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## SUPPORTING PEOPLE IN TORBAY - MEMORANDUM OF UNDERSTANDING

The purpose of this memorandum is to ensure the provision of high quality, strategically relevant, cost effective housing related support services are provided to vulnerable people in Torbay.

Supporting People is committed to being inclusive - valuing and reflecting the full diversity of the communities it serves. It will believe and communicate that:

- Everyone has the right to be included
  - Everyone has the right to be treated fairly
  - Everyone has the right to equality of access
1. The intention of this Memorandum of Understanding is to set out how Torbay Council (the Administering Authority) and the wider Torbay Supporting People Partnership will work together to achieve the aims of the Supporting People programme in Torbay.
    - 1.1 **The decision-making structure for Supporting People in Torbay consists of:**
      - 1.2 The Supporting People Commissioning Body
      - 1.3 The Supporting People Service User Group, (Torbay Voice) Strategy SubGroups, Strategy Sub Group Chairs meetings & Provider Independent Forum
      - 1.4 The Administering Authority (Torbay Council)
        - 1.5 Elected Members
        - 1.6 The Supporting People Accountable Officer
        - 1.7 The Supporting People Lead Officer
        - 1.8 Cross Authority and regional working
      - 1.9 The Terms of Reference of the Commissioning Body, The Service User Group, the Strategy Sub Groups & Provider Independent Forum are set out in Appendices A,B C&DE
    2. **The Supporting People Commissioning Body**
      - 2.1 **Membership**

**Voting members:**

        - Anthony Farnsworth (Chair) - Torbay Adult Care Trust- Director of Commissioning
        - Carol Tozer - Torbay Council – People Commissioner
        - Anne Proctor - Devon and Cornwall Probation Service - Assistant Chief Officer, Probation

**Non-voting members:**

        - Councillor Neil Bent - Cabinet member with responsibility for Housing and Supporting People
        - Simon Sherbersky – Assistant Director, Housing
        - Mary Jenkins - Principal Housing Accountant
        - Frances Mason- SP Programme Manager
      - 2.2 The Commissioning Body will be accountable for Torbay's Supporting People programme, including:

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### 2.3 **The commissioning and decommissioning process**

- Agree Supporting People decision making & advisory structure
- Agree performance reporting process
- Agree Supporting People 5 year Strategy
- Agree Supporting People Procurement Strategy
- Any recommendation to decommission a service will be referred to the CB with a de-commissioning action plan
- Any recommendation for the major remodelling of a service will be referred to the CB for decision.
- Any recommendation that runs counter to the priorities in the Supporting People 5 year strategy or the Supporting People Procurement Strategy will be referred to the CB for decision
- Any potentially politically sensitive recommendation to commission, re-model or decommission a service will be referred to the CB for decision
- Promote the use of Individual Budgets & Direct Payments

### 2.4 **Forward strategic planning**

- Ensure the monitoring & review of 5-Year Strategy
- Ensure the strategy reflects the priorities of the Community Plan and the Torbay Local Area Agreement (LAA)
- As far as possible ensure the involvement of partner organisations in the development & review of the strategy through the Strategy Sub Groups
- Ensure strategy recognises and addresses cross-authority and regional issues, including collaborative opportunities
- Ensure the 5 year strategy is informed by, and is reflected in, key strategies and objectives for partner agencies
- Sign off and own strategy

### 2.5 **The Commissioning Body will be accountable for the administration of the programme by the Administering Authority, including:**

- Satisfy selves that grant conditions and statutory guidance are being adhered to
- Satisfy selves that SP is being delivered in line with the Torbay 5 Year
- Receive and approve key performance information on service reviews, progress against key milestones & grant expenditure
- Partners will be represented at a level which allows the partnership to take strategic and commissioning level decisions – not only as the Commissioning Body, but on behalf of their own organisations
- CB members will also be members of the Torbay Strategic Partnership (TSP) or have influence over their organisation's representation on the TSP & development of the LAA
- Partners will bring their own expertise to the decision making process, as part of ensuring that all issues are covered. But decisions should be taken in the interest of the overall local programme and in accord with the Community Plan and the LAA.
- Partners may be required to contribute any funds, goods or equipment where the Commissioning Body make a unanimous decision that this will be of direct benefit to the actual commissioning of support services
- Any recommendations by the SP team, or other issues relating to SP in Torbay that are potentially politically sensitive or liable to generate substantial public/media interest will be referred to the CB and to Torbay Council's press Office at the earliest opportunity
- Terms of reference for the Commissioning Body are attached at Appendix A

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### **3. The Service User Group (Torbay Voice)**

- 3.1 Torbay's Service User Group comprises representation from users and potential users of local Supporting People services as well as their carers.
- 3.2 The Service User group is responsible for consulting other service users through annual For a and events
- 3.3 The Group reviews, monitors and evaluates progress against Supporting People Communication and Involvement Strategy
- 3.4 Members of the Group attend the Strategy Sub Groups to provide a service user perspective in the planning, commissioning and procurement of services and in the development of the 5 Year Strategy
- 3.5 Training is provided to service users to facilitate their involvement
- 3.6 Members of the Service User Group are involved in the review and monitoring services
- 3.7 The Terms of Reference for the Service User Group are attached at Appendix B

### **5.0 The Strategy Sub Groups**

- 5.1 The Strategy Sub Groups cover specific sectors (client group areas). Their role is to:
  - 5.2 Recommend commissioning and policy decisions, relating to housing and support, to Commissioning Body and their own organisations.
  - 5.3 Act as an advisory group with broader representation from partner organisations than the Commissioning Body.
  - 5.4 Are multi-agency partnerships for close working on specific issues, including contract monitoring and service review, facilitated by the administering authority.
  - 5.5 Develop and review the 5 Year Strategy
  - 5.6 Ensure the Supporting People 5 Year Strategy contributes to their organisation's priorities & is reflected in their strategies.
- 5.7 There are 5 Strategy Sub Groups:
  - Homelessness & Criminal Justice
  - Older People
  - Mental Health
  - Children & Young People
  - Learning disability & Physical Disability & Long Term Conditions
- 5.8 TOR for each Group is attached at Appendix C

### **6.0 The Strategy Sub Groups Chairs' Meetings:**

- 6.1 The Chairs of the Strategy Sub Groups, Service User Group & Provider Independent Forum meet jointly with the Commissioning Body every 6 months to consider:
  - more seamless ways of working between sectors (client group areas)
  - streamlining of processes
  - Opportunities for joint commissioning and innovation across sectors

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- Efficiencies & improvements in procurement, contract management and service delivery, i.e., jointly funded posts
- Evaluation of 5 year Strategy, Communication & Involvement Strategy, Supporting People Programme Plan and Procurement Strategy
- Performance monitoring reports
- The development of shared targets and performance indicators
- Lead on development of 5-Year Strategy and propose this to the Commissioning Body
- Evaluate the effectiveness of partnership working
- monitor and enable the engagement of service users including identifying opportunities to improve user participation and;

### **7.0 Administering Authority**

- 7.1 While the SP team will lead within the AA on SP matters, Torbay Council, as the Administering Authority for Supporting People, will be responsible for the programme and draw on support and expertise from across the Authority and Care Trust
- 7.2 The Administering Authority will:
- 7.3 Service and facilitate the Commissioning Body Acting as a Secretariat to the CB and will ensure appropriate support and advice for the SP programme is provided by Torbay Council
- 7.4 Carry out the contract monitoring and service review process and report outcomes to Commissioning Body as agreed (See 3.3 & 3.4 above)
- 7.5 Undertake the research and development of the 5-Year Strategy under the direction of the Commissioning Body;
- 7.6 Manage the individual Supporting People contracts, payments and the relationships with the providers
- 7.7 Monitor and report grant expenditure and provide finance updates at each CB meeting, including risk analyses and options for CB decision and forecasts based on annual and longer term expenditure
- 7.8 Carry out performance monitoring and management and report to the CB at agreed intervals including national Supporting People PIs, quarterly milestone reports, trends and highlights on annual basis
- 7.9 Regular updates will be provided to the CB and Strategy Sub Groups on the Supporting People Programme Plan
- 7.10 Develop local performance indicators with key partners and be responsible for their collection and analysis
- 7.11 Deliver the programme in line with the strategic objectives set by the Commissioning Body and secure Best Value
- 7.12 Manage the overall programme in line with Torbay Council's standing and with best practice in procurement and contract and programme management

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- 7.13 Build and maintain links with other authorities, agencies, service users and delivery partners
- 7.14 Pursue and realise opportunities for cross-authority and cross-agency procurement and service delivery
- 7.15 Ensure the availability of good communication and ease of access to services for all users
- 7.16 Carry out reality checks to ensure quality of services
- 7.17 Manage, support and encourage the provider base

### **8.0 Elected Members**

- 8.1 Elected Members will ensure corporate support for the Supporting People programme. They will ensure that:
  - Supporting People is well integrated into local plans for housing, social care, education, employment and regeneration;
  - Connections are made between Supporting People and other local programmes (both those delivered by the authority and others more broadly); and
  - Supporting People becomes part of the mainstream of council activity.
- 8.2 Members will act as champions for the programme to ensure it is recognised within the authority, including by partners and the general public.
- 8.3 The Cabinet Member for Housing and the Cabinet Member for Communities will attend Commissioning Body Meetings as observers.
- 8.4 Through their local ward knowledge, elected Members will take a key role in informing and making the case for services for vulnerable people and in feed back experiences of people who use the services. This will include not only existing service users but many who may be at present denied a service, perhaps because of gaps in service provision, or because of some of the tenure restrictions of legacy services.
- 8.5 Through membership of the Commissioning Body, as non-voting members, elected Members will feed their knowledge, including the local political perspective, into Commissioning Body deliberations.

### **9.0 The agreement of the Council's Cabinet**

- 9.1 The agreement of the Council's Cabinet, which is the final decision-making body, will be required for:
  - Matters referred by the Council's Overview and Scrutiny Commission
  - Approval for the letting of contracts over the value of £100,000
  - Other matters that, following consultation with partnership members, because of their financial implications or particular sensitivity, are deemed by the Administering Authority or the Commissioning Group to need elected member agreement.
- 9.2 The 5 year Supporting People commissioning strategy will be agreed by full council and the Five Year strategy action plan will be reviewed regularly by the Commissioning Body to ensure it's implementation.
- 9.5 Elected members will consider developing partnership arrangements with board

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members in the PCT and Probation in order to strengthen and consolidate the partnership arrangements established through the Commissioning Body. They will also consider putting in place similar arrangements to support cross-authority partnership working.

### 10.0 The Accountable Officer

- 10.1 The Accountable Officer will have sufficient seniority to actively participate in strategic groups in order to drive forward the programme and mainstream SP into everyday AA activity.
- 10.2 The Accountable Officer will also be responsible for ensuring that the Supporting People programme is recognised within the authority and that the SP team is able to access the resources and support needed to administer the programme.
- 10.3 The Accountable Officer will not chair the Commissioning Body. The Accountable Officer will be answerable to the Commissioning Body for the performance of the programme on behalf of the Administering Authority.
- 10.4 The Accountable Officer will play a key role in establishing and sustaining partnerships with PCT and Probation at strategic and operational levels.
- 10.5 Agree recommendations from the SP team following a service review which are in line with strategic objectives as set out in the 5 year strategy and do not exceed the financial limit of £100,000 for delegated authority
- 10.6 In emergency situations the Accountable Officer, acting for the Administering Authority, can agree the making of payments to providers outside the agreed contractual arrangements without prior consultation. (Such instances to be reported to the Commissioning Group at the earliest opportunity).

### 11.0 The Lead Officer

- 11.1 Manages the team which carries out the day-to-day administration of the programme.
- 11.2 With the SP team, the Lead Officer will ensure that the responsibilities and functions of the Administering Authority are carried out, including:
  - Service and facilitate the Commissioning Body;
  - Manage the contract management process;
  - Facilitate the development of the 5-Year Strategy;
  - Manage the individual Supporting People contracts and the relationships with the providers;
  - Ensure delivery of the programme in line with the strategic objectives set by the Commissioning Body and consistently with Best Value requirements;
  - Manage the overall programme in line with propriety and financial probity rules;
  - Build and maintain links with other authorities, agencies and delivery partners and act as SP representatives on other bodies and groups;
  - Pursue and realise opportunities for cross-authority and cross-agency procurement and service delivery;
  - Provide support and encouragement to the provider base; and
  - Ensure opportunities for consultation with providers, users and other stakeholders.

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- Providing the decision does not place any particular client group at risk the Lead Officer can make decisions on contracts and payments up to the value of £25,000 and the Lead Officer's line manager, the Assistant Director of Housing, can make decisions up to the value of £50,000.

### 12.0 Cross Authority and Regional Working

- 12.1 As a unitary Authority Torbay recognises the importance and benefit of cross authority working. Supporting People will actively pursue opportunities for joint working across boundaries to procure, commission, develop and manage services to ensure the right level and mix of provision within the South West.
- 12.2 Torbay will actively participate in all Cross Authority Groups including the South West, including the Lead Officer Group, the Review Group, the Cross Authority Peninsula Community Safety Group. As well as in regular meetings between Devon and Cornwall SP Lead Officers, to monitor cross-authority service usage and to ensure as far as possible that policy and practice on Supporting People is consistent, and informed by examples of good practice, across the South West area.
- 12.3 The Accountable Officer, Members of the Commissioning Body and the Core Strategy Group will raise the profile of Supporting People and the possibilities for joint commissioning, and cross- authority service delivery at Cross Authority groups. They will also take the opportunity to share, and learn from examples, of good practice on Supporting People in other Authorities.
- 12.4 Torbay will endeavour to look at the following issues on a joint or cross authority basis:
- Development of complementary strategies (in the case of cross authority issues) and of regional strategies including the Supporting People contribution to the regional housing strategy;
  - Common service review and other Supporting People processes;
  - Joint service reviews where there is a common service provider;
  - Joint commissioning and management of services where there is a shared need
  - Common accreditation and pre-qualification processes;
  - Standardisation of procurement documentation and processes;
  - Sharing experiences, innovation and good practice examples to enable all authorities to learn from one another.

### 13.0 Dispute resolution

#### 13.1 Commissioning Body, Service User Groups, Strategy Sub Groups and Strategy sub Group Chairs meetings:

- Decision-making will be by consensus.
- The quorum for the CB will be three voting members
- Where a vote is required the three partner agencies on the CB will each have one vote.
- Decisions on service reviews will be recommended by the SP team.
- All recommendations from the SP Team will incorporate legal and financial advice
- The Commissioning Body will recommend decisions to Torbay Council SP team and where these decisions run counter to Torbay's legal and financial advice,

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they will be referred to Torbay Council's Senior Management team for final decision.

- The Strategy Sub-Groups will consider review and monitoring information and inform recommendations on service development, re-modelling and de-commissioning.
- The Strategy Sub-groups will identify unmet need as well as areas of good practice.

### **14.0 Conflict of interest**

- 14.1 A register will be held of CB and Strategy Sub Group's members' interests. (See Members Code of Conduct at Appendix E)
- 14.2 The Accountable Officer, Elected Members, The Lead Officer and team members will be subject to Torbay Council's code of conduct and procedure for registering outside interests.
- 14.3 Any voting member of the CB will declare personal interest in any item under discussion and will abstain from voting where there is a potential conflict of interest.
- 14.4 Any member of the Commissioning Body or Strategy Sub Groups will declare personal interest in any of the items under discussion and absent themselves from the whole meeting or part of the meeting while the subject is being discussed.
- 14.5 For the avoidance of conflict of interest there will be two parts to the CSG meeting and SP providers will not be admitted to the closed part of the meeting where sensitive information, including individual service reviews, will be discussed.

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## APPENDIX A

### Torbay Supporting People Commissioning Body Terms of Reference

#### 1. Purpose

- The purpose of Torbay Supporting People Commissioning Body is to enable the commissioning partners (Torbay Council, Torbay Care Trust);
- Monitor and hold the Administering Authority to account in the delivery of the programme within resource constraints;
- Promote Supporting People services, in accordance with identified needs and which allows support to be delivered when and where it is required;
- Promote responsive services, to enable the needs of users, as they themselves express them, to be addressed;
- Take account of all reviews of existing services in order to identify best practice across the country and seek to improve and develop local services;
- Ensure that all decisions concerning strategic priorities, planned development and the development of services and funding allocations are based on the best available evidence regarding need, cost, value and effectiveness;
- Seek to establish equity in service standards across all applicable user and needs groups in Torbay.

The Commissioning Body will seek to represent the range of interests of stakeholders in Supporting People services in Torbay:

- Consultation processes that are clearly communicated and consistent with the provision of Supporting People services;
- Transparent decision making processes that are based on evidence and subjected to consultation;
- Decisions which are given in a clear fashion and are consistent with the agreed local priorities.

#### 2. Membership

Torbay Council  
 Torbay Care Trust  
 National Probation Service Devon and Cornwall  
 (Or delegated deputy with the same level of decision-making authority as the officer they represent)

#### 2008-2009 membership

##### Voting members

Carol Tozer, People Commissioner	Torbay Council
Anne Proctor, Assistant Chief Officer, Devon & Cornwall Probation Service	Probation
Anthony Farnsworth (Chair), Director of Commissioning Torbay Care Trust	Torbay Care Trust

##### Non-voting member

Neil Bent, Cabinet Member for Housing	Torbay Council
Simon Sherbersky, Assistant Director Housing Services	Torbay Council

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### 5. Chairperson and Vice Chairperson

A Chair will be appointed annually. The Chair will be elected at the first meeting of the Commissioning Body each year. Election will be by simple majority. In the event of more than one nomination all candidates must be proposed and seconded and a secret ballot will be held.

### 6. Meetings

Meetings will normally be held in a location, which is accessible and agreeable to all members. Additional meetings may be held if the Chairman and Vice-Chairman agree this is necessary.

Arrangements for meetings

- Meetings will be held at least twice each year;
- All meetings will be minuted and the agenda & minutes distributed to all members electronically;
- Members will declare at the beginning of the meeting or at any other appropriate stage, whether they have a personal interest in any item on the agenda;
- An agenda will be sent to all members one week before the meeting and minutes of the meeting will be dispatched to all members within two weeks of the meeting;
- Meetings will be convened and administered by the Torbay Supporting People Team;
- The Supporting People Manager and or the Supporting People Service Development Manager will arrange briefing meetings with the Chair approximately three weeks in advance of each meeting;
- A programme of meeting dates will be set annually in advance;
- The terms of reference for the group will be reviewed annually.
- Minutes will be taken in two parts: Part 1, general and; part 2, discussion on individual providers. Only Part 1 notes will appear on the Supporting People web site.

### 7. Voting Procedures

It is expected that all decisions and recommendations will be agreed by consensus but in the event that consensus cannot be reached the following process will apply:

- Each member present will be entitled to a single vote;
- Voting will be by a show of hands unless the Commissioning Body agrees otherwise in respect of specific issues;
- All recommendations and amendments should be proposed and seconded;
- In the case of a tie the Chair will be entitled to a casting vote;
- Officers who attend to provide information will not have voting rights;
- Any member who has made a declaration of personal interest with respect to an agenda item will abstain from voting on that item.

The quorum for the Commissioning Body meetings will be two thirds of its membership.

The style of the meetings will vary according to the business.

The aim will be to achieve consensus based upon the values set out in Section 3. Where members wish to refer a matter before them to their constituent organisations or authorities for an opinion prior to the Commissioning Body reaching a decision, they shall normally be allowed 14 days in which to do this. Where the matter concerned requires reference to the authority's or organisation's respective Cabinet, Committee or Board meeting, the member concerned shall arrange this at the earliest opportunity.

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The Commissioning Body will have the power to request that the Torbay Strategy Sub Groups investigate and advise on any matters relating to the Supporting People Programme in Torbay.

### **8. Powers**

The main function of the Commissioning Body shall be to promote the interests of Torbay residents who require housing support services. In agreeing a Supporting People strategy for Torbay and the respective Supporting People grant allocations it is expected that the Commissioning Body's decision will be upheld by each of the constituent authorities. However, in matters affecting constituent authorities or organisations, no decision shall be reached without the issues being referred to them first. In such circumstances the Commissioning Body will make recommendations to the appropriate authorities or organisations for them to endorse, approve or comment.

The Commissioning Body will agree the broad allocation of the Supporting People grant, that is the amount to be allocated for each client or need group and type of service, in conjunction with the Supporting People Team. Torbay Council, as the administering authority for Supporting People Grant, will arrange for the necessary contracts to be agreed and payments made to providers.

Any proposal or motion for alteration of the Purpose, Objectives, Membership, and Powers, shall require approval by all the constituent authorities.

### **9. Work Programme**

The Commissioning Body will agree a work programme and will be advised on the requirements of the Department for Communities & Local Government (DCLG) by the Supporting People Team.

### **10. Administration & Technical Support**

The Commissioning Body will be serviced by the Torbay Supporting People Team.

### **11. Complaints**

The Commissioning Body will consider any complaint on the content of the Torbay Supporting People Strategy and its annual update. It will also consider complaints made by the constituent authorities concerning Supporting People grant funding allocations.

Complaints must be made in writing and submitted either to the Chair of the Commissioning Body or to the Supporting People Manager.

Complaints will be investigated and considered by a panel of three members of the Commissioning Body. The panel may call upon the complainant to make the case in person and may call upon other interested parties to give evidence.

The Panel will submit the outcome of their investigation in writing to the complainant within three weeks of their meeting and to the next meeting of the Commissioning Body.

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Any appeal against the decision of the panel must be made within a further three weeks to the Chairperson of the Commissioning Body and will be considered at the next meeting of the Commissioning Body.

Complaints made by supported housing providers concerning reviewing, contractual or payment matters will be referred to the Supporting People Team and the complaints procedure will be invoked. Complaints made by users and carers with regard to quality of service, the conduct of staff, needs and financial assessments and charging matters will be referred in the first instance to the support provider or the Supporting People Team as appropriate.

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## Appendix B

### Terms of Reference for Strategy Sub Groups

**Torbay Supporting People Strategy Sub Group  
Homelessness and Criminal Justice  
Terms of reference for 'part 2' of meeting (closed to providers of Supporting People  
services and service users)**

#### 1. Membership

The membership of the closed 'part 2' of the Stakeholder Strategy Sub Group will include representatives of following bodies:

Torbay Council Housing Services

Torbay Care Trust

Probation Service

Devon & Cornwall Police

Torbay Council Supporting People Team

#### 2. Organisation

- 2.1 The membership of the group will be reviewed annually and The Chair of the Stakeholder Strategy Sub-Group will be elected annually.
- 2.2 Stakeholder Strategy Sub-Group meetings will be serviced by the Torbay Supporting People Team.
- 2.3 The Group will be accountable to the Supporting People Commissioning Body and The Core Strategy Group.
- 2.4 A six monthly progress update will be provided in report format (forwarded to the SP Team Administrator) - one week in advance of the meeting and presented at the meeting by the Chair of the Group (or an agreed representative).
- 2.5 Any additional reporting to the Commissioning Body should be made in report format (forwarded to the SP Team Administrator) one week in advance of the Commissioning Body meeting.
- 2.6 Directions from and, reporting back to this group from the Commissioning Body will be through the SP representative of this Group.

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### 2.7 The following membership for the Homelessness and Criminal Justice Strategy sub group closed 'part 2' is agreed for 2008/09:

Name	Title	Organisation	Interest Represented
Vijay Sirohi	Housing Needs Manager	Torbay Council	Housing Services
Ruth Roberts (Chair)	Partnership & Performance Manager	Devon & Cornwall Probation Service	Probation Services
IT	DAAT Criminal Justice Co-ordinator	Torbay Care Trust	Safer Communities Torbay & Torbay Care Trust
JB	DAAT Joint Commissioning Manager	Torbay Care Trust	Safer Communities Torbay & Torbay Care Trust
Sgt IMc	SGT	Devon & Cornwall Constabulary	Police Service
Frances Mason	Supporting People Manager	Torbay Council	Supporting People & Torbay Council
	Provider representatives	Shekinah LHT Jatis	Provider Independent Forum
SB	Domestic Abuse co-ordinator	Torbay Council	Safer Communities Torbay

### 3. Frequency of meetings

3.1 Meetings will normally take place on a monthly basis, in the Pearl Assurance House meeting room.

### 4. Decision Making

4.1 Decision making will be by vote. There will be one vote per organisation. The make up of the vote (i.e. how many organisations voted for and against) will be recorded and this information will be passed to the Commissioning Body with any recommendation. At least 3 agencies must be present for a vote to take place.

### Agenda and Minutes

5.1 The agenda will be agreed by the Chair in consultation with the Supporting People Team and members of the Group. It will be distributed with accompanying reports one week before each meeting.

5.2 The minutes of the meeting will be circulated to the Group for comment within two weeks of the meeting.

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5.3 Minutes will be agreed at the following meeting.

### **6 Role and responsibilities**

6.1 The main responsibilities of the Group are to:

- To formulate recommendations from Supporting People service reviews to present to the Commissioning Body
- To contribute to, and monitor Supporting People post review action plans
- To make recommendations around tendering of new services
- To contribute to service specifications for new services
- To consider future joint commissioning of services

### **6.2 Process for consideration of review recommendations**

- Supporting People Review Officer(s) will present their review findings to the Group. Their report will contain draft recommendations for the outcome of the review
- The Group will consider the recommendations and decide whether to endorse the recommendations or formulate an alternative recommendation to the Commissioning Body.
- Decision making will be as described in 4.1
- In the case of a recommendation to de-commission a service, the provider will be invited to provide a response to the recommendation. This response will be received by the Supporting People Team and sent to the Commissioning Body along with the Group's recommendation. The Group will not see the provider's response. However, if the provider's response contains anything that might affect the Group's recommendation (i.e. providing evidence to refute a statement in the Review Officers report) then the Group will be informed of this fact and will reconsider their recommendation. When the providers' response is received, the Supporting People representative will inform the Group and inform them whether the response will affect their recommendation.
- The group will be informed by e mail of the Commissioning Body's decision regarding recommendations, shortly after the Commissioning Body meeting.

### **7 Aims and Objectives**

#### **7.1 Aims**

- To ensure that individual services are robustly reviewed and monitored to provide quality outcomes for service users
- To ensure that opportunities for joint commissioning are explored
- To champion future developments for the sector and ensure support needs are being met

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## 7.2 Objectives

- To inform local policy and plans for delivery of services
- To identify gaps in the current provision
- To participate in sector and service reviews and make recommendations for improvements

## 7.3 Conflict of interest

Strategy Sub Group members will be subject to Torbay Council's code of conduct and procedure for registering outside interests.

Sub group members will declare personal interest in any item under discussion and absent themselves from the whole meeting or part of the meeting while the subject is being discussed.

Part 2 of the meeting attempts to avoid conflict of interest by excluding SP providers as sensitive information, including individual service reviews and tenders, will be discussed.

## 8 Confidentiality

- 8.1 As the Group's work involves making Commissioning decisions and recommendations, discussions are confidential to the agencies represented on the Group.
- 8.2 In the case of making recommendations on the outcomes of service reviews, decisions made by the group are confidential until the decision has been considered by the Commissioning Body and the provider has been informed of the decision. The opinions expressed by individual members of the group remain confidential.

## 9 Freedom of Information

Some of the agencies that form the Criminal Justice and Homelessness sub group fall under the scope of the Freedom of Information Act 2000 and must comply with the provisions of the legislation. Information provided to the group may be subject to disclosure if an agency that is covered by the Act receives a request for the information.

Any agency receiving a request for information that has been provided by the group should advise the relevant agencies of the information requested, and give them opportunity to raise any objections they may have. However, it should be noted that the final decision to disclose or withhold the information rests with the agency that received the request.

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## 10 The press

10.1.1 If any member of the group is approached by the press, they should refer the query to the press office of Torbay Council or contact a member of Torbay Council staff on the group, who will refer the query.

### **Torbay Supporting People & Housing Children and Young Persons Strategy Sub Group Terms of reference**

### **3. Membership**

The membership of the Stakeholder Strategy Sub Group will include representatives of following bodies:

- ◆ Torbay Council Supporting People Team
- ◆ Torbay Housing Partnership
- ◆ Torbay Council Children's Services
- ◆ Voluntary Sector stakeholder organisations
- ◆ Representatives of Local Supporting People provider organisations
- ◆ Representatives of people who use local Supporting People services

### **4. Organisation**

- 4.1 The membership of the group will be reviewed annually and The Chair of the Stakeholder Strategy Sub-Group will be elected annually.
- 4.2 Stakeholder Strategy Sub-Group meetings will be serviced by the Torbay Supporting People Team.
- 4.3 The Commissioning Body wishes the membership of the Group to be broadly representative of providers and users of Supporting People Services in Torbay and for the Group to have direct knowledge and experience of services for younger people who need support.

### **3. Frequency of meetings**

- 3.2 It is envisaged that the Group will meet quarterly. The meetings will normally take place on the ..... of the quarter, in the Pearl Assurance House meeting room.
- 3.3 It is Consensus and approval rather than voting.
- 3.4 Decisions will be made by consensus. In the absence of a consensus, any decision will be made by the members of the Supporting People Commissioning Body, in consultation with other members of the Group.

### **5. Agenda and Minutes**

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- 4.1 The agenda will be agreed by the Chair in consultation with the Supporting People Team and members of the Group. It will be distributed with accompanying reports one week before each meeting.
- 4.1 The minutes of the meeting will be circulated to the Group for comment within two weeks of the meeting.
- 4.2 Minutes will be agreed at the following meeting.
- 4.3 An administrator will be provided by the chair.
- 5** Technical support on the Supporting People programme, strategy and contracts will be provided by the Supporting People Service Development Officer with responsibility for children and young people's services.

### **6.1 Decision Making**

- 6.2 Decision making will be by vote. There will be one vote per organisation. The make up of the vote (i.e. how many organisations voted for and against) will be recorded and this information will be passed to the Commissioning Body with any recommendation. At least 3 agencies must be present for a vote to take place.

### **7.0 Role and responsibilities**

7.1 The Group's role is to be the key group in shaping the direction and priorities for housing and Supporting People services for Young People in the Torbay area.

7.2 The main responsibilities of the Group are to:

- Ensure that the Supporting People services for Young People are developed in full consultation with all local stakeholders;
- Monitor the performance of housing and supporting people actions within the Children and Young Persons Plan and ensure they are progressed;
- Ensure appropriate working links to sub groups of the Children and Young Persons Plan in particular, the Early Interventions Group, the Joint Commissioning Group and the Children Looked After Group and representation on other groups including, Teenage Pregnancy Partnership Board.
- Work in partnership to develop monitor and review targets;
- Monitor progress towards the achieving goals set in the Supporting People 5 Year Strategy action plan.
- Contribute to needs assessment and analysis

### **8.0 Aims and Objectives**

#### **8.1 Aims**

- To facilitate the delivery of the Supporting People 5 year Strategy and Children and Young Persons plan

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- To work in partnership to develop on-going assessment of support needs in the Torbay Area
- To champion future developments for the sector and ensure support needs are being met
- To input to housing policy relating to children and young people including the development of joint protocols
- To work in partnership to develop, monitor and review appropriate targets
- To link with other agencies to share and facilitate good practice in the sector

## 6.2 Objectives

- To contribute to the delivery of the Supporting People Strategy, Housing Partnership Strategy and the Children and Young Persons Plan through representation on other strategic groups including the Supporting People Commissioning Body, Torbay Housing Partnership, and the Children's Executive.
- To develop a multi-agency strategic approach to the development and implementation of housing policy relating to children and young people
- To share information about changes to the sector (professional, national, regional)
- To inform local policy and plans for the delivery of services
- To identify gaps in the current provision
- To participate in sector reviews and make recommendations for improvements
- To identify appropriate staff skills and competencies required to deliver planned services across the sector
- To contribute to the development of a sector wide training programme intended to improve staff skills and knowledge.

## 7.0 Membership

7.1 Membership of the Strategy Sub Group is agreed for 2006/07 as:

Name	Position	Service	Email address
Ali Mathews or Joy Howick (Chair)	Assistant Director Early Intervention Services Operations Manager Specialist Services	Children's Services	<a href="mailto:Alison.mathews@torbay.gov.uk">Alison.mathews@torbay.gov.uk</a> <a href="mailto:joy.howick@torbay.gov.uk">joy.howick@torbay.gov.uk</a>
Julie Sharland	Strategic Housing Manager	Housing Services	<a href="mailto:Julie.sharland@torbay.gov.uk">Julie.sharland@torbay.gov.uk</a>
DK	Manager Care to Community	Childrens Services	
ND	Youth Offending Team Manager	Childrens Services	
CJ	Manager	Checkpoint	
KH	Teenage Parents Co-ordinator	Childrens services	
2 service user representatives	Service users (or potential service users)		To be nominated by SP service user group & young peoples

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			panel
2 SP Provider reps	SP service providers		To be nominated by Supporting People Independent provider forum
Emma Good	Service Development officer	Torbay Supporting People Team	Emma.good@torbay.gov.uk

## 7.2 Circulation list

Name	Position	Service	Email address
VC	Assistant Director	Childrens Services	
JE	Safeguarding Children Manager	Childrens Services	
JG	Education Adviser	Childrens Services	
DB	Connexions Adviser	Connexions	
JE	Manager Youth Service	Childrens Services	
KF	Young persons Substance Misuse Worker	Safer Communities Torbay	

## 8.0 Conflict of interest

8.1 Strategy Sub Group members will be subject to Torbay Council's code of conduct and procedure for registering outside interests. Sub group members will declare personal interest in any item under discussion and absent themselves from the whole meeting or part of the meeting while the subject is being discussed.

Part 2 of the meeting attempts to avoid conflict of interest by excluding SP providers as sensitive information, including individual service reviews and tenders, will be discussed.

## 9.0 Confidentiality

- 9.1 As the Group's work involves recommending Commissioning decisions, discussions are confidential to the agencies represented on the Group.
- 9.2 In the case of making recommendations on the outcomes of service reviews, decisions made by the group are confidential until the decision has been considered by the Commissioning Body and the provider has been informed of the decision. The opinions expressed by individual members of the group remain confidential.

## 10.0 Freedom of Information

- 10.0 Some of the agencies that form the Children & Young Persons Strategy sub group fall under the scope of the Freedom of Information Act 2000 and must comply with the provisions of the legislation. Information provided to the group may be subject to disclosure if an agency that is covered by the Act receives a request for the information.

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Any agency receiving a request for information that has been provided by the group should advise the relevant agencies of the information requested, and give them opportunity to raise any objections they may have. However, it should be noted that the final decision to disclose or withhold the information rests with the agency that received the request.

## 11.0 The press

11.1 If any member of the group is approached by the press, they should refer the query to the press office of Torbay Council or contact a member of Torbay Council staff on the group, who will refer the query.

**Torbay Mental Health and Housing Supporting People Strategy Sub Group  
Terms of reference**

## 5. Membership

The membership of the Mental Health Strategy Sub Group will include representatives of following bodies:

- Adult Care Trust – Primary Care Services (1)
- Adult Care Trust – Community Mental Health Services (???)
- Devon Partnership Trust – Community Mental Health Services (???)
- Devon Partnership Trust – Inpatient Services
- Supporting People Mental Health provider organisations (up to 2)
- Voluntary Sector Mental Health Services (up to 2)
- Drug and Alcohol Treatment Services
- Representatives of people who use local Supporting People services (up to 2)
- Carers of people who use local Supporting People services (up to 2)
- Torbay Council Supporting People Team
- Torbay Council Housing Services

Name	Title	Organisation	Interest Represented
------	-------	--------------	----------------------

## 6. Organisation

- 6.1 The membership of the group will be reviewed annually.
- 6.2 The Chair of the Strategy Group will be elected annually.
- 6.3 Strategy Group meetings will be serviced by ?
- 6.4 Mental Health Local Implementation Group (LIG) and the Supporting People Commissioning Body wish the membership of the Group to be broadly representative of providers, users and commissioners of Mental Health Housing with Support in Torbay and for the Group to have direct knowledge and experience of housing issues for people with mental health problems including vulnerable people from socially excluded groups who need support.

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- 6.5 The Group will be accountable to the Mental Health Local Implementation Group and Supporting People Commissioning Body.
- 6.6 A six monthly progress update on the workplan will be provided in report format (forwarded to the SP Team Administrator) - one week in advance of the meeting and presented at the meeting by the Chair of the Group (or an agreed representative)
- 6.7 Directions from and, reporting back to this group from the Commissioning Body will be through the SP representative of this Group.
- 6.8 Reporting Arrangements for the LIG will be through the LIG Chair, who, if not already representative in some other capacity will be invited to join the sub-group.
- 6.9 Reporting arrangement for the Devon-wide LIT and Devon-wide accommodation sub-group will be through the Torbay representative who, if not already representative in some other capacity will be invited to join the sub-group.
- 6.10 A schedule of Strategy Group membership for the current year will form Appendix A of this document.

### **3. Frequency of meetings**

- 3.5 It is envisaged that the Group will meet quarterly at least. The meetings will normally take place in the Pearl Assurance House meeting room.
- 3.6 Decision making will be by consensus and approval rather than voting.
- 3.7 Decisions will be made by consensus. In the absence of a consensus, any decision will be made by the members of the LIG or Supporting People Commissioning Body as appropriate, in consultation with other members of the Group.

### **6. Agenda and Minutes**

- 4.1 The agenda will be agreed by the Chair in consultation with the members of the Group. It will be distributed with accompanying reports one week before each meeting.
- 5.1 The minutes of the meeting will be circulated to the Group for comment within two weeks of the meeting.
- 5.2 Minutes will be agreed at the following meeting.

### **7. Role and responsibilities**

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5.1 The Group's role is to be the key group in shaping the direction and priorities for Housing and Supporting People services for Mental Health service users within the Torbay area.

5.2 The main responsibilities of the Group are to:

- Ensure that the Housing and Supporting People services for people experiencing Mental Health problems are developed in full consultation with all local stakeholders;
- To link Housing and Supporting People objectives and service delivery to other strategies, e.g. Torbay Housing Partnership Strategy and the Community Plan, Supporting People LIT Team, DVT
- To work in partnership to develop, monitor and review targets;
- Monitor progress towards achieving goals set in the Supporting People 5 Year Strategy action plan.
- Responsibility to contribute to needs assessment and analysis

## 8. Aims and Objectives

### 6.1 Aims

- The group will work in partnership to develop on-going needs assessment of housing and support needs in the Torbay Area
- To champion future developments for the sector and ensure housing and support needs are being met
- To work in partnership to develop, monitor and review appropriate targets
- To link with other agencies to share and facilitate good practice in the sector

### 6.2 Objectives

- To share information about changes to the sector (professional, national, regional)
- To inform local policy and plans for the delivery of services
- To identify gaps in the current provision
- To participate in sector reviews and make recommendations for improvements
- To identify appropriate staff skills and competencies required to deliver planned services across the sector
- To contribute to the development of a sector wide training programme intended to improve staff skills and knowledge.
- **The meeting shall have a Part B closed session involving strategic partners not directly involved in Service Provision. This section of the meeting shall consider reviews and other matters involving individual services where the**

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**reasonable expectation of the Provider would be that discussions are to be undertaken with a level of business confidentiality to be maintained.**

### 6.3 Conflict of interest

Strategy Sub Group members will be subject to Torbay Council's code of conduct and procedure for registering outside interests. Sub group members will declare personal interest in any item under discussion and absent themselves from the whole meeting or part of the meeting while the subject is being discussed.

For the avoidance of conflict of interest there may on occasions be two parts to the sub group meetings and SP providers will not be admitted to the closed part of the meeting where sensitive information, including individual service reviews and tenders, will be discussed.

<p style="text-align: center;"><b>Torbay Supporting People Stakeholder Strategy Sub Group Older People Terms of reference</b></p>
---

## 7. Membership

The membership of the Stakeholder Strategy Sub Group will include representatives of following bodies:

- ◆ Torbay Council Supporting People Team
- ◆ Torbay Council Housing Needs Team
- ◆ Torbay Care Trust
- ◆ South Devon Healthcare NHS Trust
- ◆ Representatives of Local Supporting People provider organisations
- ◆ Representatives of people who use local Supporting People services

## 8. Organisation

- 8.1 The membership of the group will be reviewed annually and The Chair of the Stakeholder Strategy Sub-Group will be elected annually.
- 8.2 Stakeholder Strategy Sub-Group meetings will be serviced by the Torbay Supporting People Team.
- 8.3 The Commissioning Body wishes the membership of the Group to be broadly representative of providers and users of Supporting People Services in Torbay and for the Group to have direct knowledge and experience of services for older and vulnerable people who need support.
- 8.4 The following membership for the Core Strategy Development Group is agreed for 2005/06:

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Name	Title	Organisation	Interest Represented
SK		Age Concern	Advocacy & Campaigning Organisation
JG	Lead Officer Older People	Torbay Care Trust	
NB	Housing Manager	Westcountry HA	SP Provider
		Penlee Flats	SP Provider
	Service User		
	Chair	Abbeyfield (Torbay) Society	SP Provider
EH	Neighbourhood Services Manager	Riviera Housing Trust	SP Provider
CB	Service Manager	Torbay Care Trust	Assistive Technology
IC	Community Alarm Manager	Torbay Care Trust)	Community Alarm service
JH	Care Trust Zone Manager	Torbay Care Trust	Adult Care Trust services
Simon Sherbersky (Chair)	AD Housing Services	Torbay Council	Homelessness , Home Improvement Agency
TS	Service Manager	South Devon Healthcare NHS Trust	Mental Health Services for Older people
JB	Service Manager	Torbay Care Trust	Torbay Care Trust
EH	Service Development Manager	Torbay Council	Supporting People

### 3. Frequency of meetings

- 3.8 It is envisaged that the Group will meet monthly The meetings will normally take place on the last Tuesday of the month, in the Pearl Assurance House meeting room.
- 3.9 It is Consensus and approval rather than voting.
- 3.10 Decisions will be made by consensus. In the absence of a consensus, any decision will be made by the members of the Supporting People Commissioning Body, in consultation with other members of the Group.

### 9. Agenda and Minutes

- 4.1 The agenda will be agreed by the Chair in consultation with the Supporting People Team and members of the Group. It will be distributed with accompanying reports one week before each meeting.
- 5.3 The minutes of the meeting will be circulated to the Group for comment within two weeks of the meeting.
- 5.4 Minutes will be agreed at the following meeting.

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### 10. Role and responsibilities

- 5.1 The Group's role is to be the key group in shaping the direction and priorities for Supporting People services to Older People within the Torbay area.
- 5.2 The main responsibilities of the Group are to:
- Ensure that the Supporting People services for Older People are developed in full consultation with all local stakeholders;
  - To work in partnership to develop monitor and review targets;
  - Monitor progress towards the achieving goals set in the Supporting People 5 Year Strategy action plan.
  - Responsibility to contribute to needs assessment and analysis

### 11. Aims and Objectives

#### 6.1 Aims

- The group will work in partnership to develop on-going assessment of support needs in the Torbay Area
- To champion future developments for the sector and ensure support needs are being met
- To work in partnership to develop, monitor and review appropriate targets
- To link with other agencies to share and facilitate good practice in the sector

#### 6.2 Objectives

- To share information about changes to the sector (professional, national, regional)
- To inform local policy and plans for the delivery of services
- To identify gaps in the current provision
- To participate in sector reviews and make recommendations for improvements
- To identify appropriate staff skills and competencies required to deliver planned services across the sector
- To contribute to the development of a sector wide training programme intended to improve staff skills and knowledge.

### Learning Disability Housing Sub-group.

#### Terms of reference

People with a learning disability to be offered a greater choice over where and how they live.

For local councils, the NHS and local housing authorities to work together with people with a learning disability, carers and service providers to:

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- Look at the range and pattern of current housing, care and support provision in Torbay;
- Plan how to expand choice for individuals including how to achieve an appropriate mix of different housing, care and support service options locally.

Write a local housing strategy for people with a learning disability and other linked plans that will influence the future commissioning of care and support services.

To work closely with other service and agency plans such as Supporting People Strategy to use a co-ordinated approach to housing options for people with a learning disability.

### **Appendix C**

#### **Torbay Voice: Torbay Supporting People Service User Group**

##### **Terms of Reference**

Service user group members will be trained to consult with other service users. This will enable the service user group to improve Supporting People services.

The service user group aims to:

- Give service users a voice.
- Influence the planning of Supporting People services.
- Offer a service user perspective to the planning, development and review of Supporting People services.
- Develop effective communication with both service users within Supporting People services, and with the working groups in Torbay.
- Work in partnership with service providers to obtain access to service users and service user groups.
- Collate service user views and feed back how their views have influenced decision making.

##### **Membership**

Members of the group include representatives from across the Torbay Local Authority.

In addition members will be representative of the Supporting People client groups, and aim to be balanced in terms of gender and ethnic origin:

- Homeless people
- Offenders and those at risk of offending

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- People with drug and alcohol problems
- People with mental health problems
- People with learning disabilities
- Older people
- Young people
- People with physical and/or sensory disability

### **Work programme for 2005/06**

- 1) Plan the effective involvement of service users in the service review process – list services by client group to be monitored, group to meet service users in these schemes and feed back
- 2) Review any Supporting People documents so that they can be easily read and understood by service users.
- 3) Develop skills of members.
- 4) To ask a wider network of service users for their views on Supporting People services. Methods could include mentoring of service users by other service users, use of video interviews, and other methods to get across the views of service users who may not wish to attend meetings.
- 5) In the future: plan a service user conference

### **Review of the Terms of Reference**

The terms of reference and the work programme will be reviewed on an annual basis. The first review will take place by October 2006.

---

### **What words mean ...**

#### *Client group*

A category such as 'older people' or 'homeless people' that Supporting People services will support

#### *Service review*

Inspection of a service by Supporting People Team, to see how good and relevant the service is

#### *Service user*

A person who uses and gains support from a Supporting People service

#### *Terms of reference*

Description of the group, who belongs to it and what it will do

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Appendix D  
Independent Provider Forum TOR

(To be supplied by Chair)

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## Appendix E

### *Register of Employees' Financial and other Interests*



I, \_\_\_\_\_

*Add (Personal name(s))*

*Add (Surname)*

an employee of Torbay Borough Council,

\*holding a politically restricted post and/or

\*having authority to negotiate or let contracts on behalf of the Council,

set out below my financial and other interests which I am required to declare under the Council's Code of Conduct for Employees. I have put "none" where I have no such interests under any heading or my interests are classed as "sensitive personal data" as set out in the Data Protection Act 1998.

*\*Delete as appropriate*

### **Part One: Financial Interests**

<b>1. Employment</b>	
<b>(a) Any employment (other than with Torbay Council) or business carried on by you; and (b) The name of the person who employs or has appointed you (other than Torbay Council), the name of any firm in which you are a partner, and the name of any company for which you are a remunerated director.</b>	
1.1	Employment or Business (other than with Torbay Council):
1.2	Name of Employer (other than Torbay Council):
1.3	Name of Firm in which I am a Partner:

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1.4 Name of Company in which I am Remunerated Director:

### 2. Corporate Bodies

**The name of any corporate body which has a place of business or land in the Council's area, and in which you have a beneficial interest in a class of securities of the body that exceeds the nominal value of £25,000 or one hundred per cent of the total issued share capital of that body.**

2. Corporate Bodies:

### 3. Contracts with the Council

**A description of any contract for goods, services or works made between the Council and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in section 2 above.**

3. Contracts with the Council:

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## **4. Land within the Council's Area**

**The address or other description (sufficient to identify the location) of any land in which you have a beneficial interest and which is in the area of the Council.**

4. Land within the Council's area:

## **5. Tenancies with the Council**

**The address or other description (sufficient to identify the location) of any land where the landlord is the Council and the tenant is a firm which you are a partner, a company of which you are a remunerated director, or a body, the description specified in 2. above.**

5. Tenancies with the Council:

## **6. Licence to Occupy Land**

**The address or other description (sufficient to identify the location) of any land in the Council's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer.**

6. Licence to Occupy Land:

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## ***Part Two: Other Interests***

### **Membership of or Position of General Control or Management Positions in any:**

A. Body to which I have been appointed or nominated by the Council as its representative:

B. Public authority or body exercising functions of a public nature:

C. Company, industrial and provident society, charity, or body directed to charitable purposes:

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D. Body (but excluding any political party or any association or group connected with or affiliated to political party) whose principal purposes include the influence of public opinion or policy:

E. Professional association (other than a Trade Union):

E. Private organisations, clubs and bodies (including the Freemasons) and other similar organisations (whether membership is secret or not), and services clubs (such as the Rotary and Round Table).

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I acknowledge that:

- (1) to omit information that ought to be given in this notice; or
- (2) to provide information that is materially false or misleading; or
- (3) to fail to give written notification within 28 days of becoming aware of any change of the interests specified above

is a breach of Torbay Council's Code of Conduct for Employees and may result in disciplinary action in accordance with the Council's Disciplinary Policy.

**Signed:**

**Employee**

**Signed:**

**Assistant Director of Human Resources**

**Date:**

**Date:**

**Employees: Please retain a copy for your records and return original to Human Resources where the form will be held on your personal file.**

**DEVON & CORNWALL AREA  
NATIONAL PROBATION SERVICE**

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Name (please print).....

Signature .....

Position in Organisation .....

Date of signature .....

## **TORBAY ADULT CARE TRUST**

Name (please print).....

Signature .....

Position in Organisation .....

Date of signature .....

## **TORBAY COUNCIL**

Name (please print).....

Signature .....

Position in Organisation .....

Date of signature .....