

Supported Housing regulation

UK Government consultation

A response by Cymorth Cymru
May 2025

About Cymorth Cymru:

Cymorth Cymru is the representative body for providers of homelessness, housing and support services in Wales. We act as the voice of the sector, influencing the development and implementation of policy, legislation and practice that affects our members and the people they support.

Our members provide a wide range of services that support people to overcome tough times, rebuild their confidence and live independently in their own homes. This includes people experiencing or at risk of homelessness, young people and care leavers, older people, people fleeing violence against women, domestic abuse or sexual violence, people living with a learning disability, people experiencing mental health problems, people with substance misuse issues and many more.

We want to be part of a social movement that ends homelessness and creates a Wales where everyone can live safely and independently in their own homes and thrive in their communities. We are committed to working with people who use services, our members and partners to effect change. We believe that together, we can have a greater impact on people's lives.

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Introduction

Supported housing plays a critical role in preventing and alleviating homelessness in Wales, and it is critical that any policy decisions taken by the UK Government do not put the sustainability of this provision at risk.

The positive impact of supported housing on people's lives is well evidenced, leading to better housing, health and wellbeing outcomes for individuals, as well as benefits to a range of public services, as demonstrated by [research](#) undertaken by Cardiff Metropolitan University in 2020 about the impact of the Housing Support Grant in Wales. This research found that every £1 invested in HSG services delivers £1.40 net savings to public services in Wales. Based on the 2024/25 Housing Support Grant budget of £182m, this translates to a total gross saving of £442m, with £204m to the health service, £177m to social care services and £70m to criminal justice services.

Question 79: Do you agree that we should link a definition of care in Housing Benefit regulations to existing legislative definitions of care and frameworks for the regulation of care in Scotland and Wales where possible?

Partly agree.

We believe the proposed definition for care in Wales needs to be expanded to ensure that legitimate supported housing for people with care and support needs are not excluded.

We have advised on a way to achieve this, linked to the Social Services and Wellbeing (Wales) Act 2014 in our answer to question 80.

Question 80: For Scotland and Wales, will a reference to the respective legislative definition of care be enough to cover all care delivered in supported housing which may be classed as specified accommodation in Housing Benefit regulations? Do you agree?

Partly disagree.

After discussion with care providers who operate supported housing in the social care sector, we believe this definition is too restrictive. We are concerned that it may exclude some legitimate supported housing and may not be inclusive of people who have fluctuating health and care needs. Instead we suggest that the UK Government uses two existing Welsh legislative sources to define care in the context of supported housing.

We propose that the definition of care should be either:

- The definition above, taken from the Regulation and Inspection of Social Care (Wales) Act 2016

And/or

- Someone who has been assessed as having the need for care or support under the Social Service and Wellbeing (Wales) Act 2016.

We believe that this will be more inclusive of people who are in supported housing where care is being provided, and avoids the risk that legitimate supporting housing is excluded from being eligible.

Supported housing for people with care needs is absolutely vital in enabling people to continue to live independently and avoid more restrictive and expensive residential care. It would be disastrous if legitimate supported housing does not continue to receive the level of housing benefit it needs to

remain sustainable. This would likely result in schemes being closed, with a significant negative impact on the people currently living in them. It could result in people being placed in inappropriate residential care settings and/or unpaid family carers having to take on the responsibility of caring for them, with likely impacts on their wellbeing and ability to remain in employment.

We suggest that further work is undertaken between the Welsh Government and stakeholders in Wales to ensure that this approach would capture all appropriate provision.

Question 81: What would you define as ‘support’ and ‘supervision’ for the purposes of Housing Benefit?

Definition of support

The definition of support should be high level and broad enough to be relevant to the wider range of client groups and supported housing services that exist across Great Britain. Any definitions also need to operate within a system of trust, where the views of commissioners and legitimate, good quality providers are respected and unnecessary bureaucracy is avoided. This is particularly relevant in Wales, where the majority of supported housing is commissioned via the Housing Support Grant or social care.

Key feedback from supported housing providers in Wales was that support should be:

- Person-centred and trauma-informed
- Supporting people’s physical and emotional wellbeing
- Flexible, recognising that people’s support needs often fluctuate over time as they make progress or encounter challenges
- Helping people to develop the skills and confidence to live independently, including being able to budget and maintain a tenancy
- Helping people to access and engage with other services such as health
- Recognises fluctuating needs as people deal with challenges

We also propose that the definition of support for supported housing in Wales should be linked to the Welsh Government’s Housing Support Grant [guidance](#), as outlined below:

Short term supported housing:

Housing related support helps vulnerable people to build resilience and develop, and maintain, the capability, skills and confidence necessary to live independently as possible within the community. ‘Person centred’ support is provided with the aim of the individual moving onto independent settled accommodation when ready. Housing related support services must be enabling and develop a person’s independence i.e. ‘doing with’ as distinct from ‘doing for’.

Short-term supported housing is aimed at people with identified support needs to address the often multiple problems they face such as debt, employment, tenancy management, substance use, violence against women, domestic abuse and sexual violence, and mental health issues. This could be through the provision of support, advice and signposting and facilitating access to relevant private, public, voluntary services to support an individual’s health and wellbeing.

Long term supported housing

Housing related support enables people to have the capability, independence, skills and confidence to maintain a stable and suitable home. ‘Person centred’ support is provided with aim of preventing homelessness or prevent the need for an individual to live in an inappropriate institutional or more restrictive health or care setting. Housing related support services must be enabling and develop a person’s independence i.e. ‘doing with’ as distinct from ‘doing for’.

Housing related support in long-term supported housing is provided to help people develop, or maintain, the skills and confidence necessary to live independently. That is, the skills and the confidence necessary to perform the normal tasks associated with the management of one's own home, and the rights and responsibilities commensurate with occupying a home.

Housing-related support, by definition, provides support to the service user in relation to housing-related tasks, such as: the practical living skills necessary to live independently, such as cooking, and knowledge of nutrition or domestic chores such as laundry; or the ability to pay housing costs and utility bills in order to avoid losing their home / housing.

Services which undertake those tasks on behalf of a service user (except where this is done in the first instance to support the development or maintenance of skills and confidence, and with the appropriate involvement of that user), is not considered to be 'housing-related support'. This is to draw a distinction between the provision of 'support' and the provision of 'care'.

Definition of supervision:

Supervision is its own type of 'light touch' support, which is vital to helping people to maintain a tenancy, and prevents the need for more intensive services. This can play a vital role in the wider eco-system of supported housing, supplementing formally commissioned supported housing services. It can act as a preventative intervention, which can stop people from becoming homeless or in need of more restrictive care placements, or it can act as a transitional intervention that helps people to progress from more intensive supported housing placements and stop the revolving door of homelessness or prevent crises that would require the involvement of other public services.

'Supervision' can be considered as distinct from, or in addition to, 'support' within the context of supported accommodation. This includes activity such as staffing presence (either on-site or on-call) to:

- provide welfare checks to support the wellbeing and safety of residents
- control the access to a setting, providing both a physical presence as well as providing psychological safety for residents who may be particularly vulnerable to abuse or exploitation
- manage risks and provide a safeguarding function, ensuring people are living safely
- provide ad-hoc or emergency support if needed, to avert a possible crisis
- provide light-touch help to prevent someone from losing their tenancy

Question 82: Do you agree that a definition of support in Housing Benefit regulations could include supervision?

Disagree.

We believe it is important that supervision remains within Housing Benefit regulations, in order to capture legitimate, non-commissioned supported housing schemes that may not meet the threshold for the formal definition of care or support.

These schemes often play a critical role in the supported housing eco-system, preventing the need for more intensive and costly interventions. This can include preventing people from losing their tenancy and becoming homeless, or helping people to maintain a home that may otherwise result in their health and wellbeing deteriorating and them being placed in more restrictive social care settings.

It is critical for both the people in this type of supported accommodation, as well as for other public bodies, that these services remain financially sustainable, and this means being able to access enhanced Housing Benefit rates.

If the government decides not to retain supervision as a separate category, then the definition of support must be broadened to ensure it is inclusive of lower level, light touch support, of the nature described in our answer to question 81 regarding the definition of supervision.

Question 83: Do you agree that we should also link any definition for support and supervision to the National Supported Housing Standards for England, the Health and Social Care Standards in Scotland and relevant regulations in Wales?

Partly agree.

Wales has a very different funding, policy and legislative context to England, and it is vital that definitions for support and supervision align with Welsh regulatory frameworks, policy and guidance.

It is important to note that the National Supported Housing Standards for England (and accompanying principles) as currently drafted are already reflective of the values, qualities and standards required for supported housing in Wales commissioned through the Housing Support Grant and/or social care. There are robust and rigorous processes that assure quality and standards for supported housing that is commissioned through these two routes, as outlined in more detail in our answer to question 93.

In addition, the Welsh Government has been working with stakeholders to develop supported housing standards for Wales, based on the national standards being developed for England. We believe the intention is to embed these in policy documentation, such as the Housing Support Grant guidance, and in the Housing Support Grant terms and conditions, to ensure that supported housing services in Wales are aligned with these standards.

Question 84: What level of care, support or supervision provision do you think is reasonable to be eligible for Housing Benefit under specified accommodation rules?

We understand the drive to improve the administration of housing benefit and ensure it funds good quality housing. It is critical, however, that the UK Government does not establish regulations or guidance that is too prescriptive with regards to the 'level' of care, support or supervision. Under no circumstances should this be defined as the number of hours of care or support an individual receives at any point in time.

The nature of supported housing means that people have fluctuating care and support needs, that can increase or decrease over time. People's recovery, health, wellbeing and ability to manage a tenancy is rarely linear. People in supported housing are often experiencing acute crises, dealing with significant trauma and facing multiple challenges in their lives. These can be triggered by any number of issues, requiring the level of support to change in intensity in order to meet their needs. Even when people appear to be progressing and may need less support, this could change rapidly.

Being flexible and responsive is key to delivering trauma-informed, person-centred care and support to people in supported housing. It would furthermore seem counterintuitive to penalise people who have made progress and require less support, by taking away their housing benefit entitlement too soon, rather than allowing some flex for support to taper off before individuals move on to general needs housing. This would have the potential to undo progress being made and end

up costing more if people experience a crisis and require more intensive support for a longer period of time.

We must have a system that recognises that their care and support needs may change from day to day. Therefore, any eligibility criteria must be flexible.

Question 85: When assessing a Housing Benefit claim under specified accommodation rules, what is reasonable in terms of evidence which a local authority could request when assessing a Housing Benefit claim under any definition or threshold of care, support, or supervision?

We strongly oppose the practice of housing benefit teams asking for copies of people's care and support plans, as we believe this is intrusive, inappropriate and unnecessary. Many people in short term supported housing have experienced significant trauma and requiring details of this to be shared for the purpose of accessing Housing Benefit goes against the very important principle of being trauma-informed. As stated in answer to question 84, we also oppose the practice of asking for the number of hours of support someone is receiving at any point in time. The very nature of supported housing means that people's needs fluctuate over time, as people make progress and encounter challenges.

Instead of specifying a particular level of care, support or supervision, we believe that sufficient evidence of both the person's need, and the quality of the scheme, should be determined by the following approach:

1. **Evidence that someone has a need for care, support or supervision:** A person's need for care, support or supervision is assessed through a homelessness and housing support referral gateway or an assessment under the Social Services and Wellbeing (Wales) Act 2016. This would provide assurance to the housing benefit officer that a person has been judged as having a care, support or supervision need that requires a placement in supported housing.

And:

2. **Evidence that the supported housing is of good quality and delivering appropriate care, support or supervision:** This can be evidenced through the supported housing scheme having a clearly defined purpose and service specification to provide accommodation and care or support to people within the scheme, with assurance being provided about the general level of support and staffing within the scheme, as well as how it meets the supported housing standards that are being developed for Wales. In the case of commissioned services, this assurance can be provided through the local authority HSG or social care commissioner. For non-commissioned services, evidence could be provided by the supported housing provider directly and/or working with the relevant housing support or social care commissioner who has knowledge and expertise about need and provision in their local area.

We believe that this approach would provide the necessary assurance about individuals having the required level of care, support or supervision needs, as well as assurances about the quality and standards of the supported housing.

Question 92: For stakeholders in Scotland and Wales - What risks do we need to mitigate against, in Scotland and Wales, if we link eligibility in England for Housing Benefit, under specified accommodation rules, to licensing?

We recognise that the introduction of a licensing scheme in England could result in 'rogue' landlords / providers looking to deliver 'supported housing' in other parts of the UK.

However, the policy, legislative and regulatory context in Wales means that this is relatively low risk. For example, we have the Housing Support Grant, which means that most of the short-term supported housing in Wales is commissioned by local authorities.

In addition, registered social landlords in Wales are not-for-profit, work to high standards and would not enable 'rogue' providers to operate within their buildings. Welsh housing associations are regulated by the Welsh Government, which requires them to provide high quality accommodation and associated services, as well as having to adhere to the Renting Homes (Wales) Act 2016, which includes Fitness for Human Habitation requirements.

If the appropriate processes for assurance are established, then the risk of this can be managed. However, further work should be undertaken with the Welsh Government and key stakeholders to explore this further, and consider how any risk can be mitigated.

Question 93: For stakeholders in Scotland and Wales - As licensing is not being introduced in Scotland and Wales under the Act, would you wish to see entitlement to Housing Benefit under specified accommodation rules linked to the schemes referenced in paragraphs 2.9 and 2.10 or to any other regulatory scheme already in place?

Yes.

It is important that entitlement to Housing Benefit recognises and aligns to the funding, policy, legislative and regulatory context here in Wales, which is very different to that in England.

In Wales, we retained a ring-fenced Supporting People Programme, which is now known as the Housing Support Grant. Therefore, the vast majority of short-term supported housing is commissioned via the housing support programme, which has extremely rigorous commissioning and reporting requirements. This sets it apart from England, and it is therefore critical that any developments linked to Housing Benefit are reflective of the context in Wales, and shaped by the Welsh Government and stakeholders in Wales.

We believe that we have a number of policy, legislative and regulatory frameworks that can provide assurance about the quality and standards of supported housing in Wales, including but not limited to the Housing Support Grant. We have outlined these below.

Regardless of the outcome of this consultation, we believe that ensuring good quality relationships between HSG or social care commissioners and their respective housing benefit officers is key to developing greater understanding of supported housing.

Commissioned services

Housing Support Grant:

There are a number of elements to the Housing Support Grant and the housing support programme in Wales that can provide assurance to housing benefit officers about the quality and standards of supported housing, as well as the level of support needs of people living there. The [Housing Support Grant guidance](#) clearly sets out expectations for:

- eligibility criteria and types of services that can be commissioned;
- contract commissioning and monitoring requirements;
- reporting requirements to Welsh Government;
- audit and governance mechanisms;
- strategic planning of housing support services in line with local need, including development of a Housing Support Programme (HSP) Strategy every four years, with a mid-point review every

two years – these outline authorities’ strategic direction for housing support services (both statutory homelessness services funded through authorities’ revenue settlement and preventative services funded through the HSG)

- the need for authorities to consider a preventative and prudent approach to commissioning and fair work;
- the wider environment that authorities should take into account when planning and commissioning services.

The Welsh Government also sets out its expectations in the grant terms and conditions that accompanies the award of the Housing Support Grant to local authorities. Local authorities must sign up to these grant terms and conditions and provide detailed spend plans to the Welsh Government to ensure that the funding is being spent on appropriate services.

At a local level, the commissioning process includes a service specification which is based on a local needs assessment and delivery plan. This process requires lots of evidence and assurances about the quality and standards of the proposed supported accommodation, including information about the nature and quality of the support that will be provided, staff training programmes and appropriate staffing checks, safeguarding policies, and the standard of the accommodation. This ensures that providers have to demonstrate that their provision will be of a high standard in order to be awarded the contract. Throughout the contract supported housing providers have regular (often quarterly) monitoring meetings with the local authority, due diligence checks, performance reviews, and will have to report against national Housing Support Grant outcomes and other performance measures developed by the local authority.

Where the supported housing is within a housing association property, they will have a management agreement, which outlines roles and responsibilities for the delivery of safe, high standard accommodation. The support providers will also need to provide the landlord with regular assurance about the health, safety and housing management of the property. All of these processes ensure that the accommodation and support is of a good quality and standard.

Social care commissioned services:

As with the Housing Support Grant commissioning process, those supported housing schemes that are funded through local authority social care departments will also face rigorous assessment through the commissioning process and during the contract.

These services will also be regulated by Care Inspectorate Wales. While this process predominantly focuses on the quality of the care being provided, Regulation 73 of the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017 requires Responsible Individuals (RIs) to visit the service they are responsible for at least every three months. During these visits, the RI must meet with staff and individuals supported by the service. During these visits, the issue of the quality and standards of the accommodation can be discussed, and any issues can be formally escalated.

In addition, the needs assessment conducted under the Social Services and Wellbeing (Wales) Act 2014 will provide assurance about there being a care need.

Non-commissioned services

While the majority of supported housing in Wales is commissioned through either the Housing Support Grant or social care funding, we accept that there is a proportion of supported housing that is not commissioned. This plays an important role in the supported housing ecosystem, and it is vital that any changes to the Housing Benefit system do not result in this becoming financially unviable.

We believe that there is an opportunity to develop a process that works alongside the systems that exist for commissioned services, which can provide the appropriate assurance to housing benefit teams about eligibility, quality and standards. In the case of Housing Support Grant commissioners, they are often aware of the non-commissioned supported housing operating in their area and are familiar with many of the providers who also deliver commissioned schemes. It could also be argued that it is in the interest of local authorities to understand the full scope of supported housing options available within their local area, including non-commissioned supported housing, so that they can ensure people's needs are being met by the full range of available housing and support options.

One way to provide assurance to housing benefit teams would be to operate a single gateway or pathway to both commissioned and non-commissioned supported housing within a particular area. This would mean that Housing Benefit officers can be assured that people have an appropriate level of care or support needs that qualifies them for placement in supported housing. This is likely to require greater capacity within local authority teams, if they are asked to consider a wider range of provision beyond commissioned services. However, they are well placed to understand people's support needs, as they already oversee this for commissioned services.

While this would provide assurance about people having care, support or supervision needs, it would not necessarily provide assurance about the quality of the support or accommodation. It may therefore be useful for the Welsh Government and the sector in Wales to explore whether local authority commissioners would be able to play a role in assessing whether non-commissioned supported housing meets the appropriate standards, in line with the Welsh supported housing standards that are currently being developed. Many of the providers will be known to Welsh local authorities, as they provide commissioned housing support or social care services. For them, it may be relatively easy to provide assurance about the quality and standards. For others, there may need to be a more rigorous process.

Again, this would require additional capacity within Housing Support Grant or social care teams, but they are well placed to make judgements about the needs within their local area, and the quality and standards of supported housing providers.

We suggest that the UK Government agree that the Welsh Government, working in partnership with key stakeholders, are tasked with further developing a system or process of assurance for non-commissioned services that works alongside our existing frameworks in Wales.

Other policy or regulatory frameworks that can provide assurance

It is worth referencing a number of other legislative and regulatory frameworks that exist in Wales, that can provide assurances about the quality and standards of accommodation.

Renting Homes (Wales) Act 2016

The Renting Homes (Wales) Act 2016 include particular provisions relating to tenant security and the quality and standards of rented accommodation in Wales. The Act introduced a specific occupation contract for supported accommodation, with particular provisions to meet the needs of this client group. The Act also includes fitness for human habitation requirements, such as fitting working smoke and carbon monoxide alarms, having an electrical safety test done, keeping the structure and exterior of the property in repair, and keeping installations for the supply of water, gas or electricity, for sanitation, for space heating, and hot water in repair and proper working order.

Social housing regulation in Wales

Registered social landlords provide a large proportion of the properties for supported housing in Wales, and are regulated by the Welsh Government. The regulatory framework in Wales includes the following standards, which align well with the proposed supported housing standards in England:

1. The organisation has effective strategic leadership and governance arrangements which enable it to achieve its purpose and objectives
2. Robust risk management and assurance arrangements are in place
3. High quality services are delivered to tenants
4. Tenants are empowered and supported to influence the design and delivery of services
5. Rents and service charges are affordable for current and future tenants
6. The organisation has a strategic approach to value for money which informs all its plans and activities
7. Financial planning and management is robust and effective
8. Assets and liabilities are well managed
9. The organisation provides high quality accommodation

In addition, all social housing in Wales must adhere to the [Welsh Housing Quality Standard](#). For social landlords to meet the standard, homes must be:

- in a good state of repair
- safe and secure
- affordable to heat and have minimal environmental impact
- fitted with an up-to-date kitchen and utility area
- fitted with an up-to-date bathroom
- comfortable and promotes wellbeing
- a suitable garden; and have
- attractive outside space.