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Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation – summary of responses – additional
report

Housing Support Grant Guidance (Draft)

Practice Guidance for Local Authorities

March 2020

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

1. Background

- 1.1. Since the publication of the Consultation Summary of Responses Report on the draft Housing Support Grant (HSG) Guidance on the 10 February, and the final HSG Guidance document on the 11 February, it has come to our attention that a problem had occurred with the online responses completed. An internal error meant that we did not receive the completed online responses via the Welsh Government website. Unfortunately this means that these responses were not considered as part of the normal process and had therefore not been included in the consultation summary of responses report.
- 1.2 Welsh Government officials have now considered all the additional responses received and this report sets out a summary of those responses. Officials reviewed the guidance in light of these responses and concluded that no further changes to the guidance were necessary. This was because each of the substantive issues raised had already been addressed in the consideration of the other consultation responses.

2. Consultation process

- 2.1 Between 7 October and 29 November 2019 the Welsh Government undertook a formal consultation on the draft HSG Guidance for local authorities. The consultation period ran for 8 weeks instead of the usual 12 week period due to the extensive stakeholder engagement already undertaken to co-produce the guidance. Online versions of the consultation document and response forms were provided in English and Welsh. The link to the consultation was sent to all local authorities, umbrella organisations and other relevant stakeholders.
- 2.2. The consultation included eight questions and sought views on whether the arrangements set out in the HSG practice guidance document are fit for purpose, are clear, and enable commissioners and providers to fulfil the core purpose of the grant and deliver the essential support services required for the intended service recipients.
- 2.3 Thirty eight responses were received and captured in the original Consultation Summary of Responses Report published on the 10 February 2020.
- 2.4 An additional 17 online responses were received, 5 of which wish to remain anonymous. These came from a variety of sectors including from local authorities, Regional Collaborative Committees (RCCs), and third sector organisations (a full list of respondents is at annex A).

3. Summary of responses

- 3.1 **Question 1a - Is eligibility for the grant clearly described, and correct in terms of its scope? If the answer is no, what would you change about the guidance?**

Consultation feedback

Overall most respondents felt that the eligibility was clear and correct. Where it wasn't clear the following key issues were raised:

- Length of support: - Llamau welcomed that there should be no time limit on length of support, however felt that the guidance could be strengthened to emphasise that local authorities should avoid setting time limits that are too restrictive and that there is a recognition that service users may need to re-connect with services.
- Private Rented Sector (PRS):- Safeagent suggested that the guidance needs to be more explicit about provision of support to tenants living or moving in to the PRS.
- Age: - Cadwyn Housing Association would like to see the scope of the grant expanded to acknowledge work with families, which would include people under the age of 16. GISDA also raised the issue of working with people under 16 who need support and could this be included in the eligibility.
- No local connection criteria: - Cadwyn Housing Associations raised a concern that the removal of no local connection would have significant impact on demands of local authorities. Llamau supported it but requested information about how it will work in practice. Caerphilly County Borough Council (CCBC) were concerned how this would impact on the local housing allocations policy and being able to plan for when the demand is unknown.
- No recourse to public funding: - Llamau requested more guidance on how they should approach requests for support from people with no recourse to public funding.

Welsh Government response

- Chapter 2 of the final Guidance has already been updated to:
 - Strengthen the section on length of support, which should address the comments raised by Llamau.
 - Make explicit reference to support for people living or moving into PRS.
 - Expand the age eligibility to include pre-tenancy and preventative work with people under 16.
 - Clarify the no local connection criteria and explain that this does not create a responsibility to fund HSG provision outside the local authority boundary. For HSG, it is the expectation that the local authority meets the need at the point where it is presented and that local connection is not considered in relation to HSG funding.
 - Provide a clearer explanation of the Welsh Government's position on individuals who are not eligible for HSG support due to their immigration status and not being eligible for public funding.

3.2 Question 1b - Do you think the draft guidance provides a clear purpose for the grant? If the answer is no, what would you add to the guidance?

Consultation feedback

Overall most respondents felt that the guidance provides a clear purpose for the grant and provides greater flexibility for local authorities to be innovative and creative. Cwm Taf RCC said that that the guidance was clearer than previous years and welcomed the flexibility that the combined grant will provide in enabling local authorities to better adapt to local needs. Where it wasn't clear the following key issues were raised:

- Purpose of the grant: - Llamau and an anonymous respondent questioned the value of including '*the funding of raising awareness and understanding with other professionals, wider public etc.*'; within the core purpose of the grant, given the limited funding and the demand for support services is high, and suggested that it should be a cross government responsibility and delivered by public services instead.
- Llamau requested clarity around clinical supervision and reflective practice alongside training of staff, service registered with Care Inspectorate Wales (CIW), and emotional support.

Welsh Government response

- Following previous consideration of this, Welsh Government has decided to keep '*the funding of raising awareness and understanding with other professionals, wider public*' in the guidance document as it was felt that it was important that this is available to local authorities should they need to use it for that purpose. The raising awareness in this context is about the HSG and what support is available, it is not about raising public awareness of homelessness or for fundraising and project delivery purposes. The guidance does go on to state that tackling and preventing homelessness is a whole public service matter and not just a housing matter.
- The final guidance has been updated to include advice on services registered with CIW and clarification that therapeutic support can be funded from the grant. Welsh Government feel that the guidance is already clear enough in relation to emotional support services.

3.3 Question 2 – The section on funding for Alarm Services (at Annex F of the guidance) is intended to be clearer and is broader than in previous guidance. Is the scope for funding alarms appropriate and clear?

Consultation feedback

Eight of those who responded felt that the guidance on alarms is appropriate and clear, with some welcoming the increased flexibility given to local authorities. Three respondents did not answer and six respondents did not agree that it was clear and raised the following key issues:

- CCBC said that they would welcome a clearer decision to be made on the funding of alarms as there is inconsistency across Wales in this regard.
- A few respondents would welcome further clarity on what may be eligible for support through the welfare system. Cwm Taf RCC suggested that additional guidance should be provided to assist providers in their negotiations with Housing Benefit departments and the Department for Work and Pensions.
- Cwm Taf RCC also commented that leaving it to local authorities to decide could lead to a post code lottery across Wales.
- Bridgend County Borough Council (BCBC) commented that the guidance on alarms is contradictory and difficult to interpret.

Welsh Government response

- The final guidance has been updated at Annex F to include guidance on what elements of the provision of alarms may be funded from the welfare system.

However Welsh Government is unable to give guidance to Housing Benefit departments as this is governed by non-devolved policy.

3.4 Question 3 - Do you think the strategic planning framework within the draft guidance provides sufficient –

- Flexibility,
- Accountability
- Transparency?

If not suggest how this could be improved

Consultation feedback

Just over half of respondents agreed that the planning framework set out in the guidance provides sufficient flexibility, transparency and accountability. Cwm Taf RCC said that “.. *the new framework allows more flexibility across grant within HSG bringing the homelessness and support services together to allow better integration on both planning and delivery*”, and Cardiff Community Housing said that it outlines the importance of collaborative working.

Where it wasn't deemed sufficient the following key issues were raised:

- A number of respondents, including Cwm Taf RCC, Cadwyn Housing Association and Llamau, raised concerns around the perceived lack of accountability and oversight of local authorities due to the removal of the reporting to Regional Collaborative Committees and more flexibility around how local authorities engage and consult with stakeholders as part of their planning process, and questioned what measures would be in place to ensure that local authorities adhere to the guidance. Pembrokeshire Care Society also felt that the guidance is too flexible for local authorities and that there is a lack of accountability and transparency throughout, particularly in the needs mapping process and the reporting back to and monitoring by Welsh Government.
- Llamau and Pembrokeshire Care Society commented that they would welcome the inclusion in the guidance of a mechanism for providers and service users who have concerns about the lack of engagement or involvement or about the quality of services, which sets out who they can contact and the procedure to be followed if there are points of contention.
- Llamau recommended that principles for engagement with providers should be included in the guidance to ensure that there is quality engagement taking place.
- CCBC commented that there appears to be a large number of documents required, which are very repetitive and put forward suggestions to streamline the documents. BCBC also commented that the need for a full annual HSG Delivery Plan as well as a Housing Support Programme (HSP) Strategy seems extensive. Both local authorities questioned the timescales for the HSP Strategy not aligning with the existing timescales for the Homelessness Strategy.
- An anonymous respondent welcomed the requirement of a needs assessment to inform strategic planning, however felt it could be strengthened in certain areas. They suggested that Welsh Government should provide a specific format for the needs assessment and that the HSP Strategy template should be amended to link in better with the needs assessment.

Welsh Government response

- The section on the Welsh Government's role at 8.4.2 in the final guidance has already been expanded to clearly set out its role in monitoring local authorities' delivery against their funding submissions and holding them to account with regards to meaningful involvement of people with lived experience and service providers.
- A diagram has been added at Annex A of the final guidance to explain the planning framework more clearly. However, we do not want to be too prescriptive in the guidance and put additional burdens on local authorities, as the intention is to give local authorities more flexibility to commission services to meet local needs.
- Principles for engagement have been added at chapter 4 (engagement with providers and landlords) and chapter 6 (engagement with services users).
- The final guidance has been updated at chapter 8 to be clear about who providers and services users can contact and the procedure to be followed if there are points of contention.

3.5 Question 4 - Regional Working - Do you think the direction set for regional working and the scope of the Regional Collaborative Groups is correct?

Consultation feedback

Eleven of the respondents said that they agreed with the direction set for regional working, with six respondents answering no or they didn't know. This is in part due to the lack of details that can be provided at this time around how the relationship with the Regional Partnership Boards (RPBs) will work. Comments were received around the following:

- A number of respondents suggested that more than one support provider and one landlord need to be represented on the Regional Collaborative Groups (RCGs).
- A number of respondents also commented about the housing representative on the RPBs and the need ensure that homelessness and housing related support have a strong enough voice. It was suggested that there needs to be a housing related support representative as well as a housing capital representative.
- A number of suggestions were put forward on how the RCGs and the role of the Regional Development Co-ordinator (RDC) could work under the new arrangements, including the RCG becoming more fully integrated into the RPB, development of task and finish groups, service user engagement and how the RCG could work in the Mid and West Region i.e. two separate groups.
- Adra Tai Cyfynedig suggested changing the name of the RCGs to the Regional Housing Support Collaborative Group so that it's clear that they are about housing support.

Welsh Government response

- Chapter 5 on Regional Working in the final guidance has purposely been left flexible as we are operating in an evolving and dynamic environment and the ways of working with RPBs will need to be developed over time.
- We are unable to stipulate in the HSG Guidance the membership of the RPB, however the priority for the RCGs and RDCs is to build the relationship with the

Housing Representatives on the RPB to support them to understand housing related support issues and to inform the conversations around collaborative working.

- The membership of the RCGs has been amended to provide flexibility around how many provider and landlord representatives can be on the Group. It also includes a requirement for a PRS representative on the Group.
- The name of the RCG has been formally changed to the Regional Housing Support Collaborative Group.

3.6 Question 5 - Do you think the draft guidance has any negative impact on equality across the protected characteristics? If the answer is yes please explain why?

Consultation feedback

Only two comments/ issues were raised to this question:

- A few respondents suggested that local authorities should have to engage with someone from Equality and Inclusion (e.g. Tai Pawb) as part of their strategic planning stakeholder engagement, so that people with protected characteristics are not overlooked.
- United Welsh suggested that an Equality Impact Assessment (EIA) should be carried out on all contracts commissioned by the local authority.

Welsh Government response

- The strategic planning framework requires that local authorities undertake an EIA when developing their HSP Strategy and HSG Delivery plan. This informs their commissioning and the types of services required. The Guidance also states that they should be taking into account the Equality Act 2010 in the delivery of the Grant. Welsh Government therefore don't think it is necessary to stipulate that an EIA is required for each contract, unless this is prescribed under their own local procurement standing orders.
- The final guidance has been updated to include reference to ensuring that marginalised groups are considered by local authorities when commissioning and co-ordinating services. It also requires that local authorities must ensure that the voice of under-represented/marginalised groups are represented when involving service users in the planning, commissioning and procurement of services. Whilst we do not stipulate in the guidance that local authorities must engage with equality and inclusion representatives as part of their planning, this doesn't prevent local authorities from doing so and there is an assumption that this would take place as part of their EIA.

3.7 Question 6 - We would like to know your views on the effects that the draft practice guidance would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favorably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

and

Question 7 - Please also explain how you believe the proposed practice guidance could be formulated or changed so as to have:

- **positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favorably than the English language, and**
- **no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favorably than the English language**

Consultation feedback

Whilst a number of respondents put forward ideas of how local authorities should be delivering their services in compliance with the Welsh Language Standards (WLS), only a few specific issues were raised in response to this question as follows:

- An anonymous respondent suggested that the HSG delivery Plan should also include the need to comply with the WLS as well as the HSP Strategy, and that as part of their progress reporting they report on how they are ensuring that the Welsh language is treated no less favourably than the English language.
- Adra Tai Cyfynedig commented that the guidance should include the importance of providing services to vulnerable people in the language of their choice.

Welsh Government response

- The HSG guidance throughout already requires local authorities to comply with the WLS in the planning, commissioning and procurement of services. The final guidance has been updated at chapter 6 to state that local authorities must ensure that they communicate with service users in the language appropriate to the individual's circumstances.
- The Welsh Government does not consider local authorities' compliance with the WLS to be a matter for the HSG to monitor. However, they are required to undertake a Welsh Language Impact Assessment as part of the strategic planning which should demonstrate how they have considered the requirements and built it into their service delivery planning. Welsh Government will also be checking, as part of the local authority's annual funding submission, how they have engaged with stakeholders as part of their planning.

3.8 Question 8 - We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them

Consultation feedback

Welsh Government received a number of additional comments to this question, which we have grouped into categories as set out below, and have only included in this report where it was significant or two or more organisations raised the same issue:

- **Commissioning:** - A number of comments were received relating to the commissioning and procurement process, with the most common one being around the need for the guidance to emphasise that the quality of support

provided should be the most important consideration when commissioning, and suggested that a 70%quality/30% cost split should be recommended in the guidance. The issue of fair work practices and fair wages was also raised.

- Trauma informed approach: - Whilst working in a trauma informed way had been included in the draft guidance, under the values underpinning the grant, Llamau would welcome more explicit reference to the five components of a psychologically informed environment.
- GDPR: - CCBC and Pembrokeshire Care Society asked if the guidance could include support for cross boundary information sharing and the sharing of information between providers. Llamau also asked for the guidance to provide clarity around the local authority being the data controller for the transfer of data between providers.
- A few respondents asked about the possibility of the HSG being used to fund administration costs.

Welsh Government response

- Guidance has been added at chapter 2 around commissioning and delivering psychologically informed services.
- Welsh Government does not feel it would be appropriate to include a prescribed cost/quality ratio for procurement as this should be based on the type of service being commissioned and should be in line with local procurement standing orders. However the guidance does emphasise the need to focus on people's well-being outcomes through a more person centred approach to strategizing and commissioning. We specifically refer local authorities to the Social Partnership Bill which proposes a move away from case by case lowest cost approach to a more strategic approach.
- The guidance states that local authorities should comply with GDPR legislation. Should it become apparent that in practice this is causing wider issues and barriers in the sharing of information then a separate review could be undertaken. Welsh Government does not feel that this is a matter that should be addressed in the guidance.
- Money has historically been given to local authorities to fund the administration costs of the supporting people programme (and now the HSG) through their Revenue Support Grant. HSG funding should only be used on frontline delivery of services.
- The final guidance now includes reference to Fair Work Wales and fair work and ethical practices throughout the commissioning chapter.

4. Next steps

- 4.1 The [final HSG Guidance](#) was published on the 11 February 2020, and will become operative from April 2020.

Annex A

Adra Tai Cyfynedig	Llamau
Bridgend County Borough Council	Pembrokeshire Care Society
Cadwyn Housing Association	Regional Development Co-ordinator for the Cwm Taf Regional Collaborative Committee
Caerphilly County Borough Council	Safeagent
Cardiff Community Housing Cymru	United Welsh
Cwm Taf Morgannwg Regional Collaborative Committee (RCC)	Anonymous x 5
GISDA	