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Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation – summary of responses

Housing Support Grant Guidance (Draft)

Practice Guidance for Local Authorities

February 2020

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

1. Introduction

The Housing Support Grant (HSG) came into being in April 2019 following a decision by Ministers in 2018 to create two grants following the funding flexibilities project; the Children and Communities Grant and the HSG. The HSG is an early intervention grant programme to support activity which prevents people from becoming homeless, stabilises their housing situation, or helps potentially homeless people to find and keep accommodation. It encompasses the previously separate Supporting People programme, Rent Smart Wales Enforcement and elements of the Homelessness Prevention Grant.

In line with expectations of the Well-being and Future Generations (Wales) Act 2015, Welsh Government has been working with local authorities and other relevant stakeholders to co-produce appropriate administrative, governance, planning and monitoring arrangements for the HSG, and these arrangements were set out in the draft HSG Practice Guidance consulted upon. This co-productive process has formed an important part of shaping the guidance which has therefore not relied on the consultation process alone.

As part of this process and to inform the development of the draft practice guidance we held a number of engagement events across Wales with key stakeholders, along with attending meetings with key partners, 1:1 meetings with local authorities and a call for evidence exercise with Universities and lobby groups.

2. Consultation process

Between 7 October and 29 November 2019 the Welsh Government undertook a formal consultation on the draft Housing Support Grant Practice 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.

The consultation sought views on whether the arrangements set out in the 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.

Eight questions were asked within the document and 38 responses were received, 5 of which were received late after the deadline but have been included in this report. Responses came from a variety of sectors including from local authorities, third sector organisations and umbrella organisations (a full list of respondents is at annex A). Not all questions were answered by all respondents. Where this is the case we have included their response under the most appropriate question.

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?

| | | |
|-------------------|-----------|------------|
| Yes | 26 | 68% |
| No | 4 | 11% |
| Don't know | 1 | 3% |
| Left Blank | 7 | 18% |

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

- No recourse to public funding: - Seven respondents raised concerns around those people with no recourse to public funding not being eligible for support from the HSG and requested further clarity. Welsh Women's Aid (WWA) highlighted that this restriction discriminated against a large group of people, particularly against survivors of domestic and sexual violence. WWA and the West Glamorgan Regional Collaborative Committee (WG RCC) suggested that this was in conflict with the Istanbul Convention. Others highlighted that this is causing challenges with rough sleepers. Guidance on alternative options available for this cohort of people was also requested.
- Local connection criteria:- Eight respondents, mostly local authorities and Regional Collaborative Committees (RCCs), had concerns with the eligibility criteria that no local connection should be applied, particularly around how this relates to local housing allocation policies and the increase in the development of housing first projects. Clarification was sought around how this will work in relation to the discharge of statutory duties under the Housing Wales Act (2014). Conversely others welcomed the inclusion, with Community Housing Cymru stating that "*Housing associations welcome the clarification on local connection not needing to apply to Housing Support Grant funded services*" and Shelter Cymru stating that "*If local authorities are required to be blind to local connection for the purposes of HSG this will strengthen homelessness prevention and relief*".
- Age: - A few respondents sought clarification on whether the minimum age was inclusive of 16 year olds. GISDA also suggested that the scope should be widened to include early intervention and prevention work with children under 16 years, and the WWA suggested expanding eligibility to children under 16 residing in refugees.

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?

| | | |
|-------------------|-----------|------------|
| Yes | 25 | 66% |
| No | 2 | 5% |
| Don't know | 1 | 3% |
| Left Blank | 10 | 26% |

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. Where it wasn't clear the following key issues were raised:

- Length of support: - Whilst most respondents acknowledged that removing the time limit on length of support is a positive step, including Wales and West Housing who said that "*We welcome the clear commitment that HSG should not be time limited and the support should be available for as long as needed in addition to the commitment towards prevention*", some respondents felt that this may cause a tension with the aim of seeking not to create a dependency. The West Glamorgan Regional Collaborative Committee (WG RCC) also stated that allowing local authorities to be able to define their own timescales when commissioning services could result in inconsistent practices. Furthermore, Welsh Women's Aid (WWA), WG RCC and Swansea Council questioned the use of the wording at par 2.8.2 '*Cyclical use of services should be regarded as an unsatisfactory outcome*', with the WWA stating that they are concerned that it will act as a barrier to support for survivors with complex and multiple needs, and Swansea Council stating that its inclusion is contradictive in nature to the statement of person centred support.
- Trauma informed approach: - Whilst working in a trauma informed way had been included in the draft guidance under the values underpinning the grant; a number of respondents would welcome more explicit reference to this throughout the guidance, including dealing with the implication of workforce development and in the commissioning of services.
- Purpose of the grant: - Cymorth Cymru and Monmouthshire Housing Association 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. Cymorth questioned whether it was realistic to include 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.
- What the grant can fund: - There were a number of activities where respondent felt that further clarification was needed, including the funding of emotional support, tenancy support, research and evaluation, and support provided under section 117 of the Mental Health Act. Three of the respondents suggested that a definitive list of allowable activities under the grant should be provided.
- Advice and Information Services (section 2.9):- A number of the responses from local authorities had concerns about the perceived additional responsibility and resource burden on them in carrying out quality assurance checks on providers who provide advice services. It was also highlighted that this could mean additional costs for providers, and training to support local authorities and providers was requested. Further clarification was also sought on the definition of a specialist advice service.

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?

| | | |
|-------------------|-----------|------------|
| Yes | 19 | 50% |
| No | 9 | 24% |
| Don't know | 2 | 5% |
| Left Blank | 8 | 21% |

Half of those who responded felt that the guidance on alarms is appropriate and clear, with some welcoming the increased flexibility given to local authorities. Only one respondent deemed it not appropriate for HSG to fund alarms at all.

Where it wasn't clear or not deemed appropriate, the following key issues were raised:

- Four of the respondents, including Cymorth Cymru, commented that placing the onus on local authorities to make the strategic decision on whether to fund alarms could lead to a 'postcode lottery' and inconsistent provision across Wales.
- Blaenau Gwent County Borough Council suggested that the guidance still presents a confused picture for the funding of alarms, and that a firm decision should be made if HSG should fund alarm services or if this would be more appropriately funded via a different policy area such as Health and Social Care. They state that there has always been inconsistency across Wales in relation to the funding of alarm services and if this is not made clear within the guidance this will continue and an opportunity to rectify the matter has been missed.
- Further clarity was sought around what elements can be funded from the welfare system or any funding sources.
- There were a few concerns around the suggestion that authorities can charge an individual for an alarm. Welsh Women's Aid felt that this not appropriate for survivors of VAWDASV.
- Further clarity was sought on distinguishing between what is a health or social care need and what is a housing related support need when funding alarms.
- Further clarity was sought about what exactly can and cannot be funded, i.e. call centre support, cost of the equipment, maintenance.

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.

| | | |
|-------------------|-----------|------------|
| Yes | 15 | 40% |
| No | 5 | 13% |
| Don't know | 8 | 21% |
| Left Blank | 10 | 26% |

Just under half of respondents agreed that the planning framework set out in the guidance provides sufficient flexibility, transparency and accountability. Clwyd Alyn Housing Ltd said that "We welcome the accountability and transparency and particularly the emphasis on

user involvement in designing and commissioning the service.” And Torfaen County Borough Council said “We are pleased that Welsh Government are taking whole systems view of homelessness provision and this is detailed within the strategic planning framework presented”.

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

- **Planning requirements:** - It was apparent from the responses that there is a misunderstanding by some local authorities and Regional Collaborative Committees (RCCs) of the requirements of the planning framework and the documentation required, and that clearer guidance is required. For example, some local authorities questioned the need for two separate strategies; a HSP Strategy and the Homelessness Strategy stating that it was a duplication and resource intensive, when in fact the guidance only requires one strategy to be produced which combines both elements. Where the planning framework appeared to be understood, some local authorities said that the process was too prescriptive and bureaucratic and would place significant resource burden on the local authority.
- **Local authority accountability:** – A number of respondents raised concerns around the perceived lack of accountability of local authorities due to the removal of the reporting to RCCs and more flexibility around how local authorities engage and consult with stakeholders as part of their planning process. Shelter Cymru stated that they were concerned that there are fewer ways to hold local authorities to account and that the voice of service user and providers would be lost. Both Shelter Cymru and Cymorth Cymru suggested that they would welcome the inclusion of a mechanism for Providers who are unhappy, which sets out who they can contact and the procedure to be followed if there are points of contention.
- **Stakeholder engagement:** - Some respondents felt that the section on stakeholder engagement needs to be strengthened to include a set of principles for engagement so that expectations are clear, some good practice examples provided of how local authorities can engage in a meaningful way, and the scope expanded to go beyond just engagement but to also emphasise the need for co-production and co-design.

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?

| | | |
|-------------------|-----------|------------|
| Yes | 12 | 32% |
| No | 4 | 10% |
| Don't know | 11 | 29% |
| Left Blank | 11 | 29% |

32% of respondent said that they agreed with the direction set for regional working, with 29% answering that 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.

Most of the responses received requested further information on how the proposed vision will work in practice before they could make a judgement, however specific comments were received around the following:

- Community Housing Cymru stated that whilst they believe that the current system of RCCs is not fully effective and welcome the change in regional structures under the HSG, they are concerned that the creation of Regional Collaborative Groups (RCGs) outside the RPBs will not provide a strong enough link between housing related support, social care and health. Furthermore that without a budget held at regional level the likelihood of meaningful regional work is reduced. Cymorth Cymru also commented that as it stands there is no conviction that the RCG could build a close enough working relationship with the RPB to design and jointly commission services.
- Suggestions were given on additional representation for the membership of the new RCGs, such as health, youth justice, mental health and the private rented sector. It was also strongly felt that there should be an appropriate housing representative on the RPBs which could adequately reflect the housing related support issues and be the link with the RCGs.
- A number of suggestions were put forward on how the RCGs and the role of the Regional Development Co-ordinator could work under the new arrangements, including the RDC sitting under an existing RPB support team, and the RCG becoming fully integrated into the RPB.
- Others commented on the importance of not losing the good practice and good work already achieved by the existing Regional Collaborative Committees.
- It was suggested that that name of the new RCGs should reflect its function i.e. housing support.

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?

| | | |
|-------------------|-----------|------------|
| Yes | 1 | 3% |
| No | 22 | 58% |
| Don't know | 5 | 13% |
| Left Blank | 10 | 26% |

Most respondents did not identify any negative impacts on equality as a result of the guidance. Only four respondents raised any potential issues, which were as follows:

- Wales and West Housing felt that there could be a negative impact on those people receiving Alarm Services if the Local Authority deems it a priority to no longer fund these services.
- Welsh Women's Aid (WWA) were concerned that the guidance is not clear enough in emphasising that all forms of VAWDASV must be considered and not just domestic abuse. They believe that Supporting People funding currently is minimal for other types of violence against women, such as sexual violence.
- In addition, WWA raised concerns around the impact of this grant on survivors with no recourse to public funds; that children in refuges are not adequately provided for in the guidance; and that adequate funding must be explicitly identified as being available for disabled survivors. Furthermore that childcare costs are not always covered by funding

which impacts on the service; this could be a specific equality impact on women having equal access to support as they state the majority of care-giving still falls to women.

- Powys County Council felt that a greater emphasis in the guidance on delivering what matters to each person would give proper focus for commissioners and providers achieving the objectives of the Well-being of Future Generations Act across the protected characteristics. They also felt that the emphasis on homelessness prevention in the guidance could potentially have negative unintended consequences if it's interpreted too narrowly e.g. around statutory homelessness duties. People, including people of protected characteristics, could be disadvantaged if not seen as falling into this narrowly defined category.
- Monmouthshire Housing Association responded that potentially certain groups would require services that are specialised but there is little in the guidance to suggest how that would be implemented

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**

Key comments included:

- Both Pembrokeshire County Council and Welsh Women's Aid (WWA) suggested that HSG funding for translation, interpretation or BSL should be extended to include Welsh and other languages, as translation costs are costly and can impact on service provision or quality of service provision.
- WWA further added that it's important that survivors must be given the opportunity to express themselves in Welsh but also be able to speak to someone who understands the context of living in Welsh speaking communities. The specialist sector must be fully resourced to meet the needs of Welsh speakers equally with English speakers.
- A number of respondents felt that the guidance needs to go further in emphasising the importance of local authorities and providers providing services to vulnerable people in their language of choice and in service user engagement. In particular, it was felt that chapters 4, 5, 6 & 7 should be updated to reflect this.

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.

Welsh Government received a high 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 two or more organization raised the same comment:

- Commissioning – over 25 individual comments were received relating to the commissioning process, with the most common one being round 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.
- Budgeting and reporting timescales – Most of the local authorities who responded stated that the timescales for submission of quarterly and annual returns are not achievable.
- Funding allocation – Local authorities and providers took the opportunity to lobby for additional funding for HSG and longer term funding allocations.
- Wider environment – It was noted that the consideration of mental health when commissioning and coordinating services was absent in Chapter 3. There are significant linkages between HSG services and mental health services and should be included in the guidance.
- Service User Involvement – It was suggested that principles for engagement are added in this section (chapter 6) and that a route for service users to raise concerns is needed as well as a route to respond to service users following their feedback. Tai Pawb and Cymorth Cymru also said that when involving people who use services, there needs to be clear representation of all service users, including under-represented and marginalised groups.
- Outcomes framework – A number of general comments were received about the new single outcomes framework, which is still in development and will be introduced by April 2020. Comments mostly related to the relationship and compatibility between the outcomes for HSG and the Children and Communities Grant, and how these are captured and reported.

4. Welsh Government next steps

The Welsh Government values all the responses received to the consultation. Whilst this report will not be providing a response to each of the issues raised, the responses have been carefully considered and the following key changes have been made to the final guidance:

- Whilst the Welsh Government's position on eligibility and no recourse to public funding has not changed as a result of the feedback, the guidance has been updated at chapter 2 to provide a clearer explanation of the Welsh Government's position on this element. This restriction may change should the position of the UK Government be amended through the passage of the current Domestic Abuse Bill.

- The guidance has been amended in relation to the no local connection criteria section at chapter 2 to 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.
- A diagram has been added at Annex A to explain the planning framework more clearly.
- Guidance has been added at chapter 2 around commissioning and delivering psychologically informed services.
- Principles for engagement have been added at chapter 4 (engagement with providers and landlords) and chapter 6 (engagement with services users).
- The section on the Welsh Government's role at 8.4.2 has 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.
- Annex F on alarms has been expanded to include guidance on what can be funded from Welfare Benefits.

The final guidance document is due to be published on the 11 February 2020 and will be applicable from April 2020.

Annex A – List of respondents to the consultation

| | |
|--|--|
| Blaenau Gwent's Local Housing Support Grant Planning Group | Monmouthshire Housing Association |
| Blaenau Gwent County Borough Council | Pembrokeshire County Council |
| Cardiff County Council | Powys Council Supporting People Management Board |
| Carmarthenshire County Council | Newport City Council |
| Ceredigion County Council | North Wales Regional Collaborative Group |
| Children's Commissioner for Wales | Rhondda Cynon Taf CBC - Supporting People Planning Group |
| CIH Cymru | Shelter Cymru |
| Citizens Advice Merthyr Tydfil | Social Care Wales |
| ClwydAlyn Housing Ltd | Swansea Council |
| Community Housing Cymru | Tai Pawb |
| Conwy County Borough Council | Torfaen County Borough Council |
| Cymorth Cymru | Vale and Cardiff Regional Collaborative Committee |
| Cyngor Gwynedd (Gwynedd Council) | Vale of Glamorgan County Council |
| Denbighshire County Council | Wales Audit Office |
| Flintshire County Council | Wales and West Housing |
| GISDA | West Glamorgan Regional Collaborative Committee |
| Gwent Regional Partnership Board | Welsh Women's Aid |
| Isle of Anglesey County Council, Housing Services | Wrexham County Borough Council |
| Monmouthshire County Council, Youth Enterprise Team | YMCA Cardiff Housing Association |