

**Name of meeting:** Cabinet  
**Date:** 16 March 2021  
**Title of report:** Kirklees Specialist Accommodation Strategy 2021 – 2030  
 Public Consultation

**Purpose of report:** To approve a public consultation exercise in relation to a proposed new draft Specialist Accommodation Strategy 2021 2030; and for a further report to Cabinet and Council to consider the outcome of the consultation.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes - impact on 2 or more wards
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	Key Decision - Yes Private Report/Private Appendix - No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	David Shepherd - 17.02.2021 Eamonn Croston - 16.02.2021 Julie Muscroft - 01.03.2021
Cabinet member <a href="#">portfolio</a>	Councillor Musarrat Khan Councillor Viv Kendrick Councillor Cathy Scott

**Electoral wards affected:** All

**Ward councillors consulted:**

At this point we are setting out our overall strategy around Specialist Accommodation in Kirklees. The outputs of work under the strategy will at that point involve ward councillors as specific sites and types of accommodation provision are identified at ward level.

**Public or private:** Public

**Has GDPR been considered?** A DPIA has been completed - Reference: - FS-Case-224404942

## 1. Summary

- 1.1 The newly developed Kirklees Specialist Accommodation Strategy & Plan 2021 – 2030 forms part of the overall Kirklees Housing Strategy.
- 1.2 The strategy aligns to our shared outcomes particularly “Well”, “Independent”, “Safe and cohesive” and “Efficient and Effective”. The work of delivering the strategy also follows the We’re Kirklees approach of working with people not doing to them, working with partners and Place-based working.
- 1.3 The strategy outlines the importance of quality housing and the impact it has on individuals and their wellbeing. It goes on to discuss the demographic, technological and consumer trends that are already impacting the market and are likely to continue to do so over the period of the strategy.
- 1.4 The strategy outlines how the shape of specialist accommodation will change over the next decade and the key actions required to support these changes.
- 1.5 The strategy will form part of the Council’s Policy Framework and so will require full Council to approve and adopt it on recommendation from the Cabinet subject to the outcome of the public consultation

## 2. Information required to take a decision

- 2.1 The Kirklees Specialist Accommodation strategy forms part of the overall Kirklees Housing Strategy; and specifically covers people that the local authority and our health partners support in a home that has been designed to meet the particular needs of different people in their homes, so that they remain as independent as possible.
  - 2.2 The strategy describes each specific cohort that touch specialist accommodation. Each cohort section describes a view of where that cohort will be in ten years’ time, setting out this headline will help focus on what the fine detail is aiming at and the likely changes in provision across the period of the strategy. Each section then briefly outlines some key activities that are required and goes on to describe current supply and likely future accommodation demand.
- 2.3 The objectives of the strategy:**
- 2.4 Our new approach to specialist accommodation is radical, but necessary. In the past we have taken small steps with regard to developing specialist accommodation locally, being more reactive than proactive. We also lacked a robust approach to the public estate and unpicking the barriers and delays to creating new developments.



- 2.5 We are clear that there are a series of **short term issues** that need to be addressed to unblock or manage issues within specialist accommodation locally. This includes assessing the impact of COVID-19 on the accommodation market and understanding the impact upon future demand numbers.

- 2.6 We want accommodation to be **appropriate**, having and developing accommodation that means individuals are as independent as possible, for as long as possible. We are firmly committed to shaping accommodation requirements with individuals. This includes working with particular groups such as older BAME people living in Kirklees. We recognise that people's needs change, we also recognise that people sometimes need to move so their needs can be better met, this could be short term or longer term as needs change.
- 2.7 We want accommodation to be **local**, we are clear that placing people a distance away from Kirklees may not generate the best outcomes for individuals. We need to develop local capacity so the specific needs of people likely to be placed out of area can be met in Kirklees.

We want specialist supported accommodation to be **affordable**; we recognise that in the past we have placed people in care homes because it has been the only option. We have begun and will continue to develop in partnership with our provider market better value, better outcome models of care that are more flexible.

- 2.8 We want accommodation to be **sustainable**. Attitudes and models of care and support continue to evolve. We need accommodation that is more flexible and can change to meet the needs of either increased numbers of people or those with needs that are different to those that might have been foreseen when a development was started. This may include things like eco-friendly design approaches to accommodation and people with different care needs living in one development or one series of developments.

## **2.9 Why is the strategy required?**

- 2.10 Suitable housing can significantly improve people's lives, while unsuitable housing can be the source of multiple health and wellbeing issues and costs. Appropriately designed housing, that can adapt to people's changing needs as they age, has a number of benefits. These benefits include reducing demand on care and support services and enabling individuals to live independently and more flexibly in our communities.
- 2.11 As this strategy describes the current care and support estate has developed in a slightly disjointed way, we believe taking our current and potential future specialist accommodation tenants with us on a development journey will mean wishes, preferences and ultimately outcomes will be met.
- 2.12 We will work with people and organisations to develop different and innovative homes across all groups, that will enable people to have choice and means they can live as independently as possible.
- 2.13 There are likely to be models of care and support that have not been designed yet that we would want to commission or support during the life of this strategy. Homes that are adaptable, disability and dementia friendly will grow in significance locally.
- 2.14 The changes in the needs of people over the period of this strategy will drive development and demand for specialist accommodation based and other care support. How people currently or wish to live will also affect demand and types of accommodation required, more people are living alone that they were 20 years ago. As the population ages there are likely to be more people living with long term conditions that require support or home modifications so that they can remain independent.

2.15 The strategy has been developed alongside our vision and values for adult social care:

**We want every person in Kirklees who needs support, including social care, to be able to live the life that matters to them - with the people they value, in the places and communities they call home, and with an equal voice in co-ordinating their support.**

2.16 There are legislative and policy drivers for some of the content of this strategy, but fundamentally we want to enable our population to live as independently as possible, for as long as possible, in safe places of their choosing, with a wide range of support that best delivers the outcomes they as individuals want to achieve.

2.17 This strategy was developed in early 2020. We are closely monitoring the impacts COVID-19 will have on the objectives of the strategy, particularly those around addressing **short term issues** in the specialist accommodation market. This may require alteration as the impacts of COVID-19 are better understood. We believe the other four objectives of the strategy are robust and our longer-term aspirations remain the same for the time being.

### 3. Implications for the Council

#### 3.1 Working with People

3.2 The people who currently or who in the future may live in specialist or supported accommodation are at the centre of this strategy, we want to ensure they remain as independent as possible and have a home that allows them to meet their own outcomes. A person's living environment extends beyond their home. Enabling people of all ages to live healthy and successful lives requires neighbourhoods with suitable physical, social, and community environments.

#### 3.3 Working with Partners

3.4 The strategy has been shaped by a multi-agency board, we have also actively engaged external partners in the development of the strategy and the workplan that will deliver the aims of the strategy. The work delivering this strategy will build upon the partnerships already developed, and it is only with such working we will be able to deliver our ambitions following political endorsement.

#### 3.5 Place Based Working

The right specialist or supported accommodation should be at the centre of each of current and new large community developments. We see the strategy delivering this through a number workstreams, we also see with robust engagement we can reflect local nuances in the building and makeup of new and existing developments.

#### 3.6 Climate Change and Air Quality

3.7 A key objective of the strategy is around sustainability this is both economic sustainability but also environmental sustainability. We see the work of the strategy having multiple positive impacts on reducing emissions. New build or converted properties will have to meet current environmental regulatory requirements, there is also likely to be scope for new specialist accommodation to break the mould on sustainable building design and use, there are a range of accommodation developments nationally that have delivered such benefits.

3.8 We also see the potential for those looking to downsize and move to more specialist or supported accommodation will mean the current housing stock will be better utilised and under-occupation will be reduced which in itself can negatively affect the environment.

3.9 Although not explicit in the strategy we also see with a more dispersed mix of different accommodation that the staff who support individuals could be more locality based and not required to travel to larger buildings-based provision.

### **3.10 Improving outcomes for children**

3.11 Our long-term plan around children and young people is to enabling families to stay together when safe, increasing local foster placements, and listening more to our looked after children. Our ultimate aim is to see less of our children and young people living outside Kirklees. Where children and young people do require residential accommodation, it will be in smaller homes that do not have the design style of institutional settings.

### **3.12 Other (e.g. Legal/Financial or Human Resources)**

3.12.1 There is no legal requirement for the Council to have a Specialist Accommodation Strategy. However, it is best practice to do so.

3.12.2 Although the strategy relates to executive functions it will also form part of the Housing Strategy which in turn is part of the Council's Policy Framework under Article 4 of the Constitution. Therefore it requires the full Council to approve and adopt it before it can be implemented on the recommendation of the Cabinet.

3.12.3 There are a number of legislative drivers including, but not limited to , the Care Act 2014, Mental Health Act 1983, Autism Act 2009 and the Children Act 1989. For example, section 1 of the Care Act 2014 imposes a general duty on the Council to promote an individual's wellbeing including by reference to their day to day life (including care and support provided and the way it is provided), and the suitability of living accommodation.

3.12.4 The statutory Care and Support Guidance (updated June 2020) states that local authorities should develop a clear local approach to preventative support to delay or reduce the need for support. It is wider than care and support alone and should include the involvement of those responsible for public health, leisure and housing services. (see para 2.23 of the guidance).

3.12.5 The Care Act 2014 is clear on the limits of responsibilities and relationship between care and support and housing legislation (see s.23 Care Act 2014) .Where the Council is required to meet accommodation related needs under housing legislation it must do so under housing legislation .

3.12.6 Local Authorities must ensure integrated care and support including prevention with health and housing services. The guidance at para 3.5 also refers to improving advice and information on housing options and to support to live independently which contributes to requirements under the Care Act . Most accommodation for people with mental health needs will be met under section 18 of the Care Act 2014.

3.12.7 The Autism Act 2009 requires the needs of adults with Autism should be taken into account in local housing planning ,design and allocation in line with local priorities.

3.12.8 The strategy may need to be regularly reviewed in the light of emerging health legislation and the Government's approach to adult social care policy and its proposed Green paper.

3.12.9 In carrying out its consultation exercise the Council must comply with the “Gunning principles” namely:

- That consultation must be at a time when the proposals are still at a formative stage.
- The council must provide sufficient information about the proposals to consultees to enable intelligent consideration and informed responses .
- Adequate time must be given to facilitate responses .
- The product of the consideration of responses must be conscientiously taken into account in finalising any proposals .

3.12.10 The legal implications for the delivery plan arrangements and individual projects arising out of the strategy will need to be considered on a case by case basis to identify legal powers and associated risks as such initiatives progress through relevant internal council boards .

3.12.11 The Council has a duty to comply with its Financial Procedure Rules and Contract Procedure Rules and when procuring goods ,works and services above certain thresholds must procure in accordance with the Public Contracts Regulations 2015 and new rules on Subsidy Control which replace the State Aid rules.

3.12.12 Certain land transactions may be exempt from competition.

3.12.13 Section 149 of the Equality Act 2010 sets out the public sector equality duty replacing the previous duties in relation to race, sex and disability and extending the duty to all the protected characteristics i.e. race, sex, disability, age, sexual orientation, religion or belief, pregnancy or maternity, marriage or civil partnership and gender reassignment.

3.12.14 The public sector equality duty requires public authorities to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, and victimisation and other conduct prohibited under that act
- Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it; and
- Foster good relations between those who share a protected characteristic and those who do not share it, which involves having due regard, in particular, to the need to- (a) tackle prejudice, and (b) promote understanding.

3.12.15 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, including, in particular, steps to take account of disabled persons' disabilities;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

3.12.16 Compliance with the duties in section 149 of the Act may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under the Act.

The Equality Duty must be complied with before and at the time that a particular policy is under consideration or decision is taken - that is, in the development of policy options, and in making a final decision. A public body cannot satisfy the Equality Duty by justifying a decision after it has been taken.

### **3.13 Financial implications**

3.13.1 The strategy sets out our long term shaping ambitions around specialist accommodation and market development locally. At this stage it does not commit to specific spending requirements.

3.13.2 It is highly likely that there will be there will be future capital spending requirements linked to the findings of activities covered in this strategy's workplan. These requirements will be outcomes of pieces of work within the strategy, and they will be built on a sound evidence base.

### **3.14 Do you need an Integrated Impact Assessment (IIA)?**

3.14.1 We expect a positive impact on equality issues as the strategy begins to deliver. By the very nature of those living in, or likely to require specialist or supported accommodation some of the protected characteristic groups are embedded within the objectives.

3.14.2 A Stage 1 Integrated Impact Assessment has been completed.

## **4. Consultees and their opinions**

Nature and findings of consultation undertaken so far:

4.1 The strategy has been presented to a number of internal and partner officer groups and boards; it has also been presented at senior leadership team meetings in the directorates with an interest in the work of the strategy and at the Council's Leadership Management Team.

4.2 The consultation discussion have been over a number of months throughout 2020/21. The format has been an explanation of the rationale for developing a strategy across multiple directorates and the five key strategic aims of any work moving forward.

4.3 There has been a good response to the aims and joint nature of the strategy, as the strategy itself indicates it bring together existing directorate level intent into a joint format. This should facilitate better collaboration and developments moving forward. As the strategy has progressed through the consultation process a number of minor changes have been suggested typically around language and long term intentions for certain groups. These have been incorporated into the strategy in consultation with senior leads across different directorates.

4.4 It is intended to carry out public consultation on the draft Kirklees Specialist Accommodation Strategy including with people who require or may have a future need for this type of accommodation.

4.5 We wish to hear the views of a wide range of stakeholders. These include people living in Kirklees and Kirklees residents currently accommodated outside of the district , carers and service user groups, community and multi-agency groups and other interested parties.

4.6 Consultation responses will be reported to Members and incorporated into a final draft of the strategy.

## **5. Next steps and timelines**

- 5.1 It is proposed officers develop an inclusive consultation plan which ensures appropriate consultation methods are identified and used to enable effective response.
- 5.2 The plan will also set out the consultation timescales.
- 5.3 Following the consultation officers will prepare a report to Cabinet which considers responses received.
- 5.4 The draft strategy to be revised taking into account consultation responses and submitted to Cabinet for approval and recommendation to full Council for approval and adoption of the strategy, as part of the Council's Policy Framework.

## **6 Officer recommendations and reasons**

That Cabinet:-

- 6.1 Note the report and the draft Kirklees Council Specialist Accommodation Strategy 2021-30 at Appendix 1 to this report.
- 6.2 Agree to the Service Director for Skills and Regeneration carrying out a non-statutory consultation on the proposed draft Kirklees Specialist Accommodation Strategy 2021-30.
- 6.3 Requests a further report detailing the outcome of the public consultation , with the details of any proposed amendments together with a final draft of the Kirklees Specialist Accommodation Strategy 2021-30 for its approval and recommendation to full Council for its approval and adoption as part of the Council's Policy Framework.
- 6.4 Suitable housing can significantly improve people's lives, while unsuitable housing can be the source of multiple health and wellbeing issues and costs. Appropriately designed housing, that can adapt to people's changing needs as they age, has a number of benefits. These benefits include reducing demand on care and support services and enabling individuals to live independently and more flexibly in our communities

## **7 Cabinet Portfolio Holder's recommendations**

- 7.1 The Cabinet Portfolio Holder for Housing and Democracy recommends that Cabinet support the strategy. Our commitment is to enable people to live as independently as possible, in safe places for as long as possible with the support they need. Peoples voices and choices are at the heart of what we do.

## **8 Contact officer(s)**

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## **9 Background Papers and History of Decisions**

9.1 Draft Kirklees Council Specialist Accommodation Strategy 2021 - 2030

### **10 Service Director responsible:**

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