

An overview of the Supporting People Programme

The Government's Supporting People Programme aims to redirect current funding for services to help people live independently, so that local authorities and their partners can plan and deliver support services in a more consistent and accountable way. Steve Griffiths has reviewed the Programme, considering how it strengthens support for independent living or whether there are gaps in the proposed provision:

- f** **Supporting People provides for unregistered rather than registered accommodation. Past decisions about whether accommodation is registered have often been based on financial reasons rather than people's needs. The new Care Standards Commission may oblige the Government to address the anomalies surrounding the two spheres of provision.**
- f** **People in registered provision are often limited to a personal weekly allowance of just £15.45. This inevitably limits people's ability to exercise choice and control over their lives.**
- f** **Levels of disposable income for people in unregistered accommodation vary significantly once services are paid for. At present there is no set way of relating what people pay for services, and any other costs relating to their disability, to their disposable income.**
- f** **The new Transitional Housing Benefit Scheme is intended to ensure that Supporting People Grants from 2003 are properly resourced. However, there is some concern that weaknesses in central guidance and support and in local administration could have serious implications for the Programme's future budget.**
- f** **The Supporting People Programme may create a new stream of charging and means-testing. Among others, this could affect the many thousands of sheltered housing tenants whose rent at present includes often quite small charges for warden services. There is a danger of confusing users and creating administrative duplication in charging and collection.**
- f** **The researcher suggests that, if independent living is to be fully promoted, further work is needed on: breaking the link between registration and its financial consequences; co-ordinating charges in a way that ensures users' disposable income is not pushed below acceptable levels; abolishing support charges for temporary provision; and establishing a common approach to the treatment of disability benefits.**

Background

From 2003, the Government's Supporting People Programme will reorganise some of the ways in which vulnerable people are currently helped to live in the community. The aim is for local authorities and their partners to plan and provide services that are both more sensitive to local needs, and more accountable and transparent. The main sources of finance will be brought together into a local budget, to be planned and administered by local authorities. This includes provision to meet charges for support through Housing Benefit, and Supported Housing Management Grant.

This review examines the Supporting People Programme in the context of the many strands of provision to help people who need support to live in the community. It takes a wide perspective of services and their cost, from accommodation needs, through housing management and support to the provision of personal and health care.

The review has taken place against a backdrop of rapid policy development. The Supporting People Programme is taking shape alongside the Department of Health's *Modernising Social Services*, and the Government's response to the Royal Commission on Long-Term Care for the Elderly. The Transitional Housing Benefit Scheme is already being implemented. The Department of Health is considering the Audit Commission report on charging for home care. Other related issues appear in the Care Standards Bill which creates a Care Standards Commission to ensure quality and consistency in the provision of care.

While evaluating individual changes in relation to the aspirations of Supporting People, the review has tried to assess:

- how far the Government has progressed in creating a policy framework to support and encourage independent living;
- where elements of that framework still work against the overall aim; and
- what changes the Government can make to achieve coherent progress towards its objectives.

Personal care and a disposable income

Where 'personal care' is provided as an integral part of residential provision, accommodation has to be registered as a residential care home. 'Personal care' is defined as 'care which includes assistance with bodily functions where such assistance is required'.

Variations in local interpretation, together with changes in Housing Benefit to meet the costs of support over the past six years, have led to both the registration and de-registration of supported accommodation. This has resulted in large but unspecified numbers of people being placed in supported housing or residential care regimes for funding reasons, not necessarily because those regimes suit their needs. The new Care Standards Commission will introduce national consistency in application of the definition of personal care, with the result that there will be a further wave of both registration and de-registration.

Registration has far-reaching implications for the disposable income of users: those who depend on state funding are ineligible for normal levels of Income Support and receive only a personal expenses allowance of £15.45 a week. This does not recognise that people's needs may fluctuate or that people who need help with bodily functions may wish to live independently.

Tying registration to a specific financial regime therefore reduces the capacity of people in registered accommodation for independent living, undermining one of the Government's main policy objectives. In the minds of many, registration, instead of indicating suitable standards and quality, is associated with less scope to exercise individual choice and control. Two recent reports have proposed structures which would remove this obstacle to both better regulation and independent living, but the Government has yet to confront the issue.

Implementing Supporting People

The Transitional Housing Benefit Scheme is helping to stabilise provision to meet the costs of support by channelling more help through Housing Benefit, prior to the transfer of the main part of the budget for the Supporting People Programme to local authorities in 2003. However, there are some weaknesses in the DSS Guidance for the Scheme. Anecdotal evidence suggests there is local variation in interpretation, with some district councils restricting payments to meet support charges. If benefit awards are too low in some areas, this could have far-reaching implications for the size of the Supporting People budget, and thus for the whole Programme.

Up to now there have commonly been two streams of charging and means-testing for support services that enable people to live in their own home:

rent and the housing benefit system; and the locally determined charging and exemption policies developed for non-residential social services such as home care. The Supporting People Programme, with the removal of a tranche of services from the scope of Housing Benefit, introduces a third stream of provision, and hence potentially of charging and means-testing. The potential for confusing users and creating administrative duplication in charging and collection is very real. Many thousands of sheltered housing tenants at present pay often quite small charges for warden services in with their rent. Any new system will affect all of these tenants.

People receiving disability benefits are frequently charged more than other users for either support or home care, or both, because benefit income is taken into account. Those receiving payments from the Independent Living Fund as well as disability benefits are often also charged more. There is not yet a unified way to relate what disabled people pay for services and any of the other additional costs they face to their disposable income when assessing charges.

For those living in residential care, there is an additional issue. Those funded by a social services department do not have access to disability benefits; those who are able to make their own arrangements do. There is no plan to resolve this dichotomy.

Conclusion

The review found genuine progress towards a more coherent approach to supporting independent living across Government departments, particularly in recognising the need for co-ordinated planning locally. However, there are 'fault-lines' in the continuum of provision and charging for services from accommodation costs, through support and personal care to nursing care. A pivotal weakness is the way 'personal care' is defined. As the new Care Standards Commission will be operating within this definitional framework, it will reinforce the existing anomaly whereby people's aspiration to independent living is undermined by the residential care personal expenses allowance of £15.45 a week.

An important principle in designing policies for independent living is that service users should be left with a reasonable level of disposable income. At present, the levels of disposable income of people in unregistered accommodation vary broadly once services are paid for. Supporting People and the Department of Health (DoH) review of charging for non-residential social services present an opportunity

to address both these anomalies. The review makes the following proposals for further action:

Possible action for promoting independent living

- **Breaking the link between registration and its financial consequences:** instead of a definition of 'personal care' deciding the financial regime of accommodation with support and care, an alternative definition might look at 'the provision of services that would maintain or increase the user's capacity for independent living'. An external body could determine whether this criterion was met in each case (as in the past through the Registered Homes Act), and the Care Standards Commission could regulate the consistency of its application. Anyone receiving such services could be entitled to Housing Benefit and full Income Support. This would remove a major obstacle to the Government's overall aims to encourage independent living and the wider community benefit of social inclusion.
- **Ensuring equity in charging:** the Department of the Environment, Transport and the Regions (DETR) and the DoH could design a common charging system for support and home care which both ensures that users have a viable disposable income and reduces administrative costs as far as possible. This needs to be firm and clear enough to end the current local variation in charging systems. It would take specific account of the service user's income once *all* support and care services are paid for.
- **Abolishing support charges for temporary provision:** these act as a disincentive to independent living and raise little money. This could include provision for ex-offenders, single homeless people, survivors of domestic violence, people recovering from drugs and alcohol abuse, young vulnerable people, people with mental health problems, etc.

Indeed, there is an argument for not charging other groups in long-term supported accommodation, including people with learning difficulties and physical disabilities, particularly if very small proportions are found to be working and if administrative costs of charging and means-testing are found to be prohibitively high. Support and a higher degree of social inclusion brings

wider benefits to the community as well as the individual, and free support services would strengthen the ethos of independent living and incentives to work.

- **Establishing a common approach to the treatment of disability benefits:** the DETR, DoH and the DSS should take a common approach to the treatment of disability benefits when they consider charging and means-testing policies, to ensure that users with disabilities do not pay duplicated charges for the support they need.

Any reform, piecemeal or comprehensive, should address the bar on entitlement to disability benefits for those in residential care whose place has been arranged by a local authority social services department. This long-standing anomaly is perverse and discriminatory.

About the study

For this review, Steve Griffiths of Griffiths Research examined relevant policy and research reports over the period of development of the Supporting People Programme. He also undertook interviews and continuing consultation with policy officers of a number of national housing and local government organisations, and with civil servants of the DETR, the DoH, and the DSS.

How to get further information

The full report, **Supporting people all the way: An overview of the 'Supporting People' programme** by Steve Griffiths, is published for the Foundation by YPS (ISBN 1 902633 95 4, price £13.95).