

# Public Document Pack

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11 January 2019

Dear Member,

## **Health and Adult Social Care Select Committee - Wednesday, 16 January 2019**

Please find enclosed the following documents for consideration at the meeting of the Health and Adult Social Care Select Committee on Wednesday, 16 January 2019 which were unavailable when the agenda was published.

### **Agenda Item No. 4**

#### **4. Responses to Recommendations (Pages 3 - 18)**

b – omitted in error

c – Delayed to cover comments made via the call-in request and Member Day on 9 January.

Please also note that the following information was omitted from the agenda front sheet for item 7 in error: -

Report by the Chief Executive and Director Strategy & Development of South East Coast Ambulance Service NHS Foundation Trust (SECAmb).

The report updates the Committee on SECAmb's recent Care Quality Commission report, performance and other issues relevant to West Sussex.

Yours sincerely

Tony Kershaw  
Director of Law and Assurance

**To all members of the Health and Adult Social Care Select Committee**

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**Amanda Jupp**  
Cabinet Member for Adults and Health

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Bryan Turner  
Chairman of the Adults and Health  
Select Committee

21 December 2018

Dear Bryan

**Re: The Adult Social Care Improvement Programme - beyond 100 days**

Thank you for the opportunity to discuss the adult social care improvement programme, Beyond 100 Days, at the Health and Adult Social Care Select Committee on 15th November 2019.

It is positive to note the support from the Committee for both the draft vision and strategy and the three year improvement programme. We have a lot to achieve to improve the adult social care offer to West Sussex residents within a challenging set of circumstances and I welcome the Committee's support with this.

With reference to the Committee's specific recommendations which were to ensure the programme is resourced appropriately, pursue a joint commissioning agenda and focus on the reduction of social isolation as well as social prescribing initiatives, these have all been taken on board and will form part of the planning for the Improvement Programme.

The Committee also requested the enclosed additional information:

- A copy of the latest Safe Indicators Performance information which sets out the backlog and the progress in these areas.
- The evaluation of the innovation sites.
- A copy of a report on the recruitment and retention for social workers and occupational therapists to the end of November 2018 which provides trend data for the previous twelve months.

I hope that this information answers the queries raised by the Committee but should any further clarity be required, please do not hesitate to let me know.

Yours sincerely,

A handwritten signature in black ink that reads 'Amanda Jupp'.

Amanda Jupp

Cabinet Member for Adults and Health

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**Amanda Jupp**  
Cabinet Member for Adults and Health

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Bryan Turner  
Chairman of the Health and Adult  
Social Care Select Committee

11 January 2019

Dear Bryan,

### **Strategic Budget Options 2019/20**

Thank you for forwarding the recommendations of the Health and Adult Social Care Select Committee meeting of the 12<sup>th</sup> December 2018. At this meeting the Committee considered the Adults' Services Strategic Budget Options 2019/20, including housing related support, the local assistance network and the minimum income guarantee for working age adults.

I have taken into account both the extensive consultation feedback and the Committee's recommendations when making these decisions. As the Committee is aware the Council faces an increasingly difficult budget position which necessitates that spending is focused primarily on supporting County Council statutory duties and the prevention of demand for such services.

As you will recall, under the Homelessness Reduction Act 2017 which was implemented in April 2018, the district and borough councils, as housing authorities, are obliged to update their Homelessness Reduction Strategies and I would like to reassure the Committee that I am keen to continue close working with the district and borough councils on this and to ensure a coordinated strategy for the County. There is funding available through this pathway and the County Council can assist with applying for this. A county-wide approach is also encouraged under the Act as other related and impacted services, such as social care, are delivered at county level. With this in mind, I wish to continue the engagement that took place during the consultation with stakeholders and providers so that maximum benefit can be gained for those in need of our co-ordinated help and support. Please see the attachment which gives more detail of the Homelessness Reduction Act 2017.

**a) Housing Related Support/Local Assistance Network**

The Health and Adult Social Care Select Committee's recommendations mirror those set out in a report presented by the district and borough councils during the consultation period. These proposals put forward by the district and borough councils had already been considered and reflected within the proposed decision.

The majority of these recommendations will be responded to through the approach to the implementation period. The exception to this is the request for a twelve month moratorium and I will outline my consideration of this issue as it relates to each decision.

**Housing Related Support** - The recommendation to delay the implementation until 2020/21 had previously been made and fully considered during the review of the consultation and the work with provider partners. The expressed concern around the ability to remodel services within the timescale is understood. I had already responded positively to the request by extending the timetable for the changes by six months, but I could not see good grounds to extend it further. I believe the progress made during the consultation period is testament to the ability of the partners to work constructively within this timeline.

The approach to the impact assessment is to address the plans and consequences of options within the work we must now do within the specific service areas and the review of current arrangements. Only by working together in this way on a shared objective can we understand and manage impact on other services and demand pressures. Working on impact as a discrete piece of theoretical planning would not be effective. Having considered this during the consultation process, each service and contract review area will be looked at individually so that the Council and its partners can continually review the viability of the change plan and implementation timetable. Implementation can be adjusted case by case as required. It is not felt that a general delay for all changes can be justified. Most issues should be resolved within the timetable set out in the decision report. To add additional assurances, the Council will be carrying out a period of continuous review from January to September 2019 to address the underlying concerns regarding the timescale for the implementation of the contracts. I am sure that the Committee will wish to see the progress of this work.

**The Local Assistance Network (LAN)** - The rationale for this delay was expressed in terms of the challenging time scale for the development of commissioning plans, letting of contracts, as well as the impact on staff working within the sector. However, in the case of the LAN, providers are not contract-based. This is an annual grant which can be used for the procurement of goods and services to relieve need. In contrast with the consultation on funding for Housing Related Support, the proposals for LAN have reflected a greater degree of clarity as the consultation has been on the basis of a clearly identified budget of £200,000 (with effect from 2019/20) since the outset of the process in September 2018.

Whilst accepting that the reduction in funding available represents a very serious challenge it should be acknowledged that, by April 2019, providers will have had seven months in which to adjust their operations in the light of the reduced

funds available. It is therefore not proposed to offer a moratorium and I have consequently not accepted this proposal.

**b) Minimum Income Guarantee for Working Age Adults**

The recommendation to consider implementing a transition period was explored at the Committee's request. Contextually the County Council has worked over many years to protect Adult Social Care Services budgets and consistently set a minimum income guarantee over and above statutory requirements for these customers. Adult Social Care budgets continue to be protected, but in a time of financial rigour and a growing demand for services then the discretionary elements, i.e. those local decisions which are over and above the statutory offer, need to be reviewed.


Following further consideration, the request for a transitional arrangement has not been agreed due to the following factors:

- There is a potential to increase the inequity in the system between new and existing customers and customers of different ages.
- The exact contribution is based on individual assessment and means tested on ability to pay.
- Contributions will not reduce the amount of income an individual has below a statutorily set minimum level.
- There would be an increase in cost to the Council to collect this income as the adjustments would need to be undertaken manually.

As part as the response to call-in I note members' comments regarding the final decision and the impact assessment. As explained above this assessment work will continue to inform the joint work on future plans and impacts will be mitigated where feasible as part of the implementation process. I will be happy for the work to be shared with the Committee

I would like to thank the Committee for its consideration of these issues and the detailed feedback it has provided through this process and please be assured that I will continue to work with stakeholders and providers to ensure we find the best solution for those concerned.

Yours sincerely



Amanda Jupp

Cabinet Member for Adults and Health

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## **Homelessness Reduction Act 2017: new responsibilities**

In addition to existing statutory duties, from April 2018 **housing authorities must:**

- **Extend the period of prevention duty.** Housing authorities should extend the period during which they offer help to those *threatened with homelessness* to 56 days (this has increased from 28 days). They must also help to prevent homelessness among any UK citizen or person with the right to reside who is at risk of homelessness, regardless of priority need even if they are intentionally homeless.
- **Extend the period of relief duty.** Housing authorities must extend the period during which they *offer assistance to people experiencing homelessness* to 56 days. They must offer assistance to any UK citizen or person with the right to reside and who is homeless, regardless of priority need<sup>1</sup> even if they are intentionally homeless.
- In addition to their existing statutory duties, certain public bodies<sup>2</sup> including: prisons, hospitals, job centres and councils with responsibility for social services will have a **duty to refer** those they come into contact with who are at risk of homelessness to housing authorities.

## **Homelessness review and strategy**

Every housing authority must:

- Carry out a homelessness review; and
- Formulate and publish a homelessness strategy based on that review. Housing authorities are required to publish a new homelessness strategy, based on the results of a homelessness review at least every five years. 'Excellent' authorities had been exempted from this requirement, however, this was revoked by the Local Audit and Accountability Act 2014, and all housing authorities are required to publish homelessness strategies as of 1 April 2017.<sup>3</sup>

## **Homelessness review<sup>4</sup>**

The homelessness review underpins the housing authority's Homeless Strategy. The review is an assessment by the local housing authority of the levels, and future levels, of homelessness and the activities which are carried out, or contribute, to:

- Preventing homelessness;

<sup>1</sup> This includes those who in the past were not considered as being in priority need – typically single adults without children.

<sup>2</sup> For a full list see Annex D

<sup>3</sup> <https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-2-homelessness-strategies-and-reviews>

<sup>4</sup> Shelter [https://england.shelter.org.uk/\\_data/assets/pdf\\_file/0007/1494871/Homelessness\\_HRA17\\_Implementation\\_Briefing\\_FINAL.pdf](https://england.shelter.org.uk/_data/assets/pdf_file/0007/1494871/Homelessness_HRA17_Implementation_Briefing_FINAL.pdf)

## Agenda Item 4

- Ensuring accommodation is available for people who are or may become homeless; and
- Providing support for people who are or may become homeless, or who need support to prevent them becoming homeless again.

The review needs to take account of the resources available to the housing authority, the social services authority, other public authorities, voluntary organisations and any other people who carry out or contribute to these activities.

Once the review is completed, the results must be made available for public inspection without charge, and copies made available on payment of a reasonable charge.

A Statutory Code of Guidance for local authorities in relation to the range of statutory homelessness functions published by MHCLG and last updated in February 2018 provides a comprehensive overview of the legislation and offers guidance to which all authorities must have regard when exercising their functions relating to people who are homeless or at risk of homelessness.

[https://assets.publishing.service.gov.uk/media/5a969da940f0b67aa5087b93/Homelessness\\_code\\_of\\_guidance.pdf](https://assets.publishing.service.gov.uk/media/5a969da940f0b67aa5087b93/Homelessness_code_of_guidance.pdf)

### Homelessness strategy<sup>5</sup>

All housing authorities must have a Homelessness Strategy. This must be renewed every five years, but can be reviewed and published more frequently if circumstances change.

#### *Why the 2017 Act means HAs need to refresh their homelessness strategy*

Housing authorities are encouraged to **involve all relevant partners** in developing a strategy that involves them in earlier identification and intervention to prevent homelessness. For a homelessness strategy to be effective, housing authorities should ensure that it is **consistent with other local plans** and is developed with, and has the support of, all relevant local authority departments and partners. Corporate and partnership involvement in identifying strategic objectives will help to ensure all relevant departments and agencies are committed to supporting their delivery. **A county-wide approach will be particularly important in non-unitary authorities**, where housing and homelessness services are provided by the district authority whilst other key services, such as social services, are delivered at the county level. **Housing authorities may wish to collaborate to produce a joint homelessness strategy covering a sub-regional area.**

Each local authority has a duty under the [Health and Social Care Act 2012](#) to take such steps as it considers appropriate for improving the health of the people in its area. This includes people experiencing homelessness or at risk of homelessness. **Housing authorities should ensure that their homelessness strategy is co-ordinated with the Health and Wellbeing Strategy, and that their review of homelessness informs and is informed by the Joint Strategic Needs Assessment.**

Housing authorities **must consult public or local authorities**, voluntary organisations or other persons as they consider appropriate before adopting or modifying a homelessness strategy. Housing authorities will also wish to consult with service users and specialist agencies that provide support to homeless people in the district. [Section 3\(4\)](#) provides that a housing authority cannot

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<sup>5</sup> For further detail see: <https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-2-homelessness-strategies-and-reviews>

include in a homelessness strategy any specific action expected to be taken by another body or organisation without their approval.

Where the social services authority and the housing authority are different authorities, section 1(2) of the 2002 Homelessness Act requires the social services authority to give the housing authority such assistance as may be reasonably required in carrying out a homelessness review and formulating and publishing a homelessness strategy. **Since a proportion of people who are homeless or at risk of homelessness are likely to have social care needs or have children in their care, it will always be necessary to seek assistance from the social services authority to formulate an effective homelessness strategy.** In two-tier authority areas it will be necessary to engage the upper tier authority, which will have responsibility for commissioning housing related social care services in identifying resources available to meet support needs across all cohorts that are at high risk of homelessness.

Annex A provides a table that sets out the published positions of each West Sussex District and Borough with regard to undertaking a homelessness review and publishing a homelessness strategy.

Annex A Current status of West Sussex Housing Authorities' Homelessness Reviews and Strategies: published documents

| Housing Authority           | Last Homelessness Review | Homelessness Strategy?   | Summary   | RAG |
|-----------------------------|--------------------------|--|---|-----|
| Adur & Worthing Councils    | 2017                     | <a href="#">Adur and Worthing Community Homelessness Strategy 2017 - 2022</a> in place.                                    | <ul style="list-style-type: none"> <li>• 3 Priorities:                             <ul style="list-style-type: none"> <li>○ <b>Priority 1 - Maximising opportunities to prevent homelessness through an enhanced housing options provision</b> by building resilience in the community by increasing the opportunities individuals and families have to access advice and assistance to prevent homelessness.</li> <li>○ <b>Priority 2 - Creating strong partnerships to tackle homelessness.</b> Identify those at risk of homelessness as early as possible and work with them to remove or reduce this risk. This requires more agencies being involved in identifying the risk of homelessness among those they support and work collaboratively to manage such risk.</li> <li>○ <b>Priority 3 - Reduce the risk of single people sleeping rough.</b> Eliminate the need for anyone discharged from an institution needing to sleep on the streets and reduce the risk of vulnerable people sleeping rough.</li> </ul> </li> <li>• Reflects the changes in the Homelessness Reduction Act, but no reference to amended statutory guidance</li> <li>• Developed and overseen via the Adur and Worthing Homelessness Forum</li> <li>• Identifies the strategy contributes to the West Sussex Joint Health and Wellbeing Strategy</li> </ul> |     |
| Arun District Council       | <a href="#">2011</a>     | No current strategy. <a href="#">Arun Housing Services Homelessness Strategy 2012 - 2016</a> expired, and is under review. | <ul style="list-style-type: none"> <li>• No current strategy</li> <li>• Does not reflect the Homelessness Reduction Act requirements or amended Statutory Code of Guidance</li> </ul>   |     |
| Chichester District Council | <a href="#">2015</a>     | <a href="#">Chichester District Council Homelessness Strategy 2015 - 2020</a> currently in place.                          | <ul style="list-style-type: none"> <li>• 5 key objectives:                             <ul style="list-style-type: none"> <li>○ Develop the tools to increase choice for customers and to prevent homelessness.</li> <li>○ Assist households to resolve their housing issues</li> <li>○ Implement a policy framework that prioritises homelessness prevention.</li> <li>○ Review the provision of temporary accommodation.</li> <li>○ Ensure that appropriate support is available for vulnerable groups (assumes delivery via WSCC supported housing contracts).</li> </ul> </li> <li>• Does not reflect the changes in the Homelessness Reduction Act and</li> </ul>  |     |

|                             |                      |  |   |  |
|-----------------------------|----------------------|--|---|--|
|                             |                      |  | amended Statutory Code of Guidance  |  |
| Crawley Borough Council     | <a href="#">2014</a> | <a href="#">Crawley Borough Council Homelessness Strategy 2014 - 2019</a><br>currently in place  | <ul style="list-style-type: none"> <li>• 4 Strategic objectives: <ul style="list-style-type: none"> <li>○ Provision of advice, prevention of homelessness and broader services</li> <li>○ Supply of affordable housing</li> <li>○ Temporary accommodation</li> <li>○ Discharging the homelessness duty</li> </ul> </li> <li>• Does not reflect the changes in the Homelessness Reduction Act and amended Statutory Code of Guidance</li> </ul>  |  |
| Horsham District Council    | 2013?                | No current strategy.<br><br><a href="#">Horsham Housing Strategy 2013 - 2015</a><br><br>(Annual Review 2016 - 2017)<br><br><a href="#">Horsham Homelessness Prevention Action Plan 2013 - 2015</a><br><br><a href="#">Horsham Homelessness Prevention Plan update - 2014</a> | <ul style="list-style-type: none"> <li>• No current strategy</li> <li>• Does not reflect the changes in the Homelessness Reduction Act and amended Statutory Code of Guidance</li> </ul>  |  |
| Mid Sussex District Council | 2016                 | <a href="#">Mid Sussex District Council Homelessness Strategy 2016 - 2021</a>  | <ul style="list-style-type: none"> <li>• 4 Strategic objectives: <ul style="list-style-type: none"> <li>○ Prevent homelessness wherever possible</li> <li>○ Tackle homelessness amongst specific vulnerable groups</li> <li>○ Engage with landlords to maximise access to private rented sector accommodation</li> <li>○ Minimise the use of temporary accommodation where possible</li> </ul> </li> <li>• Strategy pre-dates the Homelessness Reduction Act, but adopts a similar approach.</li> </ul> |  |

## Agenda Item 4

### Annex B. New burdens funding

To cover the additional costs to housing authorities of these new statutory duties Government has announced £72.7M of new burdens funding over a three-year period.<sup>6</sup> This is broken down as follows:

- Duties to help secure accommodation: £35m
- Duty to provide advisory services: £10.6m
- Right to request a review: £0.8m
- Suitability of accommodation: £10.3m
- Providing accommodation for cases being reviewed: £7m
- Providing assessments and personalised housing plans: £9m

**Three-year new burdens funding within West Sussex breaks down as follows<sup>7</sup>:**

| Local authority    | New burdens funding over three years (2017/18 – 2019/20) |
|--------------------|--|
| Adur               | £85,697  |
| Arun               | £204,854   |
| Chichester         | £113,386   |
| Crawley            | £146,658   |
| Horsham            | £99,518  |
| Mid Sussex         | £82,707  |
| Worthing           | £139,931   |
| <b>West Sussex</b> | <b>Total: £872,751</b>                                   |

The full new burdens assessment can be found [here](#)

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<sup>6</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/652195/New\\_burdens\\_allocation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/652195/New_burdens_allocation.pdf)

<sup>7</sup> Methodology for breaking New Burdens funding down by region = sum of the cost in that region divided by sum of the cost in England, = % of funding that region receives.

## **Annex C. Definitions**

### **Homelessness definition**

A person is homeless if they have no accommodation available for their occupation. A person is also homeless if they have accommodation but are unable to secure entry to it or it consists of a moveable structure, vehicle or vessel designed or adapted for human habitation and there is no place they are entitled or permitted to place it and reside in it<sup>8</sup>.

### **Prevention duty – what it means**

The 56-day prevention duty supports those who are threatened with homelessness. During this period the housing authority aims to help people to sustain their current accommodation, resolving any issues with landlords or family and supporting clients to address financial or behavioral issues that may be putting their accommodation at risk.

### **56-day relief duty – what it means**

A 56 day period during which housing authorities help those who are homeless to secure suitable accommodation.

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<sup>8</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/683009/New\\_bu\\_rdens\\_assessment\\_DTR.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683009/New_bu_rdens_assessment_DTR.pdf)

#### **Annex D: Which public authorities have the duty to refer?<sup>9</sup>**

The following services will be required to refer service users they consider may be homeless or at risk from October 2018:

- Prisons (public and private);
- Youth offender institutions;
- Secure training centres;
- Secure colleges;
- Youth offending teams;
- Probation services (community rehabilitation companies and national probation service);
- Jobcentre Plus;
- Accident and emergency services provided in a hospital;
- Urgent treatment centres;
- Hospitals in their capacity of providing in-patient treatment; and
- Social services authorities.

The Secretary of State for Defence is also subject to the duty to refer in relation to members of the regular forces. The regular forces are the Royal Navy, the Royal Marines, the regular army and the Royal Air Force.

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<sup>9</sup> For full detail see

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/682995/Final\\_Duty\\_to\\_refer\\_policy\\_factsheet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/682995/Final_Duty_to_refer_policy_factsheet.pdf)



**Annex E. Duty to refer - summary of new responsibility on social services authorities.**

On the 1st October 2018 the duty to refer came into force. Social services authorities are likely to have a high level of interaction with individuals who are homeless or at risk, and will be required to refer (with consent) service users they consider may be homeless or threatened with becoming homeless within 56 days to a local housing authority.

Housing Authorities and social services authorities will work together to design the process for making and receiving referrals in each local area. In practice, it is likely that the duty to refer will be built into existing social services assessment processes or safeguarding and early help arrangements. The duty does not make further requirements beyond processing a referral to a housing authority. Referrals should be made if the authority finds that a household is homeless or at risk of homelessness during the course of their own activities.

The duty to refer will be a small addition to existing duty that social services authorities have to assist the housing authority, to ensure that Children's and Adult Services are working together with housing at an earlier point to prevent homelessness rather than at the point of crisis. Due to these existing duties, many housing authorities already have strong partnership arrangements and protocols with children services and adult social care. The duty will ensure that an individual's homelessness is always considered when they come into contact with wider support services within the local authority.

The Homelessness Reduction Act means that early referrals into the support process should prevent or relieve a family's homelessness sooner. This should stop them from needing to proceed to the main housing duty - at which point intentionality does become a consideration and there becomes a possibility that children services may have a duty to provide accommodation under the Children Act 1989.

The Care Act 2014 requires local authorities to provide or arrange services that help prevent people from developing needs for care and support or delay people deteriorating such that they would need on going care and support. Evidence shows that experiencing homelessness has a detrimental effect on the health of individuals. The duty to refer would assist local authorities to fulfil their requirements under the Care Act, as an early referral is likely to result in an individual receiving help to prevent or relieve their housing situation at an earlier point. In many cases this action will prevent them from reaching a homelessness crisis in the first place or provide quick relief where individuals are already homeless to prevent prolonged homelessness. Therefore preventing scenarios which are likely to have had a detrimental effect on the individual's health which would increase their need for care and support.

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For more information, please contact the Policy Team

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