



MAKING SUPPORTED HOUSING WORK FOR PEOPLE WITH LEARNING DISABILITIES

Learning Disability England response to
government proposals to change funding for
supported housing



Learning Disability England

ABOUT THIS REPORT

The government is proposing big changes to how money for supported housing works. The current system doesn't always work for people with learning disabilities and needs change. The proposals could make it even harder for people with learning disabilities to get what they need but also has some good opportunities to make things better. This report is about how we could get planning and funding for supported housing right.

Learning Disability England members
February 2017

1. About Learning Disability England

LDE Learning Disability England



Stronger Louder Together!



Families and friends



People with learning disabilities



Organisations and professionals

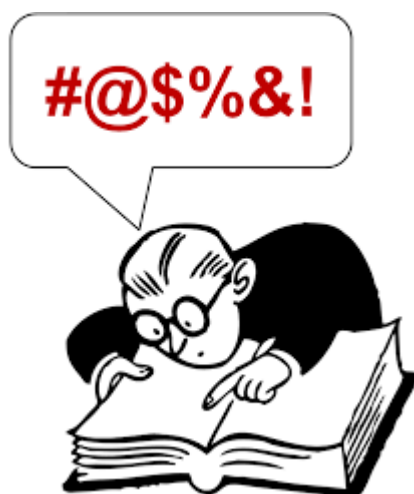
Learning Disability England is a membership organisation and charity that launched in June 2016.

We were previously the Housing and Support Alliance and have long had expertise in housing, supported housing and supported living for people with learning disabilities.

Our members are people with learning disabilities, families, self-advocacy and family carer organisations, professionals, housing and support providers and commissioners.

Our organisation changed to become Learning Disability England because we wanted to extend our membership to fully include people with learning disabilities and families.

2. About this report



This report is about what Learning Disability England members have said about government proposals to change how supported housing is funded.

We want all of our members to contribute to government policy so we have done everything we can to make sure that members with learning disabilities and families can full take part alongside professionals and organisations.

We have carried out the consultation and written this report in plain English and tried to avoid jargon and technical terms.

Some of our member's responses need to be technical and it is important that we include those responses too, so sorry if anything in this report makes your brain ache!



We want to thank all of our members who took the time to respond to this consultation and join us in the consultation events.

3. About the government proposals



The government wants to change how the money works for supported housing.

They want to do this because they think that planning for supported housing should happen locally.

They also want to do this so that it fits with Welfare Reform.

This means that the money people with learning disabilities get to pay for rent will be part of what is called Universal Credit.

Universal Credit is bringing all benefits together in one payment.

The most money people will get for rent will be the Local Housing Allowance.

The Local Housing Allowance is a fixed amount of money that is set at what the lowest local rents are in each area.

The government knows that this is not enough money for some supported housing.

They want the extra money that pays for supported housing to go to local councils. They think that local councils can plan and decide how the extra money for supported housing is spent better.

A full version of the consultation is here

<https://www.gov.uk/government/consultations/funding-for-supported-housing>

4. How the changes might affect tenants with learning disabilities



At the moment, supported housing providers develop housing for people with learning disabilities and they say how much the rent will be.

Sometimes they do this in partnership with the local council and sometimes they don't.

Supported housing providers usually charge more rent than most other landlords because they have extra costs to support tenants and make the housing right for them.

Now supported housing landlords will get the same rent as other landlords.

The extra money for supported housing will go from the government to the local council.

The local council will make the decision about whether they give the landlord extra money or not.

The local council will also decide how much extra money they will give the landlord.

This means that the landlord and council have to work together and agree.

3.1 This may mean some good opportunities



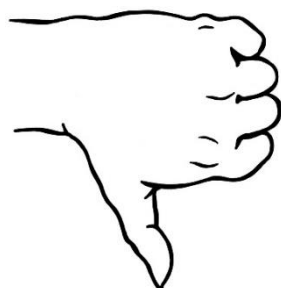
There will be better co-ordination and local planning for supported housing if landlords and councils work together well.

It will be especially good if councils involve people with learning disabilities and families in planning what supported housing there should be locally.

This will stop any landlords that charge too much rent when they don't need to.

The old rules meant that people who organised their own housing and support had difficulty getting extra money for their rent because it wasn't always considered to be supported housing. This can change under the new rules.

3.2 This may mean some worrying changes



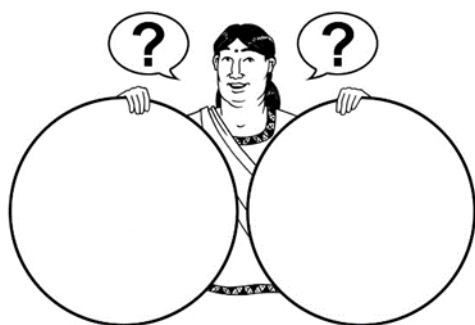
If councils and supported housing providers don't work together well there may be no other way to make supported housing work.

It will be more complicated to make supported housing happen as the money has to come from two different places and there has to be more planning.

Because it is more complicated, it may put off some supported housing providers from developing supported housing.

Current tenants may be worried about the future of their tenancies. If the council does not agree to pay the full amount tenants may not be able to pay their rents which in some circumstances may mean that they would have to move elsewhere.

5. What do Learning Disability England members think?



We asked our members what they think about the government proposals to change how supported housing is funded by sending out a survey, holding consultation meetings and asking housing provider members to ask their tenants what they think.

We were able to get feedback from all types of members including tenants, families, housing providers, care and support providers and commissioners.

5.1 Consultation questions

1. How can they make sure the funding councils give for housing is fair for everybody that needs support?
2. What is needed locally to plan and pay for housing?
3. How can we make sure that that supported housing gives tenants what they want and is good value for money?
4. How can we make sure that housing providers and funders will keep building supported housing if the money is not guaranteed from central government?
5. The plans suit people in longer tenancies but what about people who need temporary housing?

6. Summary of Learning Disability England member feedback

Supported housing for people with learning disabilities is different to other groups of people and needs to be treated differently



“Supported housing helps me achieve-cooking, housework, helps me feel safe, not alone, supports me with friendships and helps me get out and about”

Tenant

When the government and national organisations talk about supported housing, they usually talk about people who are homeless and others who are in crisis.

Most people with learning disabilities want a permanent home, not a supported housing scheme.

Government policies, the Care Act and CQC regulation all say that people with learning disabilities should have choice and control over where they live, who they live with and the support they get.

The way supported housing is funded now does not always work well for people with learning disabilities and needs to change



The way supported housing is funded now does not always help people with learning disabilities to have more choice and control.

Even though the system for funding supported housing we have now is not perfect, it does allow landlords to develop housing more easily and gives some disabled tenants an entitlement to extra housing costs.

We think that the supported housing funding system needs to change but only if it enables people with learning disabilities to get good housing and support, not if it makes it harder.

Changes to the way supported housing is funded must help people with learning disabilities have more rights, choice and control.



The planning of housing and support for people with learning disabilities should focus on the housing and support people want to achieve (outcomes) rather than on any one or two models of supported housing.

The new funding system should help people to have more choices of housing with support, not less.

The new funding system should take into account laws like the Care Act, Mental Capacity Act, Human Rights Act, United Nations Convention on the Rights of Disabled People, as well as housing and tenancy law.

The new funding system should take into account and align with government policy including Transforming Care, Valuing People, Personalisation and Personal Budgets and Integrated Personal Commissioning (IPC) programmes.

The new funding system should align with Care Quality Regulation on supported living and in particular, the proposed changes to how supported living is registered that are currently in consultation.

Any new funding system should take account of the Reach Standards in supported living.

The planning and commissioning of supported housing must be fair, transparent and include a range of experts.



Planning and commissioning should include local experts like people with learning disabilities, families and housing planners and commissioners, as well as providers and commissioners.

Local decision making needs to be upfront and transparent so everyone knows how and why decisions are made.

We need to be able to check that housing and support are good quality and that local plans are good.

If things go wrong, we need to be able to challenge and make things right.

Supported housing should be planned alongside social care, health and community services.

We need national guidance so that all commissioners have rules, but we also want to be able to make local plans.

Current tenants must be protected



We don't want current tenants to worry about their tenancies and they should have security.

We think that the government should do an Impact assessment to understand what will happen when they put the new system in place and whether people with learning disabilities will lose out because of them.

7. Learning Disability England Member's feedback

The term 'supported housing' perpetuates a mindset that this is all about services rather than people's homes.

A family member

There should be good clear information about housing that everyone can understand, tenancy agreements are not always written in a clear way

Tenant

We need a funding system that provides long term security so that we can borrow money to develop housing.

Housing provider

Planning supported housing and social care funding together for people with learning disabilities makes sense but we need enough resources to administer it properly

Commissioner

Much of the national debate about supported housing in the last few years have been about supported housing models that help people in crisis situations or provide a bridge between homelessness, hospital and getting a permanent home, such as schemes for people experiencing domestic abuse, mental ill health or homelessness. We think that the debate has not properly reflected the needs of people with learning disabilities, whose lifestyles do not neatly fit into a supported housing model.

For the majority of people with learning disabilities, supported housing is a permanent home and not a 'scheme' or a temporary housing solution before moving on. For example,

supported housing might be a house bought by a housing association, especially to rent to 1, 2 or 3 particular tenants. It may be a house leased from a private landlord by a housing association to meet the need of a particular tenant/tenants. It may be an extra care type scheme and it may be made available through shared ownership to people with learning disabilities.

Policy, good practice and regulation (if support is CQC registered domiciliary care) promote the practice of separating housing from support functions and giving tenants real control over who they live with and who provides care. Personalisation policy promotes people with learning disabilities having more control over support through direct payments, personal budgets and Individual Service Funds. Current policy and law promote real choice in housing and support and a shift away from building services and 'placing' people in them.

The current supported housing funding arrangement does not easily fit with policy, law and regulation and good arrangements for people with learning disabilities are often developed in spite of current funding arrangements. There is a balancing act when helping people with learning disabilities get housing and support of making sure the arrangement gives tenants choice and control with a need to 'contrive' a supported housing model to make funding stack up.

However, what the current supported housing funding system does/did offer is an ability for housing providers to develop housing without necessarily having to wait for long planning processes and negotiations. This meant that on the whole, housing has been developed in a timely way, working directly with potential tenants, families and support providers. The Housing Benefit regulations also give some basic entitlement to people with learning disabilities to extra housing costs.

A new funding system is welcomed if it can improve how the current supported housing funding system and enables people with learning disabilities to achieve equal lives. It is welcome if it can improve planning processes between people with learning disabilities and their families, commissioners, housing providers and support providers. It is welcome if it provides the funding for housing that people with learning disabilities need and is underpinned and aligned with current legislation and regulation.

We think that the new supported housing funding system needs to achieve the following:

- People with learning disabilities having control over where they live, who they live with and who supports them and that systems are underpinned and aligned with current policy, law and regulatory framework
- Housing and support is high quality and subject to monitoring and review
- Current tenancies are protected and where a service or funding needs to change following a review, there is a long enough transitional period to provide security to tenants

- Top up funding for supported housing is used more effectively and where relevant, aligned with other funding streams to increase effectiveness of public money
- The funding is focussed on outcomes rather than a defined model /sof supported housing
- Does not restrict planning and commissioning to ‘supported housing’ models and used to encourage and incentivise a range of community based approaches
- The supported housing funding system provides the confidence needed to create long term housing solutions and housing developers and funders/lenders are not disincentivised through uncertainty of funding and planning
- Housing and support is not delayed because of poor planning and commissioning, lack of resources and/or unnecessary bureaucracy
- Local decision making about housing and support is transparent, accountable and includes local experts such as self-advocacy and carer organisations, housing providers, support providers and housing and planning departments, as well as commissioners.

We recommend that the government undertakes an impact assessment of proposed changes to the supported housing funding system and takes into account all of the above points.

8. Response to the 5 consultation themes

8.1 Fair access to funding for all people who need supported housing

LDE member, Progress Housing is a national housing provider. They said it is important that:

- There is enough money at the start of the process
- To work out how much money to start with, that the government needs to do more work to understand how much supported housing is needed
- Local areas must produce supported housing strategies and government must make sure they have enough funding to do this
- Existing tenants should be protected from any changes to their entitlements

“It is vital that the pot is sized correctly at the start of the process. We believe that current estimates of the size of the supported housing sector may understate its scale, partly because there is currently no universally accepted definition nor is there any central register of supported housing. In addition, knowledge of supported housing issues varies hugely from one housing benefit department to another and so we wonder whether responses from this source to the governments supported

housing survey can be treated as entirely reliable. The absence of a comprehensive provider survey as part of that study was a disappointing omission.”

They go on to explain their view (shared by a number of our provider members) that:

“Specialised Supported Housing should be excluded from the new funding arrangements and the housing costs of this group should be met through Universal Credit. This group is unique in that, by definition, it combines high support needs with housing that has received little or no public grant. It is clear that the vast majority of residents in this category of accommodation are adults with learning disabilities or autism (we can provide data to support this claim if required).

If it is not possible to exclude Specialised Supported Housing from the new arrangements, we would argue that this group should be afforded specific statutory protection.

We would like to give further consideration as to whether any other client groups should be provided with additional statutory protections; our provisional view is that this would not be necessary provided that there is a statutory obligation to produce comprehensive local supported housing strategies which are adequately funded.

Having said this, we do think that there is a significant role for national strategies and/or central government guidance to provide appropriate frameworks within which the local strategies are prepared. For example, the “Transforming Care for People with Learning Disabilities” strategy clearly lays out the government’s commitment to improve services for people with learning disabilities and/or autism, who display behaviour that challenges. In future such strategies should make clear the role of local supported housing strategies in helping to address such issues. “

Existing tenants should be protected from any changes to their entitlements unless there is a significant change in their circumstances, which would usually mean a move to a different scheme”

One part of the current supported housing funding system that works well is that there is an ‘entitlement’ to additional housing funding because of disability. We think that to develop housing and support for people with learning disabilities, that there needs to be an element of entitlement based on need- this gives both the tenant and housing provider security for long term planning.

We should look to learning from funding models such as personal health and social care budgets where indicative budgets have been used and how flexibilities can be included to give disabled people a fair allocation of funding from low levels of preventative support to higher levels of funding to meet intensive support needs.

8.2 Local planning

LDE tenant members from Keyring said:

- **We would like to know how many people are on a waiting list for supported housing in our area**
- **People with learning disabilities who already live in supported housing should be more involved in housing groups and the planning of supported housing, they**

could be experts by experience giving advice and training and checking houses are accessible.

- **Experts by experience could work with architects and town planners**
- **Local businesses and entrepreneurs could be invited to sponsor supported housing projects in some way**

A strong theme from all of our members was how we could better plan and commission locally by working together with local experts including self advocacy groups, family carer groups, housing and support providers, housing planners and commissioners. With expressed concern regarding timescales and the lack of piloting or staggered transition

The main points of feedback from wider members on this question were;

- Having planning processes in place that included local experts
- Being transparent about decision making
- Build in monitoring and accountability
- Integrating with commissioning for social care, health and community services
- National guidance but local vision, strategy and monitoring

It was suggested that a good local planning solution could be a commissioning body that is democratically elected and sets a vision for what people want to achieve locally, monitors whether needs have been met and has statutory powers.

The commissioning body should have representation from a range of experts, including people with learning disabilities and families and could be loosely based on the school governors model and/or linked to elected members and scrutiny.

Planning and commissioning should be based on a good understanding of future need, linked to JSNA, LD commissioning plans and Transforming Care plans.

All of our members supported national guidelines for planning and commissioning supported housing – this is because there was a huge concern that unequal approaches from local commissioners would make housing much harder to achieve. It was felt that there needs to be legislation so that decision makers can be held to account and there is protection when things go wrong.

Planning and commissioning supported housing for people with learning disabilities should be integrated into wider planning of health and social care and include the prevention agenda. We should look to where local commissioning for people with learning disabilities works well currently to build on that model of local planning. We should look to learning from alliance based and integrated commissioning models.

8.3 Quality and value for money

There has been much work done in the last 10 years to focus on outcomes for people with learning disabilities. Reach Standards in supported living are already used to review and monitor supported living using outcomes and could be a simple and effective way to monitor both individual services and understand quality and effectiveness across an area. Benchmarking against Reach standards could be a way to compare supported housing both locally and nationally.

The Care and Treatment Review process developed by NHSE is also a mechanism that we could draw upon to strengthen monitoring and review. Any quality and monitoring mechanism that is used needs to be person centred, focussed on outcomes and a national standard.

Other feedback suggested that we wipe the slate clean in terms of a vision for supported housing and create a new vision with people with learning disabilities, families, providers and commissioners together. The purpose of this would be to remove current thinking that may restrict and hinder new ways of working. It was felt that supported housing was too narrow a definition and that we needed to be looking at housing and support across the board to include bespoke housing solutions such as shared ownership, arrangements where people have personal budgets and initiatives to connect people to their communities and help people get jobs.

8.4 Incentives for housing providers/investors to continue to develop supported housing

Feedback from members on this issue was strong, lenders need security and housing providers need commissioners to guarantee at least 10 years - 25 year mortgages make rents lower.

Part of a reluctance for commissioners to give long term security is that shared housing models pose a risk and many hold vacancies that don't meet current need. Part of solving this issue is to develop different models of housing so that the risk is lower and commissioners can make commitments to housing providers and tenants.

Members also gave feedback that the core elements of the new supported housing funding model should be consistent nationally to give housing providers, lenders and investors security. Progress Housing recommend this alongside local decision making and a robust quality framework and guaranteed funding periods.

“Our view is that the core elements of the new funding framework should be consistent throughout the country. Local decision making should be focused on the assessment of local needs, quality and value for money. Other matters should be directed by statute or regulation, including:

- a) design of value for money framework (recognising that some of its content may need to vary regionally)*
- b) design of quality assessment framework*

c) *guaranteed funding periods* “

8.5 The plans suit people in longer tenancies but what about people who need temporary housing?

Most housing for people with learning disabilities is permanent and therefore there was little feedback in this area. Commissioner members felt that plans for respite and short breaks for people with learning disabilities could be integrated locally into wider plans for short term and emergency accommodation.

Appendix 1. LDE housing provider members survey results

1. What do you feel will be the impact on the rent top up for supported housing being administered by local authorities?

12 out of 17 responses from housing providers had significant concern about Local Authorities administering top up funding for supported housing

3 of 17 want to see more detail of how it will work but fine with principles if rents stay the same

The main worries are:

- Concern about the capacity for LA to manage/understand supported housing
- Concern about threats to sustainability and scheme closures
- Prolong uncertainty in the sector and depress new development opportunities
- Concern about how long will the ring-fence last and guarantees that the fund will increase to meet increases in need (THB comparisons)
- Inconsistency of bureaucratic systems and approaches in different LAs

2. What mechanisms and safeguards do you want to see in place?

- Tenancy breakdowns managed efficiently
- more social housing options
- approved landlord and accreditation scheme
- Formal agreement in place between LA and housing provider
- Ensure mechanism for top up funding is timely and gives long term tenancy security
- Long term commitment to funding and inflationary increases
- Transitional protection for current tenants with long term plan to protect tenancies
- Allow for tenants with lower level supports to remain in their homes
- Commissioners understand true costs of providing supported housing
- Provision to cover extra rent for carers
- Level playing field between registered/no registered/profit making/non profit making providers
- Procedures to be fair, transparent and person centred for agreeing and reviewing top up

- Timescale restrictions and robust & co-ordinated decision making process with a clear and uniform approach
- Clear guidance on administration
- Independent appeals
- All LAs use established definition of supported housing/supported living

3. What mechanisms and safeguards would you want to see in place to enable your organisation to continue to invest in supported housing for people with learning difficulties?

Underwriting from LA/NHS commissioners

- Risk sharing
- Timing of payments
- Guarantees for security and longevity of tenure
- Funding maintained at current levels based on individual need
- Arrangements meet long term security need/borrowing requirements of funders
- Central top up fund for LAs to meet local needs
- Clear regulations with no room for vague/inconsistent interpretation

4. Do you have a preference for which tier of local government should administer the top up?

- 10 of 17 have no preference
- Specialist supported housing commissioning team that has in depth understanding of housing/health/care/community and works to REACH/Real Tenancy Test standards
- National rules/system/oversight and sit with commissioning
- Adult social care
- councils with housing responsibility (districts and boroughs)
- Not district councils