

MINUTES of the meeting of Health & Social Care Overview and Scrutiny Committee held at Council Chamber, The Shire Hall, St. Peter's Square, Hereford, HR1 2HX on Tuesday 5 April 2016 at 9.30 am

Present: Councillor PA Andrews (Chairman)
Councillor J Stone (Vice Chairman)

Councillors: CR Butler, ACR Chappell, CA Gandy, J Hardwick, EPJ Harvey, JF Johnson, MD Lloyd-Hayes, MT McEvelly, PD Newman OBE, NE Shaw and D Summers

In attendance: Councillor PM Morgan, Cabinet member health and wellbeing

Officers: Mrs L Lloyd (contracts monitoring and review lead), Mr M Samuels (director for adults and wellbeing) and Mrs C Ward (Monitoring Officer)

67. APOLOGIES FOR ABSENCE

Apologies were received from Cllr PE Crockett and Cllr A Seldon.

68. NAMED SUBSTITUTES (IF ANY)

Cllr J Hardwick attended as a substitute for Cllr PE Crockett, and Cllr EPJ Harvey for Cllr A Seldon.

It was noted that Cllr Hardwick was in attendance as a substitute committee member and not as a substitute call-in member.

69. DECLARATIONS OF INTEREST

No declarations of interest were noted at the start of the meeting. However, during the discussions regarding SHYPP, the vice-chairman declared that he had participated as former chairman of the council in the diamond awards.

70. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY

No suggestions were received.

71. QUESTIONS FROM THE PUBLIC

No questions were received.

72. CALL-IN OF THE HOUSING RELATED SUPPORT SERVICE - SHYPP CONTRACT (SUPPORTED HOUSING FOR YOUNG PEOPLE PROJECT)

The chairman introduced the item and confirmed that the cabinet decision had been called-in by Councillors ACR Chappell, PE Crockett, and MD Lloyd-Hayes.

The monitoring officer clarified the purpose of the meeting and structure, with reference to the call-in protocol that had been circulated to committee members, as appended to the minutes.

At the invitation of the chairman, the cabinet member for health and wellbeing outlined the decision taken by cabinet, making the following points:

- That it was positive that the decision had been taken in public by cabinet and that the issue of homelessness had attracted much interest with a motion in full council and a 2000-signature petition
- The proposal was well thought through and took into account the equality impact assessment and full dialogue with SHYPP
- This was a hard decision to take; however, there were limited resources available to the council and it was important to understand the context of challenges faced and the need for commissioners to review contracts.
- If this contract were not reviewed, it would have been necessary to find savings elsewhere in adults and wellbeing.
- The quality of service provided by SHYPP was not in question; however, affordability was not sustainable and it was necessary to prioritise the most vulnerable and to reduce duplication of service provision.
- Twelve months' transition funding was identified to support the decommissioning of floating support, for which £78,000 was allowed. SHYPP identified floating support and conducted a full case audit to establish need and a future delivery model.

The chairman invited the call-in members to present their reasons for the call-in.

A call-in member confirmed the reasons for the call-in:

- That it was contrary to the corporate plan regarding giving people the best start and protecting vulnerable people
- That counter proposals from SHYPP were not considered
- The decision was outside the budget and policy framework
- That the equality impact assessment was not properly considered

He stated that the decision to call-in was not taken lightly. However, it was considered that the decision taken by cabinet was not the right decision. In supporting the decision to call in the decision, the call-in member made the following points:

- SHYPP was more than merely a housing provider; taking cuts in the floating service reduced SHYPP's impact with regard to protecting vulnerable people who lacked other support networks and who had witnessed a great deal of domestic upheaval in their lives and therefore needed consistent support.
- Whilst social workers could provide support and guidance, many vulnerable people saw them as authority figures and therefore would find it difficult to accept the loss of the floating service.
- Unlike other services such as WISH, who provided signposting, SHYPP provided a consistent person for someone to be able to contact.
- The alternative proposals made by SHYPP needed to be considered more carefully in order to retain the floating service as there was concern that housing agencies would re-assign homes to the general rental market. It was therefore suggested that the cabinet decision be suspended pending a task and finish group to fully explore the impact of the loss of the floating service.
- The issue of budgetary pressure was understood; however, the impact on vulnerable people embarking on adult life needed to be considered and to ensure there was no cut to their service.

A second call-in member drew attention to the tenure of the current SHYPP contract which was due to expire in 2018 and questioned whether the cabinet decision honoured that contract.

She voiced concern over the cabinet decision not being fully informed on the basis that:

- cabinet had not had sight of the counter proposal made by SHYPP and the alternative options set out in the cabinet report did not consider that proposal
- It was not clear whether the proposed funding could be achieved within DWP guidelines and there was no reference to changes made to housing benefit that had been set out in the national budget statement

The call-in member explained that, for transparency, the way forward should be for a task and finish group to be set up.

The meeting was adjourned for five minutes in order for the SHYPP counter proposal, as appended to these minutes to be circulated and read by members.

The call-in member referred to the homelessness strategy and reminded members of their role as corporate parents in supporting vulnerable young people and therefore a responsibility to endorse the floating service.

The cabinet member for health and wellbeing responded to the call-in members' comments:

- All information had been taken into account and there had been detailed discussion and communication which contributed to the final recommendations.
- It was not the case that all support for vulnerable people in need of housing was being removed as the service was continuing with considerable support. The proposal did take away some low level support in order to ensure there was no duplication and there were many other ways that this support could be accessed, such as via the housing support team and WISH, and which was protected.
- Exempt rents were believed to be a good way for accessing support for additional housing needs and other solutions would have to be found if this proposal did not work.

The director for adults and wellbeing responded to the points raised:

- He confirmed that he was aware of the SHYPP report and had received it in February. There was a large volume of documents and communications on file going back to January that had been referred to in preparing the cabinet report.
- Commenting on the homelessness strategy, he explained that there remained targeted support for young adults with high level and/or complex needs via a different service provider.
- It was helpful for the committee to have sight of SHYPP's report as it showed comparisons between SHYPP's proposals and the cabinet decision.
- the counter proposal calculated the transition fund at £83,000 compared with £78,000 agreed by cabinet, and included recurrent funding. There would be a further report to cabinet following analysis of the funding to assess ongoing need and how to support this.

The chairman invited committee members to comment on the call-in.

A member made the following comments as regards the reasons for the call-in:

- With regard to the cabinet decision's alignment with the corporate plan, the aim to keep children and young people safe and give them a great start to life and the responsibility to do this was understood. The recommendations put to cabinet would ensure that this continued and therefore the member did not support the call-in reasons in respect of this.

- There was no evidence that the equality impact assessment was not properly considered and the call-in members had not provided information that supported their belief to the contrary.
- There was concern, however, that whilst some members and officers were aware of the counter proposals documented by SHYPP, this was not part of the cabinet papers for consideration. There were other documents relating to SHYPP within the cabinet papers and it would have been helpful to have made the proposal available for public and members.

The member proposed that cabinet reconsider the decision taking into account the SHYPP counter proposal. A member seconded the proposal.

The monitoring officer asked for clarification as to why SHYPP's proposal had not been published as a background paper as defined in the constitution for cabinet. In response the director for adults and wellbeing explained that it may have been helpful to make it available for cabinet although there were many documents to which the same could have applied. In reviewing the information for the cabinet report, the SHYPP report was not included as relevant at the time as it was not considered to be substantively different from the recommendations made to cabinet.

A member observed that it appeared that SHYPP's report was used as background by officers. SHYPP were consulted but the report was not included and the decision should have been with the cabinet member to determine what documents to include. By not including this paper, there was a failure to provide the transparency required to show how the cabinet decision was reached.

A member commented that SHYPP's report was a proposal that had not been included under the alternative options set out in the report. She observed that it would have been helpful to have seen a genuine alternative option. She commented also that:

- SHYPP had received the diamond award for small enterprises and therefore had been recognised by council for excellent service to community. There was therefore a responsibility not to prevent their working effectively in the community
- This was not the first contract change that SHYPP had been asked to undertake and had been given assurance that further savings would not be sought.
- SHYPP's proposal did not appear to differ greatly from the cabinet recommendation other than guaranteed funding. SHYPP sought continued support whilst identifying a different funding model, to ensure there was no loss of service across the county.
- SHYPP provided more than signposting and alternative providers did not have the coverage to provide accommodation across the county compared with SHYPP. Those providers appeared to offer signposting rather than the closer support provided by SHYPP.
- SHYPP provided the opportunity for people to access accommodation in order to remain in their home area rather than move elsewhere and there was no assurance that the proposal would make the service available to all across the county. It was difficult to see that cabinet members would have been assured of this when the decision was taken.
- Concern had been raised with the council earlier this year from a town councillor and former officer at Shelter that the cuts would not achieve long-term savings as loss of services put society under stress which the council would then have to address.
- The council was proud that there was currently no reliance on B&B accommodation to support homelessness in the county and SHYPP supported that aim. However, the cabinet decision did not provide assurance that this would be sustainable.

A member reiterated the earlier comments that the SHYPP report should have been taken into account as officers were in receipt of it. He asked also whether it had been considered that SHYPP become a signposting service.

In response the director for adults and wellbeing made the point that it was important to recognise that SHYPP was more than a signposting service and if SHYPP were to provide that role, it would create duplication of services. However, consideration needed to be given to whether the broader service be available for people with less complex needs as there was a range of signposting services available. It was recommended to cabinet that it was not viable to fund the broader service for all and this was not possible for cabinet to consider.

In response to a member's question regarding alternative providers were SHYPP to cease provision, the cabinet member for adults and wellbeing reminded members that SHYPP was not ceasing. The low level support was being reduced and there were alternative organisations that could provide that support, such as Stonham, the Housing Solutions team and WISH.

The vice-chairman referred to a member's earlier comment regarding the diamond award. He wished to make it known that as chairman of the council at that time, he took part in the award ceremony and therefore declared an interest. He added that the award recognised the importance of SHYPP in service provision.

A member put forward a proposal for a recommendation that cabinet gave consideration to SHYPP's report in terms of the request for additional time to achieve changes and work undertaken to absorb costs.

Members discussed the two proposed recommendations that had been put forward, noting that the earlier recommendation took into account the detail suggested in the second. It was concluded that cabinet did not have all relevant papers to consider issues more closely and therefore a recommendation be put forward that covered all concerns relating to consideration of SHYPP's proposals and recognition of the floating service.

The chairman reminded members that it was not within the remit of the call-in meeting to recommend a task and finish group. However, this could be proposed at a future meeting.

The director for adults and wellbeing reiterated that the decision was intended to effect a change in cost for the council and the outcome would not mean a change in income for SHYPP. If there were a different outcome, savings would have to be found elsewhere in the adults and wellbeing budget.

He pointed out that the exempt rent approach was used extensively elsewhere but if it were not possible here it would be a loss of saving to the council.

A call-in member commented that if the council failed to honour the original SHYPP contract, it would be a concern and therefore the preference would be to explore the matter by way of a task and finish group.

The chairman reiterated the point that if appropriate, this could be suggested for the committee's work programme.

The director for adults and wellbeing emphasised that every effort had been made to maintain the relationship with SHYPP and there had been no attempt to go against the contract. There was support for 20 beds to the end of the current financial year and support for SHYPP to plan for service provision beyond April 2017. This had been in accordance with the contract and assurance had not been given that there would be no change of funding.

The chairman confirmed that the proposer and seconder were content with the recommendation:

“That the decision taken on the SHYPP contract be referred back in order that the counter proposals from SHYPP be properly considered and for the Cabinet to determine whether in the light of these proposals they wish to propose any amendment to their previous recommendations”

Members voted in the majority to carry the proposal. Councillor Lloyd-Hayes voted against.

A member commented that whilst the recommendation was welcomed, it was questionable whether only one be allowed. She added that the SHYPP model was to ensure people were supported to be self-reliant and self-sustaining and that as regards exempt rents, the funding came from housing benefit and so this was not a council cost. The committee should therefore recognise the risk that benefit rates could increase to the point that people were unable to work and then risked unemployment and homelessness. Therefore it was important to highlight the unintended consequence of exempt rents and the need to ensure a vicious cycle was not being created.

RESOLVED

That the decision taken on the SHYPP contract be referred back in order that the counter proposals from SHYPP be properly considered and for the Cabinet to determine whether in the light of these proposals they wish to propose any amendment to their previous recommendations.

The meeting ended at 10.53 am

CHAIRMAN

Health and social care overview and scrutiny committee

Protocol for call-in scrutiny meetings

Purpose:

The call-in meeting gives scrutiny members a chance to test the merits of a decision taken by the cabinet or a cabinet member. It also provides the opportunity to ask the decision-maker to reconsider their decision – if the committee thinks this is necessary.

Possible outcomes:

Having considered the reasons for call in and the decision-maker's response to any questions, the committee may agree to:

- Make no recommendations (in which case the decision will stand and may be implemented with immediate effect); or
- Refer the matter back to the decision maker with a recommendation that the decision-maker: changes aspects of the decision; reconsiders the decision in light of the committee's views; or does something else before the final decision is made.
- If the committee is of the view that the decision taken was contrary to one of the key council plans or strategies (the policy framework), or was contrary to or not wholly consistent with the budget agreed by Council, the matter is referred back to the decision-maker who will be advised by the councils statutory officers (the chief executive, director of resources and monitoring officer) who may refer the matter to Council.

The process is not:

- A judicial or quasi-judicial process or a public inquiry
- An extended examination of areas only remotely connected to the actual decision
- An open house for anyone to attend and make representations

Meeting procedure:

It is the responsibility of the chairman to manage the meeting and the timings below are given for guidance. The questioning and debate should focus on the reasons stated in the call-in rather than be a wider exploration of the decision taken.

1. If any public questions have been received in relation to the call-in these will be taken first.
2. The chair explains the purpose of the item, i.e. to review the decision that has been called-in in light of the stated grounds for call-in.
3. The monitoring officer outlines the ground rules as listed above.
4. The decision-maker provides a brief summary of the decision taken – 3 minutes.
5. The call-in members present the reasons for the call-in. The lead call-in member may speak for 5 minutes; the remaining two call-in members may contribute to the lead call-in member's presentation – 5 minutes per member.

6. The decision-maker (cabinet member) responds to all points raised, and may ask relevant officers present to explain any technical issues or respond to specific questions.
7. Committee members may ask questions of call-in members, decision-maker or officers in clarification – 30 minutes total time.
8. The decision-maker may sum up – 5 minutes.
9. The lead call-in member may sum-up – 5 minutes.
10. Scrutiny members may then discuss the issues around the call-in. Any committee member may propose a recommendation which, if seconded, will be voted on by the scrutiny committee – there can be debate prior to voting unless the chairman feels that all arguments have been exhausted.
11. If a second member proposes an amendment to the proposed recommendation the amendment, if seconded, must be voted on first.
12. At the close of the meeting the chairman summarises any recommendations agreed by the committee for the clarification of all present.

SHYPP Support Housing for Young People Project

SHYPP Proposal in response to proposed Contract Cuts

Following our initial response which formed part of the Consultation feedback submitted on the 3rd February 2016. SHYPP would now like to outline in more detail our proposed route forward following various discussions.

SHYPP was encouraged by the Councils commitment at the full council Budget meeting on the 5th February when it was made absolutely clear that the council is committed to supporting our most vulnerable children and young people, in particular young people at risk of homelessness. It was also stated that 'Should it not be sensible or wise to deliver the proposed level of savings from with the SHYPP contract at this time there is sufficient flexibility with current budgets to address this'

In light of this statement and the positive discussions that have already taken place SHYPP wishes to outline a plan which will enable the continuation of SHYPP services across the county whilst also recognising the need of the council to make a level of savings.

The discussions and work on the transfer of 100k of funding into exempt rents are ongoing and we are working closely with officers on this. Martin Samuels in correspondence with SHYPP staff and young people has also made the commitment that 'were DWP to conclude that these services were not within the scope of exempt rents, then the change in funding route would not proceed.'

This leaves 160k of proposed cuts, SHYPP has reviewed its current funding streams and staffing model and is confident that with a restructure, a drop of some of the extra training elements that we deliver and a increase in virtual working we could take a cut of 60k and continue to deliver the same level of support and housing services to Young People across the whole county.

For the remaining 100k there are 20 units of accommodation that sit under this funding and currently receive floating support. Six of these units are the SHAC flats designated exclusively for LAC/Former relevant Young People. Kemble Housing will re-let these properties as General needs if there is not funding to provide the SHYPP floating support which ensures these vulnerable Young People have successful tenancies. This could put 20 young people at risk of homelessness and limit the accommodations options for future young people. In order to secure the floating support across all 20 units SHYPP would need 60k of funding per annum. Please note that Kemble would not accept other external agencies providing this support it would need to be SHYPP, as they have proved their effectiveness and work so closely with Kemble. We are flexible as to how this funding is received it could be by an increase in exempt rents, via Childrens services or via adults.

For the remaining 40k of savings that then need to made SHYPP plans to seek alternative funding sources to bring in this money but this will take some time so SHYPP requests that we have a transition period to allow us time to bring in this extra funding. SHYPP would like this funding to continue for 6 months and then drop to half for the remaining 6 months. We plan to seek alternative sources of income to fund this including Eveson, rural funding, police & crime commissioners, city council and contributions from housing associations. Long term this transitional funding will allow the full SHYPP service to continue across the county ensuring that there isn't a increase in homelessness and the key preventative work continues.

| Funding Breakdown per annum | Delivering |
|--|--|
| 132k from existing contract, to continue. | To support the delivery of existing Foyer services including 30 bed spaces for young people |
| 100k from exempt rents or if level of increase not possible to be provided by adult services. | To support the delivery of existing Foyer services including 30 bed spaces for young people |
| 60k from either further exempt rents or Adults or Childrens services. | To support the delivery 20 bed spaces across a mix of accommodation models. Move – on flats, SHAC flats, and SLP Potential for Childrens service to ‘buy’ nomination rights for some properties. Also to support the provision of a duty crisis service. |
| 20k Transitional funding for the first period of 6 months. Reducing to 10k for the remaining 6 months. | To support the provision of floating support and Duty Crisis support across the county to YP. Move-on Support for all young people as they move on from all forms of SHYPP accommodation. |
| SHYPP will provide 60k of savings and after 6 months a further 10k . | |

Please note these costing are based on the current SHYPP model if the number of Childrens services nominations increased dramatically or a change to the model was required staffing changes may be required and in turn costs might need to alter. SHYPP would need agreement on this complete funding breakdown before any elements including the 60K of savings could proceed. Following these cuts LA funding will only fund approx 30% of the total cost of the SHYPP service.

There still remain a number of questions regarding SHYPPs contractual arrangements with Childrens services and we are optimistic that some of these can be resolved through discussions in the coming months. In particular we would like a clear steer on whether the continued provision of the Grove House project is required or whether this 3 bed unit could be used in a better way. SHYPP is very keen to work with the council to understand the housing needs for young people and create successful pathways.

This plan offers the Council a potential saving of 170k in 2016/17 and 200k saving in 17/18. Most importantly it offers these savings with no loss of accommodation or service to vulnerable young people at risk of homelessness across the entire county. This in turns means no negative impact on temp accommodation budgets or Childrens services budgets. We are also further encouraged to receive today a letter from Jesse Norman MP explaining that Herefordshire has just been awarded 4.38million extra for next year which makes us even more optimistic that our proposals above will be acceptable to you.

This plan offers the council a cost saving route that will also ensure the continuation of the SHYPP service which the council has helped build over the last 15 years. It allows the council to demonstrate its commitment to young people and their long term futures; we look forward to your response to this proposal.

