

## Appendix 2b

MAYOR AND CABINET		
<b>Report Title:</b>	COM9 - Intensive Housing Advice and Support Service Contract	
<b>Key decision:</b>	Yes	Item No.:
<b>Ward:</b>	All	
<b>Contributors:</b>	Executive Director, Community Services	
<b>Class:</b>	Part 1	Date: 21 November 2018

### 1. Executive Summary

- 1.1 This report sets out the rationale behind the proposal for the annual budget cut of £300,000 against the current £674,320 annual contract value for the Intensive Housing Advice and Support Service delivered by One Housing Group.
- 1.2 It sets out the mitigating factors to limit the impact of the cut and makes recommendations for the use of the remaining resource.

### 2. Structure of the Report

- 2.2 The report is structured as follows:

**Section 3** sets out the recommendations.

**Section 4** background to the decision to tender for the services.

**Section 5** sets out the policy context for tendering the services.

**Section 6** sets out the current service offer

**Section 7** sets out the proposed budget reduction

**Section 8** provides Financial Implications.

**Section 9** provides the Legal Implications.

**Section 10** provides Equalities Implications.

**Section 11** sets out the Environmental Implications

**Section 12** sets out the Conclusion.

**Appendix A** - Equalities Assurance Assessment (EAA)

### 3. Recommendation

Mayor and Cabinet (Contracts) is recommended to:

- Accept the proposed annual budget cut of £300,000 against the current £674,320 annual contract value for the Intensive Housing Advice and Support Service delivered by One Housing Group.
- Agree that the budget reduction be delivered through a combination of bringing the young persons' mediation element of the service in-house and refocusing the remaining service on the resettlement of individuals from supported housing

### 4. Background

- 4.1 Prior to April 2017 the Prevention, Inclusion and Public Health Commissioning service commissioned two floating support services who support vulnerable adults

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and young people to sustain accommodation and live independently, reducing homelessness across the borough.

- 4.2 The contracts were commissioned in April 2013 for 3 years with a one year contract extension to expire at the end of March 2017. It was necessary to review the services before undertaking any further procurement activity for floating support beginning April 2017.
- 4.3 The review recommended that floating support focus on providing intensive 3 month support to help clients maintain accommodation. To achieve this support the service should focus on developing clients' key digital, financial and housing skills; family and landlord mediation; and effective referral routes into employment and health services.
- 4.5 The results of the review were considered at Mayor and Cabinet (Contracts) in July 2016. Mayor and Cabinet authorised the commissioning of a redesigned floating support service to deliver intensive 3 month support to help clients maintain accommodation through: teaching clients key digital, financial and housing skills; family and landlord mediation; and referral into employment and health services.
- 4.6 Between August and October 2016 officers undertook an open tender procurement process with the contract for the Intensive Housing Advice and Support Service awarded to One Housing Group at an annual contract value of £674,320, a budget saving of £79,540 per annum compared to the two existing contracts. The contract began on 1 April 2017 and was let for three years with two one year options to extend.

## 5. Policy Context

- 5.1 The services detailed within this report (both current and proposed) meets the following priorities of the Sustainable Community Strategy 2008 – 2020:
- 5.2 Priority 1 *Ambitious and Achieving* – encourage and support clients to access Education, Training and Employment.
- 5.3 Priority 4 *Clean, Green and Liveable* – through reducing levels of homelessness and the number of households living in temporary accommodation.
- 5.4 Priority 5 *Healthy, Active and Enjoyable* – support individuals to live in communities and maintain their independence, alongside promoting access to health and wellbeing services.
- 5.5 The services meet the following Corporate Priorities:
- 5.6 *Caring for Adults and Older People* - to support adults over 18 to live independently in their accommodation and maintain their tenancy.
- 5.7 *Protection of Children* - provide support to young people aged 16 & 17 to maintain their current accommodation when appropriate, to live independently, and to ensure safeguarding.

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5.8 *Decent Homes for All* – tackling homelessness within Lewisham to help residents stay in appropriate accommodation.

5.9 *Inspiring Efficiency, Effectiveness and Equity* - ensuring services commissioned are effective and good quality, whilst refraining from duplication.

### **6. Current service offer**

6.1 Following the review and commissioning process outlined in section 4 of this report the Intensive Housing Advice and Support Service (IHASS) began operation in April 2017.

6.2 IHASS is designed to achieve the following outcomes:

- Preventing homeless for those presenting at the service with a “notice to quit” from their landlord.
- Helping clients remain within the family home, or rented accommodation, through mediation.
- Supporting resettlement from temporary accommodation or support housing to prevent future homelessness.
- Increasing resilience of clients through developing skills and linking with employment services to enable long-term independent living and tenancy sustainment.
- Enhancing service users’ quality of life by working closely with health and wellbeing services.
- Provide specific support in areas not met by other local provision to prevent homelessness, for example services to target hoarding behaviour.

6.3 The original commissioning intention was that the service was directly linked to existing advice service provision to provide longer term intensive support to clients unable to access Advice Lewisham provision. This was intended to prevent floating support duplicating advice appointments and form filling clinics that are already provided by advice services.

6.4 The service also includes a specific element focused on mediation with young people who approach the council as homeless. This service provides intensive work with both young people and their family members to support the young person to remain within the home where it is safe and beneficial to do so.

6.5 The length of service provision is limited to 6 months to encourage the service to focus on building long-term resilience in clients through developing financial, digital and housing skills.

### **7. Proposed budget cut**

7.1 As part of the process to identify service reductions across the Community Services Directorate, each and every contract has been subject to review and officers have identified the potential to cut the budget to this service area by £300,000 per annum.

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- 7.2 While there is no doubt that a cut of service of this magnitude will have an impact in the number of individuals receiving support the following sections outlines the reasons why officers believe that the worse of the impacts can be mitigated.
- 7.3 Firstly, Lewisham Citizens Advice Bureau have developed a partnership with Southwark Law Centre to create the Lewisham Law Service in order to improve access to legal services in Lewisham.
- 7.4 The service, while relatively small, provides expert housing advice for clients referred through the Advice Lewisham partnership. It is hoped to widen the areas of advice provided over time but the initial focus on housing has reduced some of the demand for IHASS. Overall, this is a very positive development for the borough which has long lacked a Law Centre.
- 7.5 Secondly, the council's own approach to homelessness prevention has been transformed by the introduction of the Homelessness Reduction Act in April 2018.
- 7.6 The Act is one of the biggest changes to the rights of homeless people in England for 15 years and it effectively bolts two new duties to the original statutory rehousing duty: the duties to both prevent and relieve homelessness.
- 7.7 It places renewed emphasis on prevention of homelessness requiring detailed assessments and a personalised response to an individual's circumstances. In summary the Act:
- Places new duties on local authorities to properly assess the cause of homelessness, circumstances and needs of all household members, including children.
  - Places new duties on local authorities to develop and agree with applicants a personalised plan of the steps that will be taken to prevent or relieve homelessness
  - Extends from 28 to 56 days the period in which a household is defined as 'threatened with homelessness'.
  - Places a new 'prevention' duty on local authorities to 'take reasonable steps' to prevent the threatened homelessness of anyone who is eligible
- 7.8 Whilst in theory the introduction of the Act should increase the demand for the IHASS it has also brought with it a degree of 'new burdens' funding which has allowed the employment of an increased number of Housing Options advisors within the authority which has increased the in-house capacity to meet the demand from those threatened with homeless.
- 7.9 The introduction of the Act has also increased the requirements on the authority to record and track all activity and outcomes so handoffs and referrals to other agency for this work is no longer as efficient or effective as it would previously have been.
- 7.10 In recognition of the new requirements under the Act, the council has received funding for 8 additional prevention and support officers to work with all clients presenting as being at risk of homelessness within 56 days. This coupled with the new Duty to Refer placed upon public bodies will alert the council earlier to households facing housing difficulty and give an opportunity for earlier intervention

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designed to help people stay in their tenancies or find their own alternative home before the crisis of homelessness sets in.

- 7.11 In addition to this the council is also undertaking a 'trailblazer project with the aim is to identify households potentially at risk of homelessness much further in advance to avert the crisis before it develops reducing the number of people who need to present to the authority and consequently the level of service required to meet their needs.
- 7.12 Consultation across the council has identified that while the in-house offer regarding homelessness prevention has improved considerably there remains a need for increased access to supported housing for the most vulnerable for whom prevention is not possible. It is therefore recommended that, should the budget reduction be accepted, the remaining element of the service is refocused on resettling individuals from Lewisham's three supported housing pathways (young people, mental health and vulnerable adults).
- 7.13 Linked to this the council has also secured '*Rough Sleeper Initiative*' funding from Central Government to work with the local voluntary sector to both enhance the Housing First model and provide a permanent night shelter for rough sleepers meaning that the overall offer for those needing supported accommodation has improved reducing the burden on the council's homelessness service. Furthermore additional financial support has been made available to single person households to help them to find their own accommodation to prevent homelessness and a further cross borough scheme to find private rented accommodation has been commissioned with, again, funding from central government made available to support this.
- 7.14 Finally, the council is reviewing the service offer to young people approaching the council for support and this offers the opportunity to make more efficient and effective use of the mediation element of the current service. This review, led by the Children's Social Care (CSC) Improvement Group, will include the current service offer from Children's Social Care and Housing and offers the opportunity to bring the mediation resource from the contract in-house to ensure a seamless and comprehensive service offer. This will require the TUPE transfer of the existing staff into either CSC or Housing which will be decided as part of the review should the recommendation be accepted.
- 7.15 As set out above the remaining resource will be reallocated across two areas:
- A reduced contract value to One Housing Group to provide resettlement support to individuals moving on from Lewisham's three supported housing pathways (young people, mental health and vulnerable adults).
  - Bringing the young person's mediation element of the service in-house to sit within either CSC or Housing
- 7.16 Overall, this will lead to a loss of capacity to support in support to those threatened with homelessness but, as set out above, it is assessed that the impact of this can be, to an extent, mitigated due to:
- The new Lewisham Law Service delivered by the CAB
  - The extra in-house homelessness prevention resource facilitated by the introduction of the homelessness Reduction Act

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- The work being undertaken by the council to identify those at risk of homelessness at an earlier stage thus reducing the need for crisis services
- The securing of extra resources from central government to support rough sleepers that will reduce the pressure on the council's front line housing options service
- Increased efficiency in the service offer to young people through the integration of the current service with the Council's in-house services
- The refocusing of the remaining support on creating capacity within supported housing for those that most need it to free up preventative support to focus on individuals more likely to benefit from it.

### 8. Financial Implications

- 8.1 This report seeks approval to reduce the annual contract value for the Intensive Housing Advice and Support Service delivered by One Housing Group from £674,320 to £374,320. This reduction will achieve the proposed budget cut COM9.

### 9. Legal Implications

- 9.1 The Council as a Local Housing Authority has statutory obligations to prevent homelessness and provide assistance to people threatened with or actual homeless, pursuant to Part 7 of the Housing Act 1996, as amended by the Homelessness Act 2002 and also the Homelessness (Priority Need for Accommodation) (England) Order 2002 and also in accordance with the provisions of the Homelessness Reduction Act 2017.
- 9.2 Existing contracts with providers can only be varied in accordance with the terms of the contract, or by mutual agreement and officers will need to take this into account when implementing the proposed cut.
- 9.3 If the Council is considering bringing the mediation element of the service in house, then TUPE consultation will need to take place with affected employees and trade unions in good time before any transfer is carried out.
- 9.6 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.7 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - advance equality of opportunity between people who share a protected characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.

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- 9.8 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 9.9 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 9.10 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
  2. Meeting the equality duty in policy and decision-making
  3. Engagement and the equality duty
  4. Equality objectives and the equality duty
  5. Equality information and the equality duty
- 9.11 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:  
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

## 10. Equalities Implications

- 10.1 The impact of this budget reduction has been subject to an Equalities Assurance Assessment (EAA) attached as Appendix A.
- 10.2 The service specified within the new contract will be required to abide by all relevant equalities legislation, and expected to work fairly with all clients irrespective of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 10.3 To ensure compliance the provision with equalities legislation of service will be monitored and assessed through ongoing contract monitoring meetings.

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### 11. Environmental Implications

There are no direct environmental implications arising from this budget reduction although Council's environmental objectives are addressed in the contract documentation for the existing and ongoing service.

### 12. Conclusion

Overall, the budget cuts set out in this report will lead to a loss of capacity to support in support to those threatened with homelessness but it is assessed that the impact of this can be, to an extent, mitigated and this cut is recommended as deliverable in the context of the council's current financial position.

If you would like further information on this report, please contact James Lee, Prevention, Inclusion and Public Health Commissioning Manager, [james.lee@lewisham.gov.uk](mailto:james.lee@lewisham.gov.uk), 020 8314 6548.

## APPENDICES

### Appendix A - Equalities Assurance Assessment (EAA)