

## COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE

2 MARCH 2016

Present: County Councillor McGarry(Chairperson)  
County Councillors Ali Ahmed, Carter, Chris Davis, Lomax,  
Magill and Sanders

### 69 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ralph Cook. Councillor Chris Davis advised that he would be late for the meeting due to work commitments.

### 70 : DECLARATIONS OF INTEREST

A Declaration of Interest was received from Councillor Chris Lomax. Councillor Lomax declared a personal interest as he lives in Council owned Sheltered Accommodation.

A Declaration of Interest was received from Councillor Bob Derbyshire as his wife is a landlord.

A Declaration of Interest was received from Councillor Elsmore as she sits on the Regional Collaborative Committee.

### 71 : HOUSING (WALES) ACT 2014: PRIVATE RENTED SECTOR HOUSING AND HOMELESSNESS

The Chairperson welcomed Councillor Susan Elsmore, Cabinet Member for Health, Housing and Wellbeing, Councillor Bob Derbyshire, Cabinet Member for Environment, Sarah McGill, Director Communities, Housing and Customer Services, Jane Thomas, Assistant Director Communities and Housing, Bethan Jones Operational Manager Rent Smart Wales and Kate Hustler Operational Manager, Assessment & Support to the meeting.

The Chairperson invited Councillor Derbyshire to make a statement in which he firstly declared that his wife was a landlord. He stated that Cardiff would be running Rent Smart Wales on behalf of the whole of Wales as it has the largest rented sector; it was an important step forward for tenants and provided assurances that there would be proper training for landlords; landlords would benefit too and it would protect their interests and those of their tenants.

Bethan Jones added that the scheme was launched on 23<sup>rd</sup> November 2015 and that landlords need to register and apply for a licence; a website was launched to deal with registrations, there were 9000 users on the website and currently almost 6k had been completed; there had been 1500 bookings for courses and feedback received had been very good with 98% of people saying they would recommend to others.

The Chairperson invited questions and comments from Members:

- Members noted that it was a big task to get all landlords signed up to the scheme and asked if there was a deadline for this to happen. Officers advised

that very detailed financial modelling had been undertaken before the launch and it was determined that 5 years from the beginning of the launch was considered to be the timeline; currently Welsh Government have given landlords 1 year to apply so business decision were being taken about when in that year to apply; there had been great interest online regarding the training and officers considered that there would be a rise in registrations when the training was launched; external training providers were on board.

- Members asked how the engagement with other local authorities has worked out. Officers explained that it was important to get compliance, there had been joint marketing and also a memorandum of understanding; Cardiff were obliged to take local enforcement action as were every other local authority.
- Members noted that Cardiff had £13.5k which was the same as other local authorities and asked if this was fair considering Cardiff was hosting the scheme. Officers explained that there would be £400k provided to Cardiff for the set-up of the scheme; the scheme was self-funding; officers had thought that enforcement would not be covered by the fee however case law has meant that the fee in place which can pay for enforcement; the team were looking at the fee issue there was an ability to adjust it to ensure that they break even. The Cabinet Member added that Cardiff was happy to host the scheme but should not be out of pocket in doing so.
- Members noted that all income would come through Cardiff and asked if Cardiff then pays out to the other local authorities to carry out the enforcement, and if so what ratio goes back out. Officers advised that they would provide the actual proportion at another time; when they developed the financial model they anticipated every activity, costed it and built it; there would be activity for Cardiff and local authority based activity. The movement of fees is on an auditable basis; all would be underpinned in the memorandum of understanding.
- Members asked if staff would be seconded into the scheme or whether it would become part of their jobs. Officers explained that it was a significant service with 30 staff, indicators show that approximately 80 staff would be needed across Wales.
- Members noted that there were between 70-130k landlords and that only 130 licences had been issued. Officers explained that they had received 500 applications and of those 130 had been processed; it takes 8 weeks to process each licence; the licence process is not yet online as there have been issues with the IT company, when it goes online the process will become easier to administer. Officers added that as the Welsh Government have allowed 1 year to apply, landlords are not coming forward as yet as they would start paying straight away whereby enforcement doesn't come into play until November; some agents have applied for their licenses and are using the fact for marketing; there have been some complaints that the agents fee is too high, when this is resolved then there would be more applications for licences. The Cabinet Member added that officers were looking at incentives to encourage people to apply early as otherwise there would likely be a huge influx towards the end of the year which would be hard to manage, and also all renewals would then be at the same time too.

- Members asked if Shared Regulatory Services were engaged with the scheme and were advised they were; joint work had been undertaken on promotional activities for example in the Capital Times.

The Chairperson invited Councillor Elsmore to make a statement in which she said that the Housing (Wales) Act 2014 brought significant changes to Homelessness legislation; there had been a change in scope of duties and number of clients that the service assists; lots of work was already going on assisting with a number of duties, including the use of the private rented sector to relieve homelessness.

Members were provided with a presentation on the Housing (Wales) Act 2014 which included information on the Background to the Act; Main Duties; Use of Private Rented Sector; Performance since April 2015; a Case Study; Housing Solutions Package and Housing Solutions Launch.

The Chairperson invited questions and comments from Members:

- Members asked how landlords were being engaged with, officers advised that there had been a consultation event with benefit landlords and private sector landlords; officers had attended and answered questions regarding challenges, honest feedback had been received. Members had attended a forum last September and witnessed lots of anger and frustration in the landlord community, so considered there must have been productive consultation since then.
- Members asked if the offer of support included the Anti-Social Behaviour team and were advised that it did, support was offered via a wide range of services.
- Members noted the duty to prevent timescale was 56 days but were aware of a case that had taken 6 months to get the housing benefit approved; officers asked that the detail of the individual case be forwarded on to them for investigation.
- Members asked if the process being adopted was Cardiff specific and were advised that it was.
- Members discussed the importance of presenting early to allow for successful prevention. Officers stated that it was early stages but lots of work was being done with agencies to get people to present early, but they were still in the transition period.
- Members asked how many landlords or properties would be needed to be able to provide duty to secure housing; officers stated that it is an unknown; the Act will impact on the number for the final duty. The Director added that they are aware of the pressures on social housing stock so they need to encourage more landlords to come on board.
- Members noted the case study stated where 6 tenants had been placed in a 6 bedroom house and clarified if this agreement was with the landlords or tenants. Officers advised the agreement was with the tenants and landlords and that housing officers match tenants and properties.

- Members asked if properties were not up to standard would the Council do the works or the landlords. Officers stated it would be the responsibility of the landlord and the Council would check the work.
- Members asked, following the consultation meeting with landlords, what their major concerns were. Officers explained that their views of homeless people was that they were rough sleepers; they were concerned about insurance if they let their properties to benefit tenants and were also concerned about arrears in rent. Officers stated that to address these concerns they need to work closely with the private rented sector.
- Members discussed the proportion of the numbers listed that would go into social housing, officers explained that there was no duty until it gets to the final duty stage so these figures could be included in those listed; however if a private rented sector property was found during the duty to help secure stage then it wouldn't progress to final duty stage.
- Members were interested to find out how many landlords were already engaged in this scheme and officers said they would get the information to them.
- Members asked if there was a good relationship with Shared Regulatory Services and were advised that the relationship was very good.

### Street Homelessness

The Chairperson invited the Cabinet Member to make a statement in which she explained that she had been out with the team and praised the hard work that goes on behind the scenes; staff know the people well and have a good relationship with them; staff also work well with the Police.

Members were provided with a presentation on Street Homelessness.

The Chairperson invited questions and comments from Members:

- Members asked what happens when young rough sleepers are found; officers advised that they make contact with the family if it's appropriate as the prevention service has good success in reconnect when its deemed appropriate. Otherwise, officers go via the Gateway process, where social services, housing and Llamau are collocated and work together.
- Members asked if there is an increase in those needing reconnection, how can it be ensured that the capacity is there to meet demand and how can the service be future proofed, especially with EEA nationals. Officers explained that regarding EEA nationals, the third sector partner is the salvation army, numbers are monitored weekly and it is hoped that the pilot can deal with future needs. Regarding local connection reconnections, it was explained that there are 2 officers who work full time and some providers do low level reconnections; it is a very new scheme and it will be monitored over the coming months to assess demand.

- Members noted that there were various routes to report homelessness including a new App called Streetlink, and asked how officers can make sure that there are no gaps and duplication is avoided. Officers concurred that there are a number of ways to report homelessness and that it was important to ensure that communication between all interested parties was good; previously services had failed to engage so this needed to be addressed.
- With reference to the Streetlink App, Members asked what the aspirations of the app were and whether Members should be using it. Officers stated that app is an all Wales app not Cardiff specific; the fact that those reported homeless via the app showed only people already known to officers confirms that officers are engaged well with the people they support; officers did however have concerns that people think rough sleepers want somewhere to go and often this is not the case. The Cabinet Member added that there was positive partnership working and it was important to ensure this continues into the future; tribute should be paid to the proactivity of the people involved.

The Chairperson thanked Officers and Witnesses for attending the meeting and answering Members questions.

AGREED – That, the Chairperson on behalf of the Committee writes to relevant Cabinet Members, Directors and officers thanking them for attending the Community and Adult Services Scrutiny Committee on 2 March 2016 and to convey the observations of the Committee when discussing the way forward.

## 72 : DOMESTIC VIOLENCE RECOMMISSIONING

The Chairperson welcomed Councillor De’Ath, Cabinet Member for Skills, Safety, Engagement & Democracy, Sarah McGill, Director Communities, Housing and Customer Services, and Jane Thomas, Assistant Director Communities and Housing to the meeting.

The Chairperson invited the Cabinet Member to make a statement in which he explained that he had been waiting for some time for a report commissioned by Alun Michael South Wales Police and Crime Commissioner, to inform their work on Domestic Violence Recommissioning; there had been raised expectations on what the report may contain however he felt that several areas did not live up to expectations, areas such as service user engagement – sample and number of people engaged; he added that academic research had been done on this area at Bristol University and it was a shame that this had not been drawn upon. The report’s recommendations are South Wales wide and the Cabinet Member considered that this was too broad and that it could have been more localised to Cardiff and the Vale of Glamorgan. The Cabinet Member stated though that he did agree with many of the recommendations which would inform the thinking but not limit it.

Members were provided with a brief presentation on Domestic Violence Recommissioning. The Chairperson invited questions and comments from Members:

- Members asked why the views of service users were so limited. The Cabinet Member stated that he wanted a widely reflected range of views; officers

added SaferLives had not undertaken this and that now this was known to be the case Cardiff would undertake it.

- Members considered there were many gaps including front line staff training, underrepresented groups, experience with the Police, Court System, involvement of CPS, Refuge Support and wider community involvement. Therefore Members considered that a gap analysis was needed to move forward to a stronger system. Officers noted that frontline staff needed training on better gateways into services and noted the comments on CPS involvement. The Cabinet Member agreed that many groups were underrepresented, including older people and LGBT and Transgender; he added that work had been done on this but hadn't been included in the SaferLives report.
- Members asked who an executive board would report to and were advised that it would report up to the Local Service Board, via the Safer and Cohesive Communities Programme Board.
- Members sought clarification on the governance approach, officers advised that there would be one set of governance arrangements to feed into the two local authorities. Members further discussed governance arrangements and were advised that there was a South Wales Governing Body which the pilot feeds into; Cardiff would be engaged and would develop a joint outcomes framework.
- Members asked whether Cardiff has a Domestic Violence Champion and were advised that it does and that it is Councillor De'Ath. Members noted that SaferLives had indicated that Cardiff did not and in fact they had not asked whether this was the case.

The Chairperson thanked Officers and Witnesses for attending the meeting and answering Members questions.

AGREED – That, the Chairperson on behalf of the Committee writes to relevant Cabinet Members, Directors and officers thanking them for attending the Community and Adult Services Scrutiny Committee on 2 March 2016 and to convey the observations of the Committee when discussing the way forward.

### 73 : SUPPORTING PEOPLE LOCAL COMMISSIONING PLAN 2016-19

The Chairperson welcomed Councillor Susan Elsmore, Cabinet Member for Health, Housing and Wellbeing, Sarah McGill, Director Communities, Housing and Customer Services and Jane Thomas, Assistant Director Communities and Housing to the meeting.

The Chairperson invited the Cabinet Member to make a statement in which she declared an interest in that she was the Chair of the Regulatory Collaborative Committee; there had been no reduction in spend for Supporting People Programme from the Welsh Government; it was important to make best use of the money and get best value to support vulnerable individuals.

Members were provided with a handout on Supporting People Local Commissioning Plan 2016-19. The Chairperson invited questions and comments from Members:

- Members noted that there were regular reviews of Health and Safety in sheltered accommodation; sometimes refurbishments were not appropriate for the age of the people living in the buildings; the example of fuse boxes being placed too high was given. Officers welcomed the advice and stated that the refurbishment of buildings was currently taking place to make them more appropriate for the clientele.
- Members asked how the increase in HRA rents would impact in terms of housing benefit levels. Officers explained that the vast majority of Council properties are well below LHA rates; there are 2 areas, under 35's are only entitled to shared accommodation rates at £55 per week; Supported housing, where rents are higher are more of a problem for Housing Associations rather than the Council, as they have more supported housing properties.
- Members asked if there was a risk that the market in supported housing could be decimated; Officers stated that the Government had announced a delay in Supported Housing changes but the RSL's are putting schemes on hold as they may not be viable. The Cabinet Member added that they had looked at the impact of welfare reform; there would be issues to contend with; the proactivity/thinking regarding adjusting services is to be commended but it would be difficult.
- Members discussed needs based system and asked when there is a remodel how big a shift would be needed to ensure services are on a needs basis, especially for older people. Officers stated that the biggest difference would be more support provided through floating support provision.
- Members asked if the process to identify needs was Cardiff specific; officers stated that it was developed in Cardiff with Welsh Government guidance; there may be a different one specifically for older people as their needs are so different and the example of isolation was given.
- Members enquired about the trigger for bringing in floating support services and how it could be ensured that there were no gaps and that the provision is right for older people. Officers advised that it would be through the Independent living service and first point of contact; there would be a visit and if it was determined that more was needed then the client would be referred for floating support or not if already receiving support via Day Services; Officers stated that it was an exciting opportunity providing more resource to meet the needs of the wider community.
- Members asked how Local Housing Allowance (LHA) would affect tenants and how it fits with welfare reform. Officers explained that the new welfare reform was statutory; Social Housing rents would be brought in line with private rents; it would only affect the under 35's and supported living tenants at the moment through Housing Benefit and it would be the same with Universal Credit. Members requested a briefing on this.

- Members asked if there had been consultation with all involved to discuss all eventualities; officers stated that they had talked to all involved about principles that would be followed such as voids, use of service and talked in detail to the providers; they were accepted as fair decisions. The Cabinet Member explained that the Regulatory Collaborative Committee was representative of providers and its aims and objectives were to ensure a balance between the commissioner and provider.

The Chairperson thanked Officers and Witnesses for attending the meeting and answering Members questions.

AGREED – That, the Chairperson on behalf of the Committee writes to relevant Cabinet Members, Directors and officers thanking them for attending the Community and Adult Services Scrutiny Committee on 2 March 2016 and to convey the observations of the Committee when discussing the way forward.

#### 74 : QUARTER THREE PERFORMANCE

The Chairperson welcomed Councillor Susan Elsmore, Cabinet Member for Health, Housing and Wellbeing, Tony Young, Director Social Services, Sarah McGill, Director Communities, Housing and Customer Services and Jane Thomas, Assistant Director Communities and Housing to the meeting.

The Chairperson invited the Cabinet Member to make a statement in which she said that there were many challenges ahead; there were still serious issues to be addressed but she was very proud of the hard work that officers were doing on this.

The Chairperson invited questions and comments on the report from Members:

- Members asked what were considered to be the biggest challenges. The Cabinet Member noted the Committees concerns regarding DeTOC and was pleased to say that targets were being met on this but added a cautionary note that winter was still a challenging time. It was explained that from 16 March, what was the Integrated Health and Social Care Governance Board, will morph into a Regional Partnership Board with a high level governance structure. Officers added that Step Down accommodation was now getting attention at governance level and this would assist the Health Boards and provide a focus.
- Members could see that lots of work was being done and asked if there was a theory as to why the issues had arisen. The Cabinet Member stated that there was a whole host of reasons including only some under the Council's control; it was important now that Cardiff takes a lead but there was still a need for a joint approach. The Director added that he would like to move away from the focus solely on DeToc and that a whole system approach was needed to provide a complete cohesive service partnered with Health.
- Members noted approaches taken in Kent whereby providers work with individuals, assist in getting medication, driving people home from hospital, providing support and liaising with domiciliary care providers. Officers noted that historically the focus had been at the last point but that information was



needed from the beginning; capturing more data from the Ambulance Service etc. and that they were now identifying this information.

- Members noted that there are many change taking place and asked how the staffing base was currently looking. Officers stated that this would continue to be a key issue, the Director had met with all teams across the directorate and had been very impressed with staff enthusiasm towards the changes and why the changes were needed; she added that she sees it reflected in staff PPDR's; it was noted that the sickness target would not be met this year although all return to work interviews had been completed, there had been a piloted approach to stress awareness which had been considered valuable.
- Members referred to issues in the last quarter such as voids. Officers noted that there had been a huge increase in voids in December and January; officers were looking to move tenants under the age of 35 years as soon as possible due to the forthcoming welfare reforms and so were targeting transfers and would continue to do so for the rest of the financial year.
- With reference to domiciliary care, Members asked for an update on where Cardiff is at with providers, sustainability of provision and any impacts on clients. The Director stated that Escalating Concerns had worked well, improved the quality of care and raised standards; there was an issue of supply in the market, this was a national issue with all local authorities facing problems; it was a very uncertain picture and it was difficult to provide reassurance, but officers were doing all in their control to stimulate the market and improve relationships etc. The Cabinet Member added that she had met with the Minister for Health and Social Care at the WLGA conference last month and raised the issue; it was a recognised issue of market and supply, the Minister was very keen on the work undertaken in Monmouth and the Cabinet Member planned to visit to see the model used there; this invitation would be extended.
- With regard to reablement, officers noted that rather than looking at domiciliary care separately, they were piloting a locality approach using assets in the local area, some mapping had been done and it seemed plausible; this could help with reablement.
- Members made reference to Disabled Adaptations and asked what the issues were. Officers explained that Capital was made available and this had speeded up the work, work had been given to contractors however they didn't want the work to be rushed as it needs to be done properly as well as quickly. It was added that further performance information on this would be brought back to committee as in the future there would be various performance management targets for this; there would be a need to focus some resource on fast track which does not come under the indicators and this would probably affect existing performance management targets.
- Members asked if officers were happy with the work on Disabled Adaptations. Officers explained that if the client doesn't arrange the works themselves then they check works progress and they also post inspect; there had been no problems with quality or value for money.

- Members referred to the new Homelessness indicator and asked if information on this would be available in the fourth quarter. Officers stated that they could produce information but it couldn't be compared across Wales as there were many different ways of recording information and there was no consensus currently. Officers confirmed that they were able to provide some performance management information for the quarter four report.

The Chairperson thanked Officers and Witnesses for attending the meeting and answering Members questions.

AGREED – That, the Chairperson on behalf of the Committee writes to relevant Cabinet Members, Directors and officers thanking them for attending the Community and Adult Services Scrutiny Committee on 2 March 2016 and to convey the observations of the Committee when discussing the way forward.

## 75 : COMMITTEE BUSINESS REPORT

At the Committee meeting on 16 September 2015 Members discussed how they wished to deal with future reports concerning committee business, such as correspondence reports and work programme reports. Members decided to combine these within an overarching Committee Business report.

This report provided the Committee with the latest update on correspondence. The Committee received copies of correspondence sent and received in relation to matters previously scrutinised by this Committee.

Members discussed the response to the letter following scrutiny in February 2016. Members were concerned about one response received regarding research processes and asked that a further letter be sent detailing Committee's concerns about the presentation of consultation results.

Members agreed the Night Time Economy Draft Report; next steps were to add the Foreword and the bibliography, the report would then go to Cabinet and onto Witnesses, it was hoped that the report would go to Cabinet in March to avoid the pre-election period.

## 76 : DATE OF NEXT MEETING

The next meeting of the Community & Adult Services Scrutiny Committee is scheduled to take place on 13 April at 5.00pm in CR4 County Hall.