MRAssociates
Advisers to Supported Housing

T - 01475 727 089
F - 07092 882 002
W - www.mrassociates.org

Kingston House,
3 Jamaica Street, Greenock,
Renfrewshire, PA15 1XX.

What does “care, support or supervision” mean?

Basic info

Exempt accommodation requires that the landlord, or someone acting on the landlord’s behalf, provides the benefit claimant with “care, support or supervision” (often abbreviated to “CSS”). None of these terms has any further definition in the Housing Benefit Regulations.

There is now a considerable body of decisions by the Upper Tribunal (or the Social Security Commissioners as they were still known at the time of some of the important cases) dealing with the question whether CSS is provided. Most of the detailed argument has focussed on support: there is very little useful caselaw directly concerned with exempt accommodation in which either “care” or “supervision” was at issue. Therefore to understand what these terms mean we need to consult other sources:

- The words “care” and “supervision” play a much larger role in other social security benefits than they do in Housing Benefit and we can draw useful guidance from the legislation and caselaw
    - There is some support for this approach in paragraph 30 of UT Judge Turnbull’s decision in CH/150, 151 & 152/2015:
    - “… the Tribunal said that “he reasonably required support and supervision, and to some degree care, in order to maintain an independent life.”
- The references to “supervision” and “care” are puzzling. So far as I am aware there is really no evidence that he required either “supervision” or “care”, in the sense in which those words are normally used in a social security context”.
- In the absence of a specific definition of either “care” or “supervision” for Housing Benefit purposes we can have regard to their dictionary definitions
- Definitions used in social care legislation can also help us to interpret “care” for Housing Benefit purposes