support service
- Providing equipment used in order to deliver the support service
- The provision of community alarm services

Supporting People Grant may not be used to purchase:

- Accommodation for Supporting People service users
- The cost of adaptations to meet disability-related needs
- Furniture, equipment or household items for Supporting People service users
- The provision of meals for Supporting People service users
- Cleaning services for residents' own rooms
- Holidays or outings for Supporting People service users
- Gardening services for service users

Primary Activities

The primary purposes of Supporting People services will be to provide support with the following kinds of activities

Access to Housing

Support with

- obtaining housing
- obtaining adaptations or repairs
- choice based lettings bids
- applications for social housing
- moving home
- community or social alarms

Managing Tenancy Responsibilities

Support with

- Understanding tenancy conditions
- Paying rent and service charges
- Negotiating/complying with arrears payment plans
- Maintaining the home / reporting repairs
- Getting on with neighbours/ resolving disputes

- Cessation of nuisance behaviour

Managing the Home

Support with

- Getting furniture and appliances
- Utility connections and bills
- Using central heating and domestic equipment
- Domestic safety
- Cleaning
- Home security

Independent Living

Support with

- Benefit claims, budgeting, banking
- GP/dentist registration
- Sign-posting to other statutory, community and leisure services
- Shopping, food preparation, healthy eating

Secondary Activities

The following types of activity related to the well-being and personal development of service users will constitute secondary activities which may be provided only as part of a package of support which is mainly focused on the primary activities exemplified above. Services will not be eligible for Supporting People funding if they comprise only or mainly the following activities

Support with:

- Maintaining contact with services
- Personal hygiene and appearance
- Monitoring health and use of medication
- Access to training, education
- Applying for jobs, volunteering
- Use of leisure time
- Social networks
- Emotional support/befriending
- Avoidance of criminal or anti-social behaviour
- Non-specialist counselling

Occasional or Exceptional Activities

The following types of activities may only be provided on an occasional or exceptional basis:

- Shopping for service users
- Cooking meals for service users
- Completing forms for service users
- Managing service users' financial affairs
- Reporting repairs etc for service users
- Accompanying service users to day centres, medical appointments etc
- Prompting about medication
- Mediation between service users and their family
- Advice about relationships
- Advocacy and liaison on behalf of the service user

Ineligible Activities

The following types of activities are **ineligible** for Supporting People grant funding:

- Physical assistance with washing, bathing, toileting, feeding etc
- Therapeutic programmes e.g. concerning bereavement, abuse, relationships, substance misuse
- Childcare
- Intensive housing management e.g. issuing notices on behalf of the landlord, organising repairs or replacement of items provided by the landlord
- Supervision of court orders and probation programmes
- Provision of formal education
- Assessments on behalf of social services
- Statutory homecare or aftercare services

Duration of Support

Barnet's Supporting People Strategy intends the following three priorities for Supporting People grant investment

1 Short-term Services that offer help with specific practical tasks, normally for up to six months, for example, for people:

- who need help to tackle problems in managing their tenancies in order to avoid the risk of becoming homeless
- who are homeless and need help with finding accommodation or resettling into temporary accommodation or long term housing
- who need help to ensure that their housing is suitable, for example through support with problems such as repairs, adaptations or home security

2 Medium-term Services for up to two years to support more vulnerable people who:

- who have a history of tenancy breakdown and repeat homelessness
- who are moving on from high support accommodation after living in hospital or residential care

3 Long-term Services, normally funded jointly with statutory agencies such as social services, for the most vulnerable people who

- are able to live in the community but who have a limited capacity for independence without a package of care, supervision and support

There is a general expectation that the amount of support that is needed by service users will reduce over time as they achieve higher levels of independence, **unless** this is due to increasing age or infirmity.

This is particularly the case where the service is being offered to help service users to resettle from institutional living, residential care or high support settings. If the need for support does not decrease after a specified period this is likely to suggest that the type of support that was provided initially has changed, and that the level of Supporting People-funded support as a proportion of the total package of supervision, care and support should be reviewed.

Similarly, services intended to provide short-term support, for example for homeless people moving on from temporary accommodation, may find that a proportion of service users need longer-term support. Usually, the kinds of support needed in these circumstances will be different to those initially provided or intended. As a result, service providers should aim to clearly distinguish the different levels of support that may be being provided within a single service, and review their eligibility for Supporting People grant funding

Support Planning

The service to each individual service user must be the subject of a written Support Plan which:

- is jointly agreed with the service user
- has specific measurable objectives to be achieved by the service user
- identifies the responsibilities of the user and the provider
- Is time limited, with a timetabled review date

This requirement distinguishes Supporting People services from advice services, help-line services, and drop-in services, where relevant support may be provided but where there is no formal, person-centred support plan. It is not sufficient or essential for a support plan to set tasks for the support service itself - the key purpose of each plan is to set targets for the service user to maximise the capacity for independent living.

For short-term services, a support plan may be brief and contain limited specific objectives. Longer-term services should aim to use support planning to create a sequence

of objectives to build or sustain the capacity for independence. It is not sufficient for support planning to be used simply to monitor the well-being of vulnerable people, deal with occasional enquiries and ensure intervention in a crisis

Exclusion of Housing Management Services

Most Supporting People service users hold tenancies either in the social housing or private sectors. Often, the landlord and the Supporting People provider may be the same organisation or the Supporting People provider may originally have been commissioned by the landlord.

However, Supporting People funding cannot be used to pay for housing management services and it is therefore necessary for Supporting People services to demonstrate that other, separately funded housing management arrangements are in place where there is a risk of overlap.

Housing Management in this context includes the following tasks:

- Setting, collecting and accounting for the rent and service charges
- Establishing, issuing and enforcing the licence or tenancy agreement
- Organising the inspection, repair, improvement or replacement of the property or the contents supplied by the landlord
- Organising the provision of any accommodation-related services
- Security services for the purposes of the protection of the building and associated property

These are all landlord functions to be paid for from rent income or other funding sources, and as such are ineligible for SPG funding, although sometimes they will be carried out in conjunction with other activities that are eligible.

Distinguishing Housing Management and Housing Related Support

The activities listed above are straightforward housing management functions that all landlords will generally need to carry out in respect of all tenancies. Other kinds of activity are less easy to distinguish from housing related support.

Services that may be determined as housing management or housing-related support depending on the context include such activities as:

- assisting residents to reduce their rent arrears
- ensuring that they know how to safely use equipment
- providing advice on and facilitating a move to alternative accommodation.
- the selection of people for vacancies in supported housing

If these kinds of services are open to all tenants of a particular landlord or for all tenants living in a particular area or estate, then they would be regarded as housing management. However, if provided as part of a package of assistance directed at specific groups of “vulnerable” people, then they could be classified as housing-related support.

Such assistance is always classified as housing-related support in supported housing services, on the assumption that such services operate selection criteria intended to limit access to specific vulnerable people with support needs.

Exclusion of Statutory Duties

Supporting People Grant Conditions rule as ineligible any services that involve the provision of

- *services by the administering authority in satisfaction of a statutory duty placed on that authority :*
- and
- *services to enforce specific requirements imposed by a court of law :*

This would preclude SPG funding for any services for adults which are intended to discharge a statutory duty under community care legislation and for young people under the terms of the Leaving Care Act.

Key exclusions are as follows:

Chronically Sick and Disabled Persons Act 1970 (Section 2 Para 1)

NHS Act 1977

NHS and Community Care Act 1990

Activities that are ineligible because they are provided in discharge of statutory duties under health/social care legislation are likely to also be ineligible because they constitute health/ care services precluded under xx below

In particular the following activities are ineligible for Supporting People funding if carried out in consequence of statutory duties under health/social care legislation:

- Carrying out statutory needs assessments
- Providing home help or other practical assistance in the home
- assistance to take advantage of educational or leisure facilities
- Organising, facilitating and accompanying service users on outings or holidays
- Transporting service users or providing other assistance (e.g. accompanying them) to enable them to make use of services outside the home.
- Providing meals
- Assisting service users to make adaptations or improvements to their home.

Section 117 of Mental Health Act - the support service should not be used to discharge the statutory duty on health and local authorities to provide aftercare services following discharge after detention in hospital under that Act. This could include the establishment of a care coordinator, social work support and domiciliary services

Service users who have been discharged under Section 117 of the Mental Health Act 1983 can be eligible to receive services funded under Supporting People. However they should also receive social care or health services that are provided or commissioned by health or social services to meet their duty to provide after care services. It should never be the case that an individual is only in receipt of Supporting People services. If the Supporting People service provider is commissioned to provide s117 after care services, these must be paid for separately by the relevant s117 service commissioner

Criminal Justice Requirements - SPG cannot be claimed to pay for the supervision by the support service of any orders issued by a court such as a curfew, condition to reside, electronic tagging, drug treatment and testing orders, or specific programmes.

Children (Leaving Care) Act 2000 – Supporting People grant funding cannot be used to provide support for young care leavers aged 16/17 years. Supporting People services may however be purchased for individuals by the local authority Leaving Care Team

Homelessness Legislation - Supporting People grant cannot be used to discharge the statutory duty to provide accommodation but may be used to provide support services to people who have been accepted as a priority need under homelessness legislation.

Exclusion of Health and Care Services

Supporting People Grant cannot be used to fund Health or Care services. If Supporting People providers, are commissioned by statutory health or social services to provide such services, they must be paid for separately from the Supporting People-funded support service

Activities that are ineligible because they constitute health or care services are also likely to be ineligible because of the preclusion of services provided in discharge of statutory duties under health/social care legislation, as summarised above

Definition of Care Services

The Department of Health has defined the following four levels of “care”

- Level 1 -assistance with bodily functions such as feeding, bathing, and toileting
- Level 2 -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
- Level 3 - 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
- Level 4 - emotional and psychological support, including the promotion of social functioning, behaviour management, and assistance with cognitive functions

Personal Care

Level 1 and 2 constitute “personal care” which is ineligible for SPG grant funding in all circumstances

Social Care

Level 3 & 4 offer a working definition of “Social Care”, although this term is never explicitly defined by the Department of Health.

Level 3 falls outside the scope of Supporting People services and represents activities that are normally ineligible for Supporting People funding. It may nevertheless be necessary for an Supporting People service to provide certain types of Level 3 activity on an occasional or exceptional basis, for example advice and encouragement to take a bath. However, it would never be appropriate for a Supporting People provider to undertake Level 3 activities in relation to the supervision of basic bodily functions, such as being present while someone takes a bath.

Level 4 can constitute housing-related support where the purpose of the service is to provide support with developing or maintaining independence in accommodation

Health Care

Health care services cannot be funded by Supporting People grant. Examples include:

- the administration of medication, including storing and issuing prescribed medication to service users
- specialist counselling and therapy services, intended to address issues outside the scope of housing related support and provided by professionally qualified staff

If Supporting People providers are commissioned by health or social care agencies to provide such services they must be funded separately from the Supporting People support service

Sleep-in Cover

The costs of providing support staff operating sleep-in cover may be admissible, providing that this form of support is not provided in discharge of statutory duties owed following assessment under health/community care legislation. Where there is no such professionally assessed need for sleep-in cover, it will be necessary for the support provider to justify the need for the service and to distinguish it from the provision of a building security service provided as part of the landlord's housing management functions

Occasional or Exceptional Services

The Supporting People Grant Conditions allows Supporting People Grant to be used to fund “*other welfare services*” (i.e. those that fall outside of the definition of housing-related support) if they are “occasional” and if they are “ancillary to housing-related support services”.

Activities that are excluded from the definition of eligible Supporting People services may nevertheless be provided on an occasional or exceptional basis, for example, helping with shopping during acute illness. However, such services cannot be provided as part of Supporting People-funded support:

- where they meet a frequently recurring need experienced by an individual
- where it was known from the outset of the service to the individual that they would need to be regularly provided
- where they are regularly and consistently needed by all or most service users
- where they represent a significant proportion of overall support service time

Barnet Supporting People Programme - Eligibility Table

This Table provides a summary of examples of activities that are eligible for Supporting People funding and those that are ineligible. The distinctions can be complex in practice and the Table must therefore be read in conjunction with the accompanying local document "Eligibility Criteria for Supporting People Grant Funding - Policy Guidelines"

ELIGIBLE ACTIVITIES	INELIGIBLE ACTIVITIES	
Housing Related Support	General Social Support, Personal Care, Housing Management	
	Allowable only on an exceptional, occasional or temporary basis providing that they are not a statutory responsibility	Ineligible in all circumstances
Key forms of support delivery as part of a Support Plan agreed with each service user		
<ul style="list-style-type: none"> • Enablement, motivation, encouragement, information, advice, guidance, advocacy, sign-posting 		<ul style="list-style-type: none"> • Regularly or routinely managing service users' affairs or carrying out tasks on service users' behalf • Providing advice advocacy and support on an ad hoc basis without a formal support plan
<ul style="list-style-type: none"> • Assessment of service users' needs for housing related support • Help with applications and referrals to Supporting People services • Help with translation and interpretation to enable delivery of the Supporting People service • Liaison with other agencies to ensure service users receive the services they need to maintain independent living • Monitoring health and well-being for the purposes of signposting or alerting other services • Managing incidents and risks 		<ul style="list-style-type: none"> • Statutory Assessments on behalf of social services, health or housing • Activities undertaken in discharge of statutory duties to provide aftercare or community care
<ul style="list-style-type: none"> • Providing community alarm and telecare services • Management of handyperson services 		<ul style="list-style-type: none"> • Purchase and installation of equipment • Carrying out the duties of a handyperson

Help in Setting up a Home		
Support with <ul style="list-style-type: none"> • obtaining suitable housing • applications for social housing, choice based lettings bids • obtaining disability related adaptations • obtaining furniture and appliances • arranging connection to utilities 	<ul style="list-style-type: none"> • Filling in forms for service users • Contacting agencies on behalf of service users 	<ul style="list-style-type: none"> • Costs of providing and maintaining housing accommodation, facilities, furniture and equipment • Costs of rent deposits / rent guarantees etc for private rented tenancies
Help with maintaining a home or tenancy		
Support with <ul style="list-style-type: none"> • Understanding and complying with tenancy / mortgage agreements etc • Paying rent and service charges • Negotiating/complying with arrears payment plans • Reporting repairs • Getting on with neighbours/ resolving disputes • Cessation of nuisance behaviour 		Housing management activities e.g. <ul style="list-style-type: none"> • Rent collection and accountancy • Issuing notices on behalf of the landlord • Organising repairs or replacement of items provided by the landlord • Regularly and routinely reporting repairs etc for service users • Gardening services • Security staff
Help to increase or maintain daily living skills		
Support with <ul style="list-style-type: none"> • Making benefit claims, budgeting, maximising income • Paying bills, arranging direct debits etc • Shopping, food preparation, cooking, healthy eating • Appropriate use of medication • Using central heating and domestic equipment safely and economically • domestic safety • Keeping the home clean • Keeping the home secure 	<ul style="list-style-type: none"> • Managing service users' financial affairs • Paying rent and bills for service users • Regular or routine accompaniment to day centres, medical appointments etc • Shopping for service users • Purchasing and cooking meals • Locking windows and doors for service users • Storing and dispensing medication 	<ul style="list-style-type: none"> • Any form of personal care including physical assistance or supervision of washing, bathing, toileting, feeding etc • Administration of medication • Statutory homecare or aftercare services • Childcare • Laundry services • Cleaning services for residents' own rooms; (unless THB funded on 31.3.03)
Help with access to other services		
Support with <ul style="list-style-type: none"> • GP/dentist registration • Access to training, education and employment • Accessing cultural or religious resources • Accessing and maintaining contact with other health, social or community services 		<ul style="list-style-type: none"> • Provision of formal education • Operating employment placement services • Provision of day-centre services

Other activities		
<ul style="list-style-type: none"> • Support in building social networks • Emotional support/befriending • Support with avoidance of criminal or anti-social behaviour • Non-specialist counselling. 	<ul style="list-style-type: none"> • Mediation between service users and their families 	<ul style="list-style-type: none"> • Supervision of court orders and probation programmes e.g. monitoring of curfews • Therapeutic programmes e.g. concerning bereavement, abuse, relationships, substance misuse • Organising and accompanying service users on holidays social outings etc