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# Supported Housing Provider Charter

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Hull  
City Council

# **Hull City Council: Supported Housing Provider Charter**

## **Who is the Charter for?**

This Charter is for the tenants and providers of Supported Accommodation schemes.

## **What is Supported Accommodation?**

Supported Accommodation refers to properties in which the tenant receives care, support or supervision for the purpose of enabling them to live, or adjust to living independently within the community.

## **Why has the Charter been written?**

To identify and establish shared goals which will assist Supported Accommodation providers, the Council and partners work together to achieve outcomes for some of the most disadvantaged and vulnerable residents in Hull.

To make the provision of outstanding Supported Accommodation which meets local needs a shared ambition across all services in Hull.

## **What will the Charter include?**

The Charter will detail the level of service expected to ensure that Supported Accommodation provision within Hull meets local needs, is being delivered to a high standard and represents value for money: based upon Regulation, guidance, recognised good practice, and most importantly the views of supported tenants.

The Charter will include a summary of what defines outstanding Supported Accommodation provision and will detail specific requirements for the three key areas:

1. The support to tenants
2. The Housing Benefit claim
3. Housing and property management standards

**The Council and Partners through the collaborative work of the Supported Accommodation Review Team will provide assistance, advice, training and guidance to Supported Accommodation Providers to achieve the shared goal of meeting these standards.**



Councillor John Black  
Portfolio: Strategic & Operational Housing

## **Charter Development and Ongoing Review:**

The Supported Housing Provider Charter has been produced taking into account the views of the Council, service partners, supported accommodation providers and supported tenants. This is a working document providing an opportunity for ongoing review and the updating of relevant legislation, regulations and recognised good practice. Supported accommodation providers, supported tenants and other partners can comment on the content of the Charter to the Supported Accommodation Review Team at:

[supportedaccommodation.reviewteam@hullcc.gov.uk](mailto:supportedaccommodation.reviewteam@hullcc.gov.uk)

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# **1. What Defines Outstanding Supported Accommodation Provision?**

**The following standards for outstanding Supported Accommodation provision summarise the detailed information provided in this Charter.**

Tenants, Supported Accommodation providers, the Council and its partners should be working together towards meeting the following standards for suitably located, safe, well managed and maintained accommodation.

- 1.1 Supported Accommodation is suitably located, well managed and maintained, to work towards an improved quality of the neighbourhood.**
- 1.2 Supported Accommodation providers consider tenants needs and issues and ensure they match these appropriately to both the property, local environment and other residents.**
- 1.3 Supported Tenants are assisted to complete benefit applications in a timely manner that facilitates smooth transition into supported accommodation.**
- 1.4 Tenancy Support, based upon the principals outlined in the Quality Standards formulated from the 'ASC Quality Matters' document, recognised as the paramount document to meet the needs of individuals from all agencies involved within the Social Care Sector. Available at Appendix 3.**
- 1.5 The Support is person centred through strengths based practice, is integrated and consistent**
- 1.6 All Supported Tenants should be given clear information about the requirement to actively engage with the support offered/ provided.**
- 1.7 The journey towards independent living is encouraged, and transition into independent accommodation is actively facilitated.**
- 1.8 The provision of Supported Accommodation does not adversely affect residents' satisfaction with their neighbourhood as a place to live.**
- 1.9 Supported Accommodation providers commit to working with the Supported Accommodation Review Team to deliver the best quality support, promote the best quality experience and outcomes for their tenants, be transparent about any failings, and open to improvements.**

## 2. Tenancy Support

**Tenancy support must be designed to facilitate Supported Accommodation properties within local communities. Tenancy support provides targeted, personalised support to maximise independence and facilitates move on to independent accommodation.**

Allocation of a tenancy is conditional to there being an established need for the person to reside in a supported housing environment.

The provider will need to demonstrate their commitment to:

- Designing and providing support based upon the Quality Standards as detailed at Appendix 3 - Adapted from the Council's Draft Quality Service Framework.
- Working with the Supported Accommodation Review Team, the Council and other Partners to share understand and deploy best practices.
- Ownership of the quality of their service and recognising the importance of working with others across all services/voluntary sector to drive quality alongside co-operation with support staff and tenants.
- Providing support that is safe, effective, caring, responsive and well led.
- Committed leadership and excellent Management that guarantees the recruiting of suitable staff sufficiently trained and experienced to ensure best practice support for tenants.
- A culture of openness, which is encouraged and being transparent about their quality and what they are doing to improve.
- An approach to resettlement that challenges tenants to make positive life changes, provide opportunity to inform, develop and fulfil tenants potential, attain the necessary skills and levels of confidence to achieve independence and become contributing members of the local and wider community.

### 2.1 The Tenants Voice

To establish shared goals within this Charter, commitment from Supported Accommodation providers, the Council and its partners is required to achieve outcomes for the most disadvantaged and vulnerable residents of the city. This must be a shared ambition and the views of Supported Tenants are therefore required: the following quotes are from supported tenants who have engaged with the work of the Supported Accommodation Review Team during visits to over 120 properties in Hull between April 2019 and February 2020

*"My support is always there when I need them; I have regular meetings with them. My support worker is brilliant and really helpful, they're helping me to move on and manage on my own, I just want a place of my own and to start again"*

*“I’m starting to feel isolated and lonely, I don’t have much money but I’d like to get in touch with people, get my social life going. If there are ways of doing that I’d be really interested to know how and get support with it.”*

*“When I came here I was really low and unconfident, I couldn’t mix with people. The house meetings everyday showed me I had nothing to worry about and I started coming out of my room and talking to the other people. Everything you need is here. I am not quite ready yet but I am looking forward to moving out and starting again, using my new qualifications, getting a job and a place of my own. It will be good to stand on my own two feet again.”*

*“Sometimes the heating goes off and I can’t get hold of anyone because I haven’t got credit on my phone and it’s the weekend. I’d like it if they could make sure I don’t run out of electric.”*

*“My support worker comes around, but I’d like more visits and to know when they’re coming. Also sometimes the support worker and others just come in; I wish they’d give me a chance to answer the door like it was my own house.”*

*“I would like the front door to work properly so that people don’t keep breaking in. When I tell the landlord about repairs, it would be good if they got done without having to complain to the Council. Sometimes I feel nervous that if I complain I might get told to leave”*

*“I want to engage with the support but the way they do it doesn’t work for me also the treatment is in groups, I’m not very good at talking to people full stop, but in groups it’s even more difficult, and so I don’t always go and so they think I don’t want to get the support.”*

**The Supported Accommodation Provider will have in place the following areas of service delivery:**

## **2.2 Tenants Introduction and Induction.**

The tenant’s entry to the service is fully informative, considerate to their current circumstances and responsive to their needs.

Matching by the provider will consider the individual tenant needs and issues and ensure they match these appropriately to both the local environment and other residents before placing in either single or shared accommodation.

### **2.3 Person Centred Assessment, Outcome Focused Support and Review, Good Quality and Reliable Support.**

The Provider is able to meet the tenant's needs, help them achieve their aspirations and enable them to make any necessary positive changes; through the provision of a good quality, informed, flexible, consistent and reliable Support Service.

### **2.4 Safe and Nurturing Environment.**

The service provides a suitable and safe accommodation where support is delivered which is suitable for the tenants needs.

Providers are expected to make reasonable adjustments to meet people's physical and emotional needs as described in the Equality Act 2010, therefore providing a service that meets the needs of the individual and is adaptive, for example: aids and adaptations/equipment to support the person if they have a disability.

### **2.5 Recovery**

Supporting tenants who maybe recovering from illness or addiction etc. to be supported to re-learn skills, develop emotional resilience and confidence, to achieve sustained independent living.

### **2.6 Safeguarding and Positive Risk Management.**

The tenant's support and environment is safe, appropriately managed and responsive to their changing needs and circumstances. The provider understands and is committed to their safeguarding requirements and responsibilities.

### **2.7 Community Participation and Integration.**

Tenants are supported to engage and contribute to their chosen communities. This should be central to the plan to maximise independence and achieve fully independent living.

### **2.8 Progression**

Tenants are supported who may take longer to regain the skills and confidence for independence and who may require more ongoing intensive support over a longer period. Providers will assist tenants to engage with a range of support agencies where appropriate to deal with issues relating to mental health and addictions.



## **2.9 Successful Move on, Service Exit and Contingency Planning.**

Tenants are central to the process of moving on to independent living. Support is structured to meet their needs, progress at their pace whilst ensuring they grow in confidence and competence to sustain independent living.

Prolonging support creates dependency, disables people and traps them in the benefit system which prevents them from being able to access work, training etc.

Where there is confidence that tenants in Supported Accommodation are capable of sustaining independent living, additional support can be accessed within the Housing Strategy and Renewals Team. Housing Liaison Officers can provide guidance on applying for accommodation with both the Council and other providers.

Useful resources on performance and quality and good practice for Supported Accommodation Providers:

[www.gov.uk/government/publications/adult-social-care-quality-matters](http://www.gov.uk/government/publications/adult-social-care-quality-matters)

[www.skillsforcare.org.uk/Home.aspx](http://www.skillsforcare.org.uk/Home.aspx)

[www.adass.org.uk/distinctive-valued-personal-why-social-care-matters/](http://www.adass.org.uk/distinctive-valued-personal-why-social-care-matters/)

[www.thinklocalactpersonal.org.uk](http://www.thinklocalactpersonal.org.uk)

[www.gov.uk/government/publications/strengths-based-social-work-practice-framework-and-handbook](http://www.gov.uk/government/publications/strengths-based-social-work-practice-framework-and-handbook)

## **Housing Benefit Claim & Documentation Process**

**The Housing Benefit Department will work with the Supported Accommodation Review Team in carrying out a dual approach to the review of Supported Accommodation.**

The Housing Benefit Department will consider proposals from landlords looking to provide Supported Accommodation Schemes, and the Supported Accommodation Review Team will carry out both proactive and reactive visits to properties in order to review the support actually being provided.

Further information on the background to Supported Accommodation funding and the Supported Accommodation Review Team can be found at Appendix 1.

### **3.1 New Supported Accommodation Schemes.**

Following the receipt of a proposal from a landlord looking to set up a Supported Accommodation scheme within Hull, the Housing Benefit Department will determine the eligibility of the scheme in accordance with the Housing Benefit regulations.

Determining whether a new scheme can be classified as specified accommodation can be a lengthy process, and tenants will either be awarded Local housing Allowance rates or have to claim Universal Credit until a decision has been reached, so it is important that prospective landlords consult with the Housing Benefits Department at the earliest stage to avoid any delays in the process.

The Housing Benefit Department will issue a 'Check list for Supported Housing', a 'Supported Accommodation' questionnaire and a 'Property Specific' questionnaire (Appendices 5 - 7).

The new scheme application process can be broken down into four stages:

- i. Confirming the landlord's status
- ii. Confirming the support provision
- iii. Considering the proposed rent and service charges
- iv. Proposal Review by the Supported Accommodation Review Team

Further information regarding the new scheme application process can be found at Appendix 4.

The purpose of the Review Team assessment within this process is designed to ensure that the services and support provided is consistent with the stated provision, and to provide an opportunity for schemes which do not meet minimum standards to work with the Council and relevant partners to make appropriate improvements.

The Review Team will therefore complete an assessment to ensure that a proposed scheme has the capacity to provide Supported Accommodation of an acceptable

standard. This will include visits in person to the proposed scheme offices, meeting the scheme management and key support personnel, an assessment of the scheme's ability to provide adequate support to tenants, and visits to scheme accommodation to assess the condition of the property and to speak to the tenants regarding the support they receive.

### **3.2 Intensive Housing Management**

Intensive Housing Management (IHM) is not defined in regulations, but case law has considered it as housing management tasks carried out above and beyond the normal management tasks a landlord would be expected to perform. Examples of this include helping tenants maintain their accommodation, helping with budgeting, and arranging for repairs to be carried out. These are tasks which a tenant would be expected to carry out themselves in general needs accommodation.

Landlords seeking to be classed as 'exempt' accommodation based on the provision of IHM, rather than any additional support functions must note that this cannot be guaranteed, and the exempt status will be under closer scrutiny to confirm that this additional support is being provided to the individual tenants.

### **3.3 The Housing Benefit Claim**

The landlord should assist their tenants to complete their application for Housing Benefit (HB) and Council Tax Reduction (CTR) and forward this, with any additional original documentation available within the first benefit week of moving into the property. It is important the form is submitted at this stage as backdating of HB entitlement is limited to one month and conditional upon there being continuous good reason for it not being completed on time.

The Tenancy Agreement or Licence is required to establish rental liability and occupation. Where a tenant does not have capacity to sign such an agreement, evidence from the landlord confirming their rental liability and occupation, along with confirmation from the person's social worker with respect to their capacity can be accepted for HB purposes.

### **3.4 Changes in Circumstance**

The landlord will make tenants aware that changes in circumstances may have an immediate effect on HB entitlement and they are expected to actively engage and encourage the tenant to inform them of any change in their circumstance that may affect the benefit they are receiving. The landlord must immediately report any changes in circumstances that they are made aware of.

Landlords will engage in regular communication, at least on a weekly basis, with the Benefits Service to inform of current occupation and movement in and out of their

accommodation, and should contact the Benefits Service prior to issuing the tenant with an eviction notice or proceeding with court action.

Advice and training on New Claim and Change in Circumstance procedures can be received from the Housing Benefit Department.

### **3.5 The Supported Accommodation Review Team**

The Review Team will be carrying out a series of reviews on existing Supported Accommodation properties to ensure that the details provided in the Housing Benefit submission are still correct.

Each month a number of supported accommodation properties will be selected for a visit. The tenant will be visited in their property and a discussion will take place regarding the support they are receiving. The Review Team will also contact the landlord to request evidence of what contact has taken place with the tenant. This should include:

- Details of how/ why the individual tenant was placed in the accommodation
- Details of any support plans discussed with the tenant.
- Details of any support visits between the tenant and the landlord/Support provider
- Details of any emails/telephone calls made or received relating to the tenant
- Details of any works carried out or scheduled on behalf of the tenant

Once this information has been received the Review Team will consider the evidence provided to confirm that the tenant needs the services provided, that the services are being received, and that the support provided is 'more than minimal'. In the case of 'Exempt' schemes considered under 'Intensive Housing Management' particular attention will be given to confirm that the support provided is more than would be expected of a landlord of general needs accommodation.

Following the Review Team visit, advice and guidance may be provided to the landlord relating to the suitability of support provision. The Review Team will also be complemented by support from the Housing Strategy and Renewals Team who will work with partners to address environmental and neighbourhood issues.

If a landlord is unable to provide the details requested by the Review Team or make requested improvements in support provision, it may be assumed that suitable support is not being provided. Review findings relating to a single property/ tenant may indicate further investigation of other associated scheme properties is required. A report to the Housing Benefit Department will detail the Review Team's recommendations if further action is required.

## **4. Housing Standards and Property Management.**

The Council's objectives through its Private Housing Enforcement Policy 2018-22 <sup>2</sup> are to improve the quality, choice and standards in housing, improving the quality of the street scene and improving residents' satisfaction with their neighbourhood as a place to live.

It goes further in that the aim of the Policy is to reduce the risks to health and safety of persons living in, and visitors to their homes. The Council will use all available legislation to ensure that Supported Accommodation within the city of Hull is safe, well managed, maintained in good repair, not overcrowded and does not pose a statutory nuisance.

The Private Housing Enforcement Policy supports the priorities in the overarching Housing and Neighbourhood Renewal Strategy for Hull 2011-16 and details the way in which the Council will deal with statutory nuisance from property, hazards and amenity standards in the home which affect the health, safety, comfort and convenience of occupiers, visitors and the public. In developing this policy the Council has had regard to the Regulators' Compliance Code, which requires a risk-based approach and proportionality to regulatory enforcement.

### **4.1 General Housing Standards**

Supported Accommodation should be maintained in good repair and should be free from Category 1 Hazards and significant Category 2 Hazards as determined under the Housing Health and Safety Rating System (HHSRS) <sup>3</sup>:

Factors that may be considered to assist in the determination of which hazards are deemed to be significant include:

- The likelihood of and severity of potential harm.
- Whether there are multiple hazards within the property.
- Whether there is a vulnerable individual or group in occupation or likely to be in occupation.
- Whether or not it is reasonable to assume the conditions are likely to deteriorate in the next 12 months.

In order to ensure provision of suitable and safe accommodation, Supported Accommodation providers must inspect a property before use, and ensure that Category 1 Hazards and significant Category 2 Hazards have been removed or reduced to a reasonable level. Regular inspections of occupied property should also be carried out.

Landlord training is available to help identify Housing Hazards as defined by the Housing Health & Safety Rating System. The course is free of charge for providers of Supported Accommodation. For further information including course content and dates, contact: [supportedaccommodation.reviewteam@hullcc.gov.uk](mailto:supportedaccommodation.reviewteam@hullcc.gov.uk)

## **4.2 Housing in Multiple Occupation (HMO) Standards**

The four main definitions of a House in Multiple Occupation (HMO) under the Housing Act 2004 <sup>4</sup> (the Act) can be found in sections 254 and 257. The “standard test” under section 254(2) defines any building occupied by 3 or more persons, forming 2 or more households and not related by “blood” or by “marriage” as an HMO.

There are separate definitions within the Town & Country Planning Act 2007 amendment splitting HMOs into large (7+ persons) and small HMOs (3-6 persons). Planning and housing services are working collectively to ensure appropriate space standards and amenities are provided within newly consented HMOs.

### **4.2.1 Management Regulations**

All managers of HMOs are bound by Management Regulations. Supported Accommodation providers operating HMOs must have adequate management arrangements in place to enable compliance with the Managers’ Duties. The name, address and telephone contact details for the Manager of a HMO must be displayed within the communal areas of the HMO. There are two sets of Management Regulations:

- The Management of House in Multiple Occupation (England) Regulations 2006 <sup>5</sup>. (Applies to any HMO other than a converted block of flats to which S257 Housing Act 2004 applies)
- The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 <sup>6</sup>. (Applies to any HMO to which S257 Housing Act 2004 applies)

The Management Regulations impose duties on a person managing an HMO in respect of:

- Providing the manager’s information to occupiers & permanently displaying this information in communal areas
- Taking safety measures, including fire safety measures
- Maintaining the water supply and drainage
- Supplying and maintaining gas and electricity, including having it regularly inspected & certified (Certificates must be provided within 7 days of receiving a request in writing from the Local Authority)
- Maintaining common parts, fixtures, fittings and appliances
- Maintaining living accommodation
- Providing adequate waste disposal facilities

The Management Regulations also impose duties on occupiers of an HMO for the purpose of ensuring that the person managing it can effectively carry out the duties imposed on them.

#### **4.2.3 The Regulatory Reform (Fire Safety) Order 2005**

The Regulatory Reform (Fire Safety) Order 2005 <sup>7</sup> places duties on the person having control of an HMO to have fire precautions in place, to make sure the property is safe and to carry out fire risk assessments. The Council's local Authority Building Control service can support landlords with the production of Fire Risk Assessments at a cost.

#### **4.2.4 Fire Precautions**

Landlords should make sure there are appropriate means of escape from fire, and fire detection systems according to the type of property and the way it is used. For example, a HMO containing individual bedsits each with cooking facilities will require a much higher level of protection than a cohesive group HMO with a single kitchen. The LACORS Fire Safety Guidance <sup>8</sup> enables fire precautions to be assessed or designed specific to the size / occupation of the House / HMO.

#### **4.2.5 Provision of Amenities**

There will be a requirement within HMOs for amenity standards which are higher than for a home occupied by a single family. This is because the amenities required increase when a home is occupied by a number of people who are not living as one family.

Amenity standards for HMOs subject to Mandatory Licensing (see 2.2.6) are available at: <http://www.hull.gov.uk/business/licenses-and-permits/houses-multiple-occupation>

Amenities in properties not subject to Licensing are assessed under the Housing Health & Safety Rating System (HHSRS)<sup>3</sup>; however the details applicable to Licensed HMOs can be used to inform property specific hazard assessments under HHSRS. Amenity standards for new HMO's are also identified in Table 5.5 of the 2017 Hull Local Plan, available at: <http://www.hull.gov.uk/council-anddemocracy/policies-and-plans/local-plan> which must be complied with for all HMO's consented from November 2017.

#### **4.2.6 Mandatory Licensing**

The definition of an HMO subject to licensing are contained within Part 2 of the Housing Act 2004 and The Licensing of Houses in Multiple Occupation (Prescribed Descriptions)(England) Order 2018. A property is classed as an HMO subject to

licensing if it is occupied by 5 or more persons who form 2 or more households and they share a bathroom or kitchen. A property must meet all 3 criteria in order to require a Licence.

If a Supported Accommodation provider purchases / leases or becomes responsible for the management of a property that has an existing Mandatory Licence, the Licence is not transferable and a new application in an individual's name or Company name must be submitted. Further information about the applications process and amenity standards is available at:

<http://www.hull.gov.uk/business/licenses-and-permits/houses-multiple-occupation>



## References:

1. Funding Supported Housing: October 2017: Department for Communities and Local Government/ Department for Work and Pensions:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/655990/Funding\\_supported\\_housing\\_-\\_policy\\_statement\\_and\\_consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/655990/Funding_supported_housing_-_policy_statement_and_consultation.pdf)
2. Private Sector Housing Enforcement Policy 2018 – 2022; Hull City Council:  
<http://www.hull.gov.uk/housing/private-tenants-and-homeowners/private-housing-enforcement>
3. Housing health and safety rating system (HHSRS): guidance for landlords and property-related professionals: the Ministry for Housing, Communities and Local Government:  
<https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals>
4. The Housing Act 2004:  
<https://www.legislation.gov.uk/ukpga/2004/34/part/7/crossheading/meaning-of-house-in-multiple-occupation>
5. The Management of House in Multiple Occupation (England) Regulations 2006:  
<http://www.legislation.gov.uk/uksi/2006/372/contents/made>
6. The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007:  
<http://www.legislation.gov.uk/uksi/2007/1903/contents/made>
7. The Regulatory Reform (Fire Safety) Order 2005:  
<http://www.legislation.gov.uk/uksi/2005/1541/contents/made>
8. The LACORS Fire Safety Guidance: LACORS 2008:  
<http://www.hull.gov.uk/business/licenses-and-permits/houses-multiple-occupation>

## **Appendices**

Appendix 1: Background to Supported Accommodation Funding and the Supported Accommodation Review Team

Appendix 2: Specified Accommodation Categories

Appendix 3: Quality Standards - Adapted from the Council's Draft Quality Service Framework

Appendix 4: New Scheme Application Process

Appendix 5: Check List for Supported Housing

Appendix 6: Supported Accommodation Questionnaire

Appendix 7: Property Specific Questionnaire

## **Appendix 1: Background to Supported Accommodation Funding and the Supported Accommodation Review Team**

The term 'Supported Accommodation' is generally used to refer to properties in which the tenant receives 'care, support or supervision' for the purpose of assisting them with their day-to-day living. The key part of this for Housing Benefit purposes is 'support', and the tenant should not be living in supported accommodation if the support provided is not needed.

In 2017, the Ministry for Housing, Communities and Local Government (MHCLG) announced that it would be reviewing the way in which Supported Housing provision is funded. The reason behind the review was the Government's perception that the current system is not transparent; does not provide sufficient assurances to tax payers around value for money, and that the quality of some provision is substandard, failing some of those who access it. The consultation closed in January 2018 and an interim response to the consultation and summary of the responses received was published in April 2018. In summary it stated that the key message from Supported Accommodation providers, and some Local Authorities (LAs) was that funding should remain in the welfare system i.e. via HB.

The full findings<sup>1</sup> from the national 2017 consultation were published in August 2018 along with confirmation that MHCLG would not seek to change the funding streams for Supported Accommodation, i.e.- this provision would continue to be funded via HB for the foreseeable future. However, the MHCLG stated that it is still committed to delivering oversight of quality and achieving value for money in this sector by working with providers, Local Authorities and others to develop a robust oversight regime, underpinned by the draft 'National Statement of Expectation' published as part of the consultation launched in October 2017<sup>1</sup>.

In addition to the consultation carried out by MHCLG, a pilot project was undertaken in Hull which identified that there was a need to set up a Review Team to assess the quality of Supported Accommodation. The pilot project was commissioned in response to concerns around the proliferation of Houses in Multiple Occupation used for Supported Accommodation, the standard of such accommodation and the perceived lack of tenancy support service where enhanced rates of HB are in payment for such services. As a result, a draft inspection framework and regime with the requisite staff complement was developed and subsequently approved by the Council's Cabinet in June 2018. The Supported Accommodation Review Team became operational in April 2019.

## **Appendix 2: Specified Accommodation Categories.**

To be classified as 'Exempt Accommodation':

- The landlord must be a Voluntary Organisation, a Registered Charity or Registered provider (Housing Association).
- The landlord must have a legal interest in the property concerned (ownership or lease).
- The tenant must need 'care, support or supervision'.
- The 'support' to meet these needs must be provided by the landlord or its behalf.

To be classified as a 'Managed property':

- The landlord must be a Voluntary Organisation, a Registered Charity or Registered provider (Housing Association).
- The landlord must have a legal interest in the property concerned (ownership or lease).
- The tenant must need 'care, support or supervision'.
- A third party provides the 'Care, Support or Supervision'.

To be classified as a Domestic Abuse refuge:

- The landlord can be the same providers as above, but can also be the LA.
- The accommodation must be used wholly or mainly for non-permanent accommodation for people who have left their homes as a result of domestic abuse.
- There is no requirement that the tenant receives care, support or supervision.

To be classified as a Local Authority Hostel:

- Hostel cannot be self-contained.
- Care, Support or Supervision must be provided (not necessarily by the landlord).

### **Appendix 3: Quality Standards - Adapted from the Council's Quality Service Framework**

Standard 1: The provider treats people with compassion, dignity and respect.

Standard 2: The same standard of support is provided, irrespective of individual, family and support provider characteristics.

Standard 3: Where the provider controls the environment in which support is delivered, an environment is provided that is conducive to meeting the needs, preference and priorities of individuals being supported.

Standard 4: The provider proactively works with other agencies to ensure the holistic wellbeing of each individual being supported, actively seeking to obtain knowledge on best practice and deploying that in practice.

Standard 5: The provider actively works in partnership with the Council to share, understand and deploy best practices.

Standard 6: The provider understands individual peoples' needs, preferences and priorities and regularly communicates with individuals to understand how their needs, preferences and priorities are changing.

Standard 7: The provider ensures that individuals, their families and carers have the information they need at times when they need it.

Standard 8: The provider encourages individuals to consider the possibility of developing their life skills and building social support networks in order to live independently considering how volunteer sector assets may be used.

Standard 9: The provider proactively engages with an individual's family/carers to ensure that their views are taken into account in understanding an individual's needs/preferences/priorities and how to respond to them.

Standard 10: The provider clearly communicates to individuals receiving their support, their family/carers what they can expect from the service, liaising with the Council.

Standard 11: The provider asks family/carers of individuals being supported for their views on the service provided to that individual in an unscripted way.

Standard 12: The provider communicates in a transparent way as to how the views of individuals/families and carers have shaped their provision.

Standard 13: The provider actively seeks and can demonstrate that it has listened to the views of its staff regarding the support that staff need to undertake their role and has taken the necessary action to ensure that staff can competently undertake their roles.

Standard 14: The provider is able to identify potential or actual harm, neglect and or abuse (physical, emotional or financial) relating to individuals being supported and has a robust procedure for addressing those things.

Standard 15: Following cases of harm, neglect and/or abuse relating to individuals receiving support, the provider identifies any lessons learned and ensures that steps are taken to mitigate the risk of this happening again, liaising where appropriate with the authority.

Standard 16: The provider ensures that individuals receiving support/ families/carers are aware of the process of raising any concerns regarding the support received.

Standard 17: The provider has a culture that is open, transparent and committed to learning and improvement.

## **Appendix 4: New Scheme Application Process**

### **1. Determining the Landlord's Status**

Using information from the questionnaires, the landlord's details will be checked against the Register of Providers of Social Housing and the Register of Charities to confirm that the landlord is an eligible provider.

If the RSL/Charity is only managing the property on behalf of the landlord (i.e. not leaseholder or freeholder), then they are only managing agents and it is the owner's status that is used to determine the status.

Further evidence - If the landlord is the owner of the property they will need to provide the relevant deeds of ownership. If they are the leaseholder, then a copy of the lease must be provided.

### **2. Confirming the Support Provision**

The questionnaires will be used to determine who is providing the support and what support is to be provided. Where a separate organisation is providing the support, the landlord must provide details of the arrangement with the support provider.

Consideration will be given as to whether the support provided is more than minimal, and that the support is relevant to the provision of adequate accommodation. The assumption will be that tenants are only admitted to the scheme if they need the support, but the questionnaires will look to establish who will be making the referrals and whether an assessment is made of prospective tenants, and that the tenants need this support.

As part of the process of confirming that the support provided is more than minimal the provider must demonstrate that the number of any support staff is sufficient for the number of residents. The Housing Benefit Department will consider the proposed number of staff and the proposed hours worked to determine how much time is available for each tenant.

Using the information from these first two stages the Housing Benefit Department can confirm if the property can be classed as Specified Accommodation, and which category it would fall into. If the scheme cannot be classed as Specified Accommodation the landlord will be notified at the earliest opportunity with an explanation why this decision has been reached. If the landlord continues with the scheme any benefit claims would come under normal Housing Benefit/Universal Credit rules.

It is important to note that whilst the Housing Benefit Department will make the supported accommodation assessment based on the property, under Benefit regulations it is the individual tenants to whom the 'Supported' status applies. As

such, if an individual tenant does not need, receive, or take up the support provided then the 'Supported' status can be removed for that individual.

### **3. Considering the Proposed Rent and Service Charges**

The landlord must provide the Housing Benefit Department with a breakdown of the full rental charge showing 'core rent' and service charges.

The landlord must provide evidence of the lease costs/ purchase costs and the lease/ mortgage term for the property. The Housing Benefit Department will be looking to confirm that the core rent relates to the cost of the lease/ purchase price for the property. Any additional charges included in the core rent should be clearly noted and evidenced.

The Housing Benefit Department will consider the service charges to determine which are eligible for Housing Benefits. Details for all eligible service charges must be provided for the Benefit Department to consider. The landlord should be able to demonstrate that the weekly service charge relates to the cost for the provision of the service. If costs are forecasts only, then details should be provided what assumptions have been used in reaching the costs stated.

The Local Authority has a duty to ensure that the rent and service charges proposed reflect current market rents. As such, all proposed charges will be compared with charges from other providers offering like services. If the Housing Benefit Department considers that rent or service charges are 'unreasonably high' they will liaise with the landlord and ask them to review the charges. If an agreement on the charges is not reached then the Housing Benefit Department can restrict the charge to what they consider to be the amount that would be paid for suitable alternative accommodation.

Once the full proposal has been considered the Housing Benefit Department will make a decision 'in principle'. If the proposal has the potential to meet exempt status a referral will be made to the Supported Accommodation Review Team for a proposed scheme review.

### **4. Proposal Review by the Supported Accommodation Review Team**

The purpose of the Review Team assessment is to ensure that sub-standard schemes are not given exempt status, and to provide an opportunity for Schemes which do not meet minimum standards to make appropriate improvements.

The Review Team will therefore complete an assessment to ensure that a proposed scheme has the capacity to provide Supported Accommodation of an acceptable standard. This will include visits in person to the proposed scheme offices, meeting the scheme management and key support personnel, an assessment of the scheme's ability to provide adequate support to tenants, and visits to scheme accommodation.



Upon completion of the Review Team assessment a report will be provided to the proposed scheme indicating:

- that a recommendation will be made to the Housing Benefit Department that the scheme meets the required standards for exempt status, or alternatively,
- recommendations for improvements to enable the scheme to meet the required standards for exempt status.

Upon receipt of the Review Team report indicating that a proposed scheme meets the required standards the scheme will be given exempt status. Final decisions on the rent charges cannot be made until a property is occupied and a Housing Benefit claim is made.

## Appendix 5: Check List For Supported Housing

<b>CHECK LIST FOR SUPPORTED HOUSING</b>		
<i>Please see Notes Section after table</i>		
	<b>Documentation</b>	<b>Provided</b>
1	<p><b>Housing Benefit (HB) Supported Accommodation Questionnaire (SEA Q.)</b></p> <ul style="list-style-type: none"> <li>Form to be completed by the landlord in respect of the accommodation / portfolio of accommodation in question</li> <li>Answers should be relevant to the individual client accommodated at a single property / all clients that are to be accommodated across a portfolio of properties</li> <li>Additional information may be requested</li> </ul>	
2	<p><b>Client Information</b></p> <ul style="list-style-type: none"> <li>Client's accommodated at a property specifically sourced for their needs , for example arrangements that involve placement by a social worker or the NHS, background information from personnel within the claimants support network (social worker or an NHS representative) is required to demonstrate their need for a high level of care support and supervision</li> </ul>	
3	<p><b>Property Questionnaire</b></p> <ul style="list-style-type: none"> <li>establishes that the property will be used for Supported Exempt accommodation only</li> </ul>	
4	<p><b>Service Level Agreement</b> - for arrangements where the tenant (s) received care and support from a resident care providing organisation</p> <ul style="list-style-type: none"> <li>To demonstrate agreements between landlord and support provider</li> <li>If the landlord is contracted for support provision by a LA, and they contract this to a Care Provider at the accommodation, confirmation of the arrangements are required to show: <ul style="list-style-type: none"> <li>What the landlord is responsible for and what they are paid by the LA for this</li> <li>Detail and evidence of the funding recharged within the SLA for this</li> </ul> </li> </ul>	
5	<p><b>Lease</b> where property not owned by housing provider</p> <ul style="list-style-type: none"> <li>Required to establish the landlord holds the proprietary right to let the accommodation and to contribute to decision making in relation to the reasonableness of the rent for HB purposes</li> <li>Lease should be signed by all parties to the agreement</li> </ul>	
6	<p><b>Rent breakdown</b></p> <ul style="list-style-type: none"> <li>Full service charge breakdown</li> <li>Elements of the breakdown may be queried in order to justify the cost</li> </ul>	
7	<p><b>Tenancy Agreement</b></p> <ul style="list-style-type: none"> <li>The agreement should be complete and hold the value of the rent the tenant has agreed to pay for their accommodation</li> <li>It should be signed by all parties to the agreement</li> <li>Where the tenant is unable to sign please provide a statement from their social worker regarding their capacity to do this</li> </ul>	
8	<p><b>HB application</b></p> <ul style="list-style-type: none"> <li>Required within the first week of tenancy / move in date, via the landlord/provider of the supported accommodation</li> <li>IMPORTANT: Do not delay sending the form if all information is not available at the time, this can be provided later</li> <li>Evidence / details of tenant financials / appointee etc</li> </ul>	

9	<p><b>Individual Need Questionnaire</b></p> <ul style="list-style-type: none"> <li>• To confirm the tenant's need for care support and supervision that is linked to the accommodation</li> <li>• The tenant's needs may have been established from client information provided via a social worker or NHS representative (as listed under point 2 above).</li> </ul>	
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## Notes

### **Initial consideration**

Documentation from 1 to 6 would be required from a landlord of supported housing pre tenant move in. It is expected that that supported housing scheme arrangements will be in place before the tenant actually moves in for which the detail can be relayed in these documents.

Early provision of documents will enable communications (a meeting can be arranged where this would be helpful) and initial agreement of

- the HB Regulations that will apply to the HB claim
- the reasonableness of the rent proposed for HB purposes

A decision can be provided at this stage in order to help facilitate a tenant's smooth move into the accommodation and quick administration of the individual's HB claim.

The rent breakdown at point 6 would be a proposal of the rent to be charged.

### **HB claim**

Further documentation is required for the administration of the HB claim (s)

Documentation at 6 should reflect any agreed changes

Documentation at 7 can be provided by the landlord when the tenant signs up for the tenancy. It can be provided with the documentation at points 8 and 9

Documentation at 8 and 9 is expected from the landlord within first week of tenancy / move in date

Housing Benefit can be backdated, but this is for a maximum period of one calendar month and only when continuous good cause is shown for the delay in application.

## **Appendix 6: Supported Accommodation Questionnaire**

### **Housing Benefit Supported Accommodation Questionnaire**

This questionnaire is to be completed by the landlord of the supported housing scheme.

Please give as much detail as possible with supporting evidence.

Notes are provided at the end of the questionnaire.

Landlord name and address:

Care provider name and address if different to above:

Scheme Name(s) and address(s):

(1) Do you own the property(s), lease the property(s) or are you the managing agent for the owner? (If you lease the property a copy of the lease is required).

(2) Are the residents of this scheme / properties listed, provided with care, support or supervision to enable them to live independently (with help) in the community and sustain the tenancy / licence?

(3) Under which category of supported housing does the scheme fall?

- Supported *exempt* accommodation
- A managed property (s)
- Temporary Refuge accommodation (victims fleeing domestic violence)
- Temporary Local Authority Hostel accommodation

(4) Please provide an overview of the operational model / arrangements that are in place to explain the category selected in question (3), addressing the following:

- The organisation(s) involved in the provision of this accommodation
  
- The client group accommodated and referral mechanism
  
- What responsibilities lie with which organisation(s)  
*(Provision of accommodation, provision of care, support or supervision, is there a Service Level Agreement in place)*  
 If a Service Level Agreement exists please provide a copy
  
- The living arrangements  
*(Is it short term temporary accommodation or long term / is it self-contained / does the resident have their own room and share others / is there a resident overnight carer)*
  
- Has an assessment been made of the resident's need for care support or supervision and of the suitability of the accommodation? Who did this assessment?
  
- Did the outcome of the assessment result in a plan of care and support necessary for the resident to live in the property / community?

- Is the provision of care support or supervision linked to the occupation of this property as opposed to being provided on a 'floating care provision' basis?
  
- Would a person be granted a licence / tenancy if they weren't in need of, and in agreement to provision of the care support or supervision this is attached to this accommodation

(5) How is care support or supervision provided?  
*(Face to face, group work, individual, within the accommodation, signposting, attendance at meetings etc.)*

Answers to questions (4) and (5) may be evidenced / demonstrated by an account of support that has been given to a tenant so far

(6) What tasks are carried out in providing care support or supervision and by whom?  
*(What is done to assist with housing related matters, independent living, social inclusion, life skills, personal care etc. Please indicate who it is who carries out the different tasks. It is sufficient when care is of a personal nature to give brief detail only such as help with dressing, washing, medication and meals etc)*

(7) How much time does a resident receive care, support or supervision on a weekly basis? If this is given by both a landlord and care organisation time will need to be apportioned.

*(A statement or staffing structure to show the staff giving care support or supervision in respect of the number of residents accommodated will help to demonstrate the time available to / devoted to individual residents.*

(8) Do you believe that the care, support or supervision provided is given on 'more than minimal basis' and the tasks being performed are over and above that which would be expected from a landlord carrying out usual landlord functions? Please explain

(9) How is the cost of this supported housing / care support or supervision funded?  
*(Elements within the services in the gross rent for support, any Housing Related Support, funding from Social Services, charitable donations (if so from which charities)*

(10) Are there any other details you wish us to take into consideration?

**Declaration**

**I declare** that the information I have given is true and complete.

**I agree** that the Council may make any enquiries it thinks necessary.

**I am aware** it is an offence to deliberately make a false statement or withhold material information.

**I know** I must advise the Council of any changes to the information given on this questionnaire by completing a new questionnaire.

Name/Signature:

Date:

Organisation:

Position:



## Notes: Supported Housing

### Relevant legislation

- Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006, Paragraphs 4 and 5
- Housing Benefit and Universal Credit (Supported Accommodation) (Amendment) Regulations 2014 - amending Regulations effective 10 April 2014

The amending regulations, from 10 April 2014, retained the definition of 'supported exempt accommodation' as contained within paragraphs (4) and (5) of the HB & CTB (CP) Regulations 2006, and included it within a wider definition of supported housing collectively termed 'specified accommodation'

The amendments mean that the 'housing costs' for accommodation falling within the remit of specified accommodation will not be met under the housing element of Universal Credit and will not be included in the benefit cap calculation. Until the introduction of a new model for funding supported housing, housing costs for specified accommodation will met through Housing Benefit.

Housing Benefit for supported exempt accommodation is determined under the rules contained within paragraphs (4) and (5) of the HB & CTB (CP) Regulations 2006. Housing Benefit for the other categories of specified accommodation is determined under Housing Benefit Regulation 12B. Rules for the social rented sector apply when the landlord is Registered Social Landlord and Local Housing Allowance rules apply when the landlord is a registered charity or voluntary organisation.

#### (1) Supported *exempt* accommodation

A resettlement place, or accommodation which is provided by a county council, housing association, registered charity or voluntary organisation where that body, or person acting on their behalf, provides the claimant with care, support or supervision on more than a minimal basis

#### (2) Managed properties

Cases which do not meet the definition of 'supported exempt accommodation' solely because care support or supervision isn't provided by the landlord or on their behalf, often due to the funding/care structures in place Conditions apply in that:

- The property is provided by one of the specified social and third sector organisations as in category (1)
- The claimant is admitted upon the condition that they are in need of, and in agreement to receive, the care support or supervision that is attached to the accommodation
- Care support or supervision cannot be 'floating support' provided in standard social or third sector housing

An indication of need may be shown through the provision of public funding for the care support or supervision, although this is not a mandatory requirement. Another consideration would be if the accommodation has been commissioned designed or designated as supported housing by the Local Authority or other appropriate statutory body.

#### (3) Refuges

Temporary refuge accommodation provided by the same group of third and social sector landlords, but also a Local Authority, where the resident is accommodated because they are fleeing their home as a result of domestic violence. Domestic abuse does not need to be from within the household but other types of violence that may occur in a domestic setting, such as violence by a neighbour or landlord etc. There is no care support or supervision requirement. Some refuge accommodation may fall under categories (1) or (2)

#### (4) LA Hostels

Hostels provided by a Local Authority, where care, support or supervision is provided.

A 'hostel is that defined in Housing Benefit Regulation 2(1) as that which is in domestic shared accommodation with either board or facilities for the preparation of food. Some hostels may fall under categories (1) or (2).



Would there be any circumstance when you would accommodate any other client group?

YES  NO

If YES please explain.

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Would you accommodate anyone who wasn't in need of the support attached to this accommodation?

YES  NO

If YES please explain.

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How is the support provided at this accommodation? Please tick the box that applies.

<input type="checkbox"/>	Staff on site: 24 hours or during office hours
<input type="checkbox"/>	Staff On Call: 24 hours or during office hours
<input type="checkbox"/>	Other, please specify _____

Please complete this table, giving the number of each type of room in the property.

	Living/ Dining Rooms	Bedroom	Bedsit	Kitchen	Bathroom	W.C	Other
How many of these rooms are there in total, in the whole property.							

How is this property let? (For example as rooms with shared facilities or as a house with self contained accommodation)

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Would there be any circumstances when this would alter:

YES  NO

If YES please explain what these circumstances may be:

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What documentation or advice is given to a resident regarding their occupation of this property when they move in?

A licence       A tenancy       Other (written or verbal)

If Other please state:

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Does the documentation you issue infer the rights of an assured tenancy?

YES       NO

If there is a vacant room within the property is this room locked so the other residents do not have access to it?

YES       NO

How are prospective customers referred to you?

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Are prospective residents interviewed to establish their need for the support attached to this accommodation?

YES       NO

Within this process what considerations are made (For example, if the property is a house in multiple occupation with respect to possible conflicts between existing residents and the prospective residents)

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Do you have a review period to establish a resident's continuing need for the support attached to this accommodation?

YES       NO

If NO, why not

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If YES is the review period determined on an individual basis or do you have a set period for review?

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Are there any rules or conditions linked to resident's continuing occupation of the property?

YES  NO

If YES, please explain.

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Please explain what factors you took account when determining the level of rent, not including support, for this accommodation? (For example, comparative accommodation of a similar standard at this level of rent, high standard of accommodation, adapted accommodation, is it because there is support available, is it because of the client group catered for)

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### **Declaration**

**I declare** that the information I have given is true and complete.

**I agree** that the Council may make any enquiries it thinks necessary.

**I am aware** it is an offence to deliberately make a false statement or withhold material information.

**I know** I must advise the Council of any changes to the information given on this questionnaire by completing a new questionnaire.

Name \_\_\_\_\_ Position \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Thank you for completing this questionnaire.

Please return this questionnaire to

**Hull Benefits Services, FREEPOST RSJC- KKBE- ABXZ, P.O. Box 15, Hull HU1 2BR**

