

# Supported Accommodation Workshop

## Supported Accommodation The challenges for LA Benefit Services

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**LANCASHIRE & CHESHIRE IRRV ASSOCIATION**



# 50 Shades of Beige!



# Why are we here?

- 1) Why are you here?
- 2) What do you expect to get out of this  
mornings workshop?

# Why are we here?

- Because its difficult?
- Because its increasingly high profile?
- Because the numbers (cost and number of schemes) are starting to increase?

Because its important

Because it matters;


And (despite what we sometimes think)  
because we are good at this.

# Why is it difficult?

- Different rent schemes for HB
- No clear definition of care, support or supervision (Intensive Housing Management?)
- Uncertainty over “eligible” service charges
- Lack of knowledge relating to rent structuring
- Lack of clarity from providers
- No clear direction from the DWP?

# Increasingly high profile

- Perception that loss of other funding streams has led to a reliance on Housing Benefit?
- Funding cuts to Adult Social Care have led to intense scrutiny over what is care and what is housing related support.
- Supported Accommodation is currently outside Universal Credit.
- DWP becoming more interested in costs for Supported Accommodation.



# The numbers are starting to increase

- 1) Are the number of schemes increasing in your area?
- 2) What about the costs?

# The numbers are starting to increase

- Wide variety of different schemes supporting vulnerable residents
- Increasing number of support providers and complicated care contracts and leasing agreements
- Massive differences in rent and service charges (across schemes and local authorities)





But

It is important

It does matter

&

We are good at this!

# Challenges

- Need to ensure that all payments are made in accordance with HB regulations

But

- Need to understand the wider picture.
- Consider the needs of vulnerable residents.
- General duty to maximise entitlement to all Welfare Benefits.

# What do we need to know?

- Who is the tenant – do they require (and do they receive) support?
- Who is the landlord?
- Who provides care?
- What rent scheme do they fall into?
- Is the rent reasonable for “adequate accommodation”.

# Rent Schemes

- Regulated tenancies (1989)
- Pre-1996 cases (old scheme)
- January 1996/October 1997 (new scheme)

## **Introduced Maximum Rents**

- LHA 2008 / LA Rents/ RSL /Temporary accommodation etc

# Exempt Accommodation

Exempt from maximum rent rules (Jan 96) & power to restrict unreasonable rents.

- Could be the accommodation
- “not for profit landlords” - : County Council (England only)/Housing Association/Registered Charity/Voluntary Organisation/Resettlement places (section 30 Jobseekers Act 1995)
- Or the claimant
  - Generally those entitled to HB on 1 Jan 1996 who have not moved or had a break in claim.
- Not all Supported Accommodation is “Exempt Accommodation”

# Exempt Accommodation

- Make sure you are applying the right rent scheme.
  - If you have to use “old scheme rules” you will only be able to claim 60% subsidy for anything paid over RO determination for vulnerable claimants and nothing over ROD for none vulnerable.
- RSL schemes – you still need to consider referring to the RO if over accommodated or rent is “significantly high”
  - Does anyone have a policy?

# Rent Levels

- If you can, should you restrict rent?
  - What is the impact if you do?
  - What is the impact if you don't?

Benefits Service aim to be cost neutral. Admin Grant + Subsidy (incentive areas – overpayments/Feris?)

You can be sure your Chief Exec will start to ask questions if/when the service starts to cost more (even before the Auditors look at your Subsidy Claim!). Is that a problem?

# Rent Schemes

- Identify the supported schemes in your area.
- Find out who is the landlord, who commissions care, what the scheme provides – and what care the claimant needs.
- You can and you should be asking questions!



# Core Rent/Service Charges

- Core Rent
  - may not be in a format that suits HB – consider all the elements.
- “Services”
  - for HB purposes, something the landlord does, provides for, or makes available to the occupier. Must be a periodic payment & a condition of occupying the property. (Must not be ineligible)
- What is Intensive Housing Management?
  - The new game – how to move your scheme from “Specified” to “Exempt”?
  - Provision of care by or on behalf of the landlord that is not de minimis

What is provided that wouldn't be available for a “general needs” tenant?

# The Future

- 1% Rent Reduction for RSL Rents
- RSL tenancies from 1 April 2016 capped to LHA Rates from 2018?
  - Both deferred for 12 months for Supported Accommodation (or scrapped?)
- Funding at a local level?
  - Similar to LCTRS (10% cut?)
- Who should administer Supported Housing in the Future?