

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	PROVISION OF STREET HOMELESSNESS PREVENTION TEAM
<b>DATE OF DECISION:</b>	14 FEBRUARY 2011
<b>REPORT OF:</b>	CABINET MEMBER FOR HOUSING
<b>STATEMENT OF CONFIDENTIALITY</b>	
N/A	

### **BRIEF SUMMARY**

Southampton currently receives resources from Communities and Local Government (CLG) in the form of a grant, to implement its Homelessness Strategy, funding projects which support the prevention of homelessness and enhance the provision of statutory services. The largest of these is the Street Homeless Prevention Team. Funding from 2011/12 onwards is in the form of an Area Based Grant, although it has been identified separately and Local Authorities are encouraged to use it for homelessness prevention. Services to tackle street homelessness have been identified as critical for use of these funds.

Approval is now sought from Cabinet for officers, to proceed with the development of SCC homelessness services, to include a provision which will be designed to prevent street homelessness.

A street homeless prevention service is currently delivered by Southampton Voluntary Service (SVS) grant funded by SCC. As many of the essential elements of this service would be delivered by SCC, under this recommendation TUPE regulations would apply.

### **RECOMMENDATIONS:**

- (i) To continue to deliver a service to prevent street homelessness in Southampton;
- (ii) To deliver the service in house as part of SCC Homelessness Services;
- (iii) To delegate authority to the Head of Housing Solutions following consultation with the Solicitor to the Council and the Head of Organisational Development to TUPE in those staff from the current provider SVS, who meet the statutory TUPE requirements in line with Southampton's TUPE Protocol; and
- (iv) To delegate to the Executive Director of Neighbourhoods, following consultation with the Cabinet Member for Housing, the Solicitor to the Council and the Executive Director of Resources, authority to do anything necessary to effect the recommendations in the report.

### **REASONS FOR REPORT RECOMMENDATIONS**

1. An assessment has been made as to how best to secure a service to prevent street homelessness given the uncertainty as to future funding and the need to make efficiency savings.

The recommendation to bring the service in-house to be delivered within

SCC's Housing Needs Division has the following advantages:

- Service will be delivered within the wider homelessness service, as part of a larger staff group providing a similar service but to different client groups,
- Enables a close fit with the Local Authority's statutory duties, and increases SCC's ability to provide an austerity service, whilst being responsive to changes in requirements/need across the wider service
- Provides increased ability to link to city safety concerns specifically to address antisocial behaviour in and around for example car parks and city parks.
- Where only the essential service is in-sourced a saving to the council is likely to be circa £15,000. This is based on absorbing a number of the management and overhead costs within the existing structure and budget. However, if the entire SHPT team has to be included in a TUPE transfer savings to the council cannot be identified.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. **To continue to grant fund the service** using the new procedure for the administration of grants approved by Cabinet in 2010.

This was rejected because provision of this critical service by means of a grant would not enable the council to specify the service we need to be delivered, and the service may be unsustainable if subject to even a small cut in grant.

3. There are also additional administration costs to SCC in carrying out a bidding process, monitoring the grant and financially scrutinising the service.

4. **To commission the service**; this would allow SCC to design and specify the service it can afford, based on the level of need. We would be able; through the contracting procedure, to identify the best provider, possibly at a reduced cost.

This was rejected because:

There is uncertainty as to future funding beyond 2012/13, which would mean a contract may only be available for a short term, but the tendering process would still involve administration costs to the council, as it would be subject to EU procurement procedures.

It is desirable that the service provider is independent from the agencies delivering supported housing for single homeless people in the city, as it acts as the access point for all of this accommodation. There is a lack of a developed local market for this type of service.

If delivered outside mainstream homelessness services the service is less able to adapt to changes in demand and if subject to cuts may not be viable.

#### **DETAIL (Including consultation carried out)**

5. CLG has paid Southampton City Council a ring fenced grant since 2003 for the implementation of the city's Homelessness Strategy.

Grants were awarded and administered by Housing Solutions in consultation with the Homelessness Strategy Steering Group and the Cabinet member for Housing (i.e. outside the Grants to Voluntary

Organisations process).

6. Changes effective from 2011/12 mean the CLG will now pay the homelessness prevention grant as part of Southampton's Area Based Grant, and additionally in 2010 a new corporate grants procedure was adopted.

In May 2010 notice was given to all voluntary and statutory agencies in receipt of Southampton's CLG Homelessness Directorate grant that this funding may not continue to 2011/12. In September 2010 they were advised that the bidding round was suspended due to uncertainties as to the amount of grant that may be received and how it would be administered.

7. The majority of funds (£189,353 in 2010/11), fund the Street Homelessness Prevention Team, provided by Southampton Voluntary Services since 1998 (initially funded directly by the CLG under the Rough Sleeper Initiative). The service is designed to keep levels of rough sleeping as low as possible and assist those who are roofless, access accommodation and make the transition to a more settled life.
8. In 2009/10 1,046 individuals received assistance from the team amounting to 2,534 contacts. The success of the team can be evidenced in that a street count on the 24<sup>th</sup> November 2010 recorded only 5 individuals rough sleeping in Southampton.
9. The Team acts as an essential access point to all Supporting People funded homelessness services, providing an independent gate-keeping service ensuring that only those who are homeless with a support need can access services.
10. Rough sleeping also has implications for the wider community and to Southampton's standing as a leisure and retail centre, with associated anti-social behaviour there are costs to the city in cleansing, additional security, and loss of amenity.
11. The loss of the service would impact on SCC's existing internal statutory homelessness services:
  - Potential increase in homelessness applications and acceptances in 2009/10;
  - The current service is pro-active in preventing homeless, a role that would fall to SCC's internal homelessness services if the numbers living on the streets were not to escalate; and
  - The Team also redirects potential service users away from the city.
12. An appraisal has been made to identify; those elements of the service which are essential to keeping the numbers of rough sleepers in Southampton to a minimum, and how best to secure their delivery.
13. The essential elements of the service have been identified as Preventing and tackling street sleeping and street living:
  - Providing assertive street outreach linked to existing council services; parks /enforcement /car parking/city-safety teams and Police to identify places used for ,and individuals who resort, to

rough sleeping

- Delivering interventions to enable access to accommodation, reconnection and referral to statutory enforcement agencies, access to drug and alcohol services, and health provision including mental health services.
- Initial support to sustain accommodation particularly for those with multiple needs.

A homelessness prevention and move-on assessment service:

- To identify and work with clients with complex needs, histories of poor behaviour/repeated evictions, to prevent them losing the new accommodation.
- To include; mediation between accommodation provider and tenant, and support to maintain access to services which will assist in managing health and substance dependency etc.
- To work with supported housing providers to enable move-on within the provision, to ensure the city's Supporting People single homeless pathway is delivered

14. Southampton City Council's internal homelessness service provides a similar role as part of its statutory homelessness provision.

The SCC service is effective in preventing homelessness for a range of vulnerable client groups including families, and young people. Street homelessness prevention would compliment these existing services, and be more robust in continuing this work in the event of depleted resources.

15. Elements of the service are currently delivered by another provider funded by SCC, therefore TUPE regulations apply. Under SCC's TUPE protocol Cabinet approval is required if there is proposed change to service delivery which may result in a TUPE situation, before any transfer discussions can be progressed.
16. Subject to Cabinet approval of the recommendations the above transfer discussions will be progressed in line with TUPE obligations. The current SVS service includes a Volunteering and befriending co-ordinator role which we do not consider to part of the essential service described in paragraph 13 above.
17. Under TUPE regulations Southampton City Council must provide a broadly comparable pension scheme as approved by the Government Actuary's Department (GAD). Details of the SVS pension scheme is currently being sought. It is envisaged that the Local Government Pension Scheme will meet the broadly comparable requirements.

Consultation

18. A briefing paper was considered at CMB in October 2010 by Councillor Baillie.

Initial discussions have taken place with SVS who indicate they would wish to transfer the SHPT staff member engaged in Volunteering and Befriending Project. If this happens the savings identified to the council would not be realised, however, it is envisaged that SCC may wish to review the service, following TUPE transfer, with a likely restructure being proposed.

Unison has been advised about the recommendation to in-source the staff employed in these activities under TUPE. They do not have any objections to this proposal.

## **RESOURCE IMPLICATIONS**

### **Revenue**

19. There is provision in the Housing General Fund budget for 2011/12 for funding homelessness services.
20. The Head of Housing Solutions holds the delegated power to allocate Department for Communities and Local Government (DCLG) Homelessness Directorate grant, following consultation with the Homelessness Steering Group, relevant Cabinet Member and Head of Finance.
21. £148,000 of the homelessness budget would need to be allocated to meet the cost of providing the essential service in- house. If the volunteering coordinator is transferred under TUPE the revenue budget will need to reflect these additional costs .If the service remains being delivered by SVS the grant currently being paid to them will have to continue.

### **Property/Other**

22. No implications

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

23. **Section 2, Local Government act 2000** – ‘Power to do anything likely to promote the economic, social and environmental well being of the area’
24. **Sections 179 and 180, Housing Act 1996**  
“Duty of local housing authority to provide advisory services and assistance to voluntary organisations in respect of homelessness.”

### **Other Legal Implications:**

25. The Cabinet will need to make their decisions in accordance with the Council’s normal statutory duties, e.g. the duty to achieve best value in the manner in which it discharges its functions under the Local Government Act 1999 which requires all best value authorities, such as Southampton to: “...make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”. [Local Government Act 1999 – Section 3]
26. The Authority believes that the Transfer of Undertakings, (Protection of Employment) Regulations 2006 (TUPE) will apply. Where TUPE applies, the new employer is required to protect the terms and conditions of transferred staff ensuring the pension is broadly comparable.
27. The Council will ensure that where a ‘relevant transfer’ of undertaking is applicable then all actions connected with the transfer will be carried out in accordance with the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).
28. In all circumstances the Council will have regard to the Cabinet Office Code of Practice on Workforce Matters in Public Service Contracts (2005)

and the Cabinet Office Statement of Practice on Staff Transfer in the Public Sector (2000) and the Code of Practice on Workforce Matters in Local Authority Service Contracts (2003).

**POLICY FRAMEWORK IMPLICATIONS**

29. The services outlined are consistent with the objectives of Southampton’s Housing and Homelessness Strategies in preventing homelessness and reducing the adverse effects of homelessness.

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**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
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**SUPPORTING DOCUMENTATION**

**Non-confidential appendices are in the Members’ Rooms and can be accessed on-line**

**Appendices**

1.	None
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**Documents In Members’ Rooms**

1.	None
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**Integrated Impact Assessment**

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	No
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**Other Background Documents**

**Integrated Impact Assessment and Other Background documents available for inspection at:**