

Joint Working Protocol

This Joint Working Protocol is hereby agreed on the day of 2020
BETWEEN

(1) CUMBRIA COUNTY COUNCIL of 117 Botchergate, Carlisle, Cumbria CA1 1RD (“the County Council”)

AND

(2) EDEN DISTRICT COUNCIL of Town Hall, Penrith, Cumbria, CA11 7QF (“the District Council”)

AND

(3) HOUSING 21 (Registration Number.....) whose registered office is at..... (“the Housing Provider”)

AND

(4) [x] of [y] (Registration Number.....) whose registered office is at..... (“the Care Provider”)

1. Introduction

1.1 The purpose of this Protocol is to agree working arrangements that support effective joint working between the County Council, the District Council, the Housing Provider and the Care Provider relating to the provision of Affordable Extra Care Housing at land at Newton House, Newton Road, Penrith, Cumbria, CA11 9EE under planning permission 18/0913 (the Scheme)

Aims of the Protocol:

- 1.2 To describe the agreed working arrangements between the parties with regard to nominations and allocation of the tenancies at the Scheme and to ensure that the aims of the Scheme are delivered.
- 1.3 To strengthen partnership working to the benefit of the tenant receiving services;
- 1.4 To ensure there are effective lines of communication so that all parties can fulfil their roles and responsibilities; and
- 1.5 To provide clarity of roles and responsibilities of each party to this Protocol.

Definitions

1.6 For the purposes of this Protocol the following definitions will apply:

“Affordable Housing Units” means:

The 54 Dwelling’s for the provision of affordable housing being Extra Care Housing.

“ Grant Funding Agreements” means:

The agreements made between Housing 21 and Cumbria County Council and between Housing 21 and Eden District Council for the provision of funding for the delivery of the Scheme .

“Extra Care Housing” means:

Extra Care Housing is a term used to describe housing developments with design features and support services to enable people to care for themselves and continue to live independently.

People who live in extra care housing have their own self-contained homes, with a lounge, kitchen, bedroom and bathroom and have a legal right to occupy the property. 24 hour care and support services are available onsite in order to provide both responsive and scheduled access to support as it is required.

“Local Connection” means:

A situation in which an Affordable Housing Unit occupied or is to be occupied by any person or household who immediately before taking up such occupation:

- a) lives in the Locality Defined and has done so for a continuous period of at least three years; or
- b) works in the Locality Defined and has done so for a continuous period of at least three years; or
- c) has moved away from the Locality Defined but has strong established and continuous links to the Locality Defined from which the person moved away by reason of birth or long term immediate family connections; or
- d) has an essential need through old age or disability to live close to a relative who has lived in the Locality Defined, for a continuous and continuing period of at least three years

“Locality Defined” means:

The District of Eden and if on marketing of the Affordable Housing Unit for a period of six weeks in the District of Eden no prospective tenant has satisfied the Housing Provider (acting reasonably) that he/she is a person with a local housing need in the District of Eden then provided the Housing Provider has supplied Eden District Council with evidence of unsuccessful marketing and reasonably satisfactory evidence of marketing the said Unit through a national web based property marketing tool for rental and Eden District Council are reasonably satisfied, the Locality Defined shall be extended to the County of Cumbria.

“Section 106 Agreement” means:

The Section 106 Agreement dated 14th June 2019 made between EDC and Atkinson Homes Limited relating to Land at Newton House, Newton Road, Penrith.

Extra Care Housing Principles

- 1.7 **To promote independence:** the provision of self-contained accommodation with access to on-site care and support enabling individuals to live independently in the community.
- 1.8 **To be empowering:** care and support, health and housing services should be available to the individual as and when needed without being required to change accommodation.

2. Partners

The key partners involved in the provision of services at the Scheme are:

Housing Provider

- 2.1 The Housing Provider is the owner (landlord) of the property and will manage the Scheme.
- 2.2 Insofar as they are assessed as relevant to the needs of each site occupant, the Housing Provider will be responsible for appropriate equipment at the Scheme, including but not limited to, for example, community alarms, telecare equipment and door entry/security systems.
- 2.3 The Housing Provider holds the responsibility for coordinating allocation of the tenancies, provides the accommodation and manages the buildings at the Scheme. The Scheme Manager (who is an employee of the Housing Provider) or their deputy undertakes the day to day management of the Scheme, including but not limited to, rents, repairs, maintenance and the allocation of properties on site.
- 2.4 The Housing Provider holds ultimate responsibility for the building and the welfare of people living within the Scheme. Therefore the Housing Provider will take a lead on any further local protocols which may be put in place to promote the smooth –running and management of the site. More detailed arrangements may need to be put in place to cover areas such as communication, conflict resolution and response to emergencies.
- 2.5 The Housing Related Support Service provision shall be undertaken by the Housing Provider to deliver support services (as set out in section 4.3) to assist tenants to manage their tenancies. The Scheme Manager would normally oversee this service.

CCC - Adult Social Care

- 2.6 Cumbria County Council will support nominations made by the District Council subject to those nominations having an assessed care need which can be most appropriately met through the Scheme.

Adult Social Care (ASC) is part of the County Council and may organise an assessment of need for individuals under appropriate legislation. People who meet the eligibility criteria will receive an indication of the resources which could be made available to meet their support needs. They will have an opportunity to agree a Support Plan with their ASC Practitioner (often a Social Worker or Social Care Worker) and when agreed they will receive a Personal Budget. This could be added to from other funding sources to make an Individual Budget. A financial contribution by the individual to the Personal Budget may be required following financial assessment by Adult Social Care.

- 2.7 Individuals accessing a Personal Budget may choose to meet their needs through a variety of means, usually through purchase of resources from the on-site care team, and other resources agreed with the ASC Practitioner via the individual's Support Plan.
- 2.8 If an individual develops additional care and support needs within the Scheme, or support needs significantly decrease, they should be encouraged to contact ASC for a new assessment or a review of need so that support needs can adjusted following a further assessment and through their individual Support Plan.
- 2.9 In addition, specialist Community Occupational Therapy assessments and provision of specialist OT equipment may be co-ordinated by ASC for disabled people living in the community. ASC Occupational Therapists can assess for and arrange disability equipment and housing adaptations to promote the independence of individuals.

- 2.10 Informal Carers are people who help look after others, providing care or essential support to people who are unable to do everything for themselves. They may be relatives of the person or their neighbour.
- 2.11 Informal Carers can access assessments and support from ASC, or contact their local Carers organisation who will progress on behalf of the County Council. They should be encouraged to seek assessment if they appear to need support.

The District Council

- 2.12 The District Council may nominate individuals to Adult Social Care so that an assessment of need can be made under appropriate legislation. The District Council will support nominations made to the Scheme by County Council. Such nominations will have a Local Connection and will be made in line with the District Council's Equality Duty/Policy. The District Council will consider requests for Disabled Facilities Grants in line with policy and statutory requirements. The District Council will consider requests for Handyperson services in line with policy.

Care Provider

- 2.13 It is anticipated that the Care Provider will deliver personal care to most service users living in the Scheme. Personal care services may be delivered on a flexible basis, 24 hours per day, within all Extra Care Housing Schemes. The service is tailored to meet individual needs that are agreed and signed off via the individual's Support Plan and expressed on an Individual Service Order for the Individual.
- 2.14 The Care Provider will be accredited with Cumbria County Council and subject to appropriate inspection by Care Quality Commission (CQC). Regular reviews will be necessary of the hours appropriate to the Scheme, taking into account that some individuals may opt out from the onsite provision and choose to make alternative arrangements via a Direct Payment or Personal Budget.

Other Potential Partners

- 2.15 Specialist Health Support Services e.g. Community Mental Health and Recovery Teams, Specialist Multi-disciplinary input.
- 2.16 Voluntary Sector e.g. AGE UK, Stroke Association may organise activities on site which people may identify as desirable and wish to take part for social support. Activities may be set up as part of a collective decision by individuals willing to commit their personal budgets to a group activity.

3. Roles and responsibilities

The following lists of roles and responsibilities provide a general overview. As a general principle all parties should collaborate and work together for the overall benefit of tenants.

3.1 Adult Social Care

ASC Practitioners are responsible for:

- (i) identifying and referring appropriate individuals in accordance with this Protocol;

- (ii) organising an assessment of need for individuals under appropriate legislation and ASC eligibility criteria and providing them with an indication of the resources which could be made available to meet their support needs;
- (iii) ensuring that the ASC Support Package is tailored to the tenant's needs and provided in a co-ordinated manner
- (iv) sharing Service User's/tenant's Support Plan with the tenant and Care Provider in line with giving them choice and control over decisions regarding their lives;
- (v) providing advice and advocacy as appropriate in line with the Care Act 2014; The Care and Support (Independent Advocacy) Regulations may assist with this and the ASC Practitioner will need to sign off the individual's Support Plan;
- (vi) for Care Managed packages, liaising with the Care Provider to arrange for or assist the tenant to access the care, social contact and support they require to meet their assessed needs;
- (vii) providing Emotional support to tenants;
- (viii) helping with social contact and activities;
- (ix) helping find other accommodation when necessary;
- (x) carrying out a safeguarding investigation in appropriate cases (for example, in case of suspected physical, emotional, financial or other abuse) and where necessary and/or appropriate implementing/monitoring appropriate Safeguarding Plans in accordance with the Cumbria Safeguarding Adults Policy, details of which can be found here: <http://www.cumbriasab.org.uk/>;
- (xi) ensuring specialist support from Occupational Therapy when necessary and/or appropriate; and
- (xii) when necessary, arranging for a bespoke telecare packages to be fitted as part of the ASC support package (accessed in consultation with the tenant via a referral to ASC).

4.3 Housing Related Support Service

Shall assist tenants with the following:

- (i) help in setting up and maintaining the tenancy;
- (ii) managing utilities;
- (iii) assist with Housing Benefit and any Housing related finances;
- (iv) liaison with family member/appointed person with regard to tenancy issues;
- (v) ensure that tenants understand their responsibilities of being a tenant;
- (vi) assist with arranging for repairs and practical maintenance issues within the home;
- (vii) respond to call systems, as per local Scheme arrangements;
- (viii) general advice, advocacy liaison and signposting;
- (ix) health & Safety and Security – Ensuring 'Safe environment';
- (x) emotional Support when necessary and/or appropriate;
- (xi) support in establishing social contact/activities;
- (xii) peer support and befriending;
- (xiii) help finding alternative accommodation. (E.g. if cared for dies and carer requests to move).

4.4 Housing Provider

is responsible for the following:

- (i) providing the Housing Related Support Service
- (ii) ensuring the Affordable Housing Units are used and continue to be used in perpetuity for the provision of affordable housing for persons with a Local Connection only;
- (iii) within 14 days of the District Council's written request providing such information as the District Council may reasonably require;
- (iv) notifying ASC once a flat/ becomes or will become available;
- (v) delivering support services to assist tenants to manage their tenancies;
- (vi) all repairs and maintenance of the buildings at the Scheme, including but not limited to servicing, repairing and maintaining the fabric of the buildings, the fire alarms, emergency lighting, intruder alarms and the generic call system (community alarm);
- (vii) health and safety at the Scheme, including fire emergency procedures;
- (viii) taking the lead in developing any necessary additional joint procedures;
- (ix) ensuring a response to all calls on the 24hr warden call system; and
- (x) ensuring appropriate staff training.

4.5 Role of Assistive Technology (Telecare) – Responsibilities of Partners

- (i) The Scheme Manager (or their deputy) will take responsibility to ensure a response to all calls on the 24hr warden call system and to liaise appropriately depending on the reason for activation of the system.
- (ii) The Scheme Manager will be responsible for accessing appropriate training to ensure an understanding of the Scheme systems, their benefits and limitations, and will have an understanding of other sensors/portable systems which individuals may be able to access to enhance their welfare.
- (iii) Bespoke Telecare packages for users will usually be fitted as part of the ASC support package and should be accessed in consultation with the tenant via a referral to ASC for an assessment/reassessment of need.

5. Training

- 5.1 Training should be co-ordinated between all partners whenever appropriate.
- 5.2 Core competencies, such as moving and handling, Safeguarding Adults and medication management should be agreed on a partnership basis.

6. Equality and Diversity

- 6.1 The Parties are jointly committed to work together and to provide responsible leadership in promoting the values of equality and diversity. All forms of discrimination, on the grounds of disability, gender, race, colour, ethnic origin, religion, belief, culture, nationality, national origin, age, and sexual orientation are unacceptable within existing legislation. The Parties are committed to eliminating all forms of discrimination; promoting equality of opportunity, and good community relations and community cohesion.

7. Allocation Process

- (i) The Housing Provider will inform the District Council and ASC when a vacancy, or impending vacancy occurs or is likely to occur, within one of the Scheme units. Such a notification shall be made via email to the District Council's and ASC's respective nominated individual(s) within 2 working days of the vacancy or notice of the vacancy becoming available;
- (ii) The District Council and ASC will notify the Housing Provider of any suitable nominations into the prospective vacancy;
- (iii) Any such nominations will be considered by a Selection Panel, consisting of the Scheme Manager and representatives designated by ASC, the District Council and the Care Provider. Where a prospective tenant has been identified by ASC, the selection panel must be convened within five working days or as soon as operationally practicable thereafter. When appropriate, other professionals, such as NHS staff, will be consulted. As vacancies occur, the Scheme Manager will promptly notify the other members of the selection Panel, and will promptly arrange a face-to-face or telephone meeting to discuss the nominations. While the final decision rests with the Housing Provider, it is hoped that usually selections will be made by consensus.
- (iv) The discussions of the Selection Panel, the basis for selection of a tenant and the outcome of the process will be recorded in a minute prepared by the Scheme Manager and distributed to all Panel members.
- (v) In the event that the Housing Provider rejects a nomination, the reason for the rejection must be documented and must be reasonable. For the avoidance of doubt, the reason for rejection provided must be in line with equality and diversity legislation and policies of CCC and the District Council;
- (vi) In the event that a nomination is refused, the Selection Panel will consider at that same meeting any further nominations made by ASC and/or the District Council into that prospective vacancy;
- (vii) The District Council and ASC's option to nominate into a vacancy within one of the flats will be time limited to 3 weeks. Therefore, provided that the District Council and ASC receive the requisite notice of vacancy from the Housing Provider as set out in this paragraph 7, if ASC or the District Council do not offer a nomination into one of the Scheme units during the initial three week period of the vacancy becoming available, the Housing Provider is free to allocate that unit as they see fit;
- (viii) When a potential tenant has been identified, he/she will be visited by the Scheme Manager who will update the assessment of needs and will, if appropriate, offer the tenancy;
- (ix) The agreed aim of the parties is that, over time, at least 54 of the Scheme units at any time would be held by tenants nominated by ASC.
- (x) In taking decisions to offer tenancies, the Housing Provider will ensure that the eligibility criteria and Local Connection criteria are complied with, unless otherwise agreed between the Parties .
- (xi) Nominations and selections of tenants will be made in accordance with all equality and diversity legislation and with the equality and diversity policies of both CCC and the District Council.
- (xii) Selection of tenants will take into account the need for a balanced and diverse community in terms of the service needs of tenants.
- (xiii) Occasionally, the Section Panel may wish to review/monitor existing tenants within the Scheme regarding their level of need or any tenancy issues

Allocation and Care Co-ordination Process

