

Welcome to the eighth issue of CT Brief. Aimed at organisations with which we work, the purpose of the bulletin is to keep you informed of work we're doing, trends we see emerging and elements of best practice that come our way.

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Cosmopolitan Cocktail?

By James Tickell

So... a collective and heartfelt sigh of relief was heard from the housing sector, with the announcement that the renamed "Troubled Cosmopolitan Housing Group" was finally to be rescued by Sanctuary Group.

Had Cosmo sunk with all hands, the consequences would have been far-reaching and negative for any association seeking to access the capital markets. Was the Cosmopolitan Affair an unusual one-off, the consequence of epic misjudgement and human folly? Or are there lessons in there for other housing associations? The regulator is certainly keen to learn from the near-debacle, and introduce new sector guidance, even if the particular Cosmo horse has not so much bolted, as been put kindly to sleep.



Cosmopolitan student housing in Birmingham

In the event, there are lessons aplenty, starting with governance, and going on to the wider financial and regulatory framework. There was misjudgement, of course, but the real question is how it was allowed to arise in the first place. The matter began to come to light when Cosmo got into short term difficulties with cash. The process of turning over stones then began, with the help of Campbell Tickell, and under every stone there was a progressively nastier surprise.

So lesson one is simple – new market areas demand the necessary skills at Board and Executive levels. Student housing is by no means broadly the same as social housing, but is a completely different market, with its own drivers and risks. Some of the players in that market are big and bad – swimming with sharks is never for beginners; it calls for thick skin and big teeth. Not to mention hard-nosed lawyers. Most importantly, the student market is just that – a market. Rents are set according to supply and demand, and ruthless efficiency is the only way to contain costs.

The second lesson endorses the regulator's call for 'living wills' – ready plans to deal with financial crises in an orderly way. When an organisation gets into difficulty – such as cash flow – having a good Plan B ready can save a lot of time for all concerned. This applies equally whether a recovery, a rescue or an insolvency is the most likely outcome. Think of it as a kind of pre-emptive due diligence, allowing rescuer and/or regulator to swing into action at short notice without a massive need for research and information-gathering. And short notice is invariably the theme once things start to go wrong.

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Cosmopolitan Cocktail?

By James Tickell

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Perhaps most important, where cash is concerned, is to think what expenditure can be deferred and which assets sold. Where can money be borrowed in the short term, and what property with clean title is available immediately as security for such loans? If rescue beckons, what headline risks will concern the rescuer, and how can they be capped or quantified? Which covenants and loan conditions may be breached if particular actions are taken, and how can this be avoided? A lot of this is common sense and good housekeeping, but then common sense has never been that common.

As for lessons three to three hundred – they'll have to wait for another day, once the dust has truly settled on Cosmo and all its works. All associations need to remember that risk maps are not theoretical exercises, but vital tools to running an effective business. Even

harder, invariably, it's the risk that hasn't been spotted and mapped that will come up from behind and do its worst! This may be an 'unknown unknown', in the words of that great thinker Donald Rumsfeld, but any Board can be sure that there is just such a creature out there, biding its time to catch the unwary or the unwise.

James Tickell is Director of Campbell Tickell.

For further details, contact James at jamestickell@campbelltickell.com



Protecting social housing assets

19 June 2013 - 10.30am – 3.30pm

London

The HCA Regulator recently published its consultation paper on how it is seeking to amend the regulatory framework and protect social housing assets as the sector becomes more diverse.

It is clear that the sector needs to be better prepared as the whole agenda around business assurance is becoming even more prominent. This timely event is designed to provide delegates with an understanding of the key issues, direction of regulatory thinking and potential business impact across areas around finance, governance and risk.

This event will also inaugurate HouseMark's Business Assurance Club, supported by Campbell Tickell. The aim of the Club will be to support HouseMark members interested in ensuring robust business and effective risk management. It will be a source of information and good practice, issuing periodic briefings and meeting 3-4 times a year to:

- Share common issues and problem solve;
- Hear good practice examples and case studies;
- Gain business insight into emerging policy and regulation risks;
- Understand the changing role and nature of governance in a more commercial world.



Speakers include:

- **Julian Ashby** - HCA
- **Steve Amos** – Barclays Bank
- **Ian Davis** - Trowers and Hamblins
- **Sue Harvey** - Campbell Tickell
- **John Walker** - Gentoo Group
- **Elpeth Mackenzie** - Thrive Homes
- **Dave Procter** - Incommunities & Cosmopolitan



For more information about this event and how to join contact Ian Wright at ian.wright@housemark.co.uk.



Shining a spotlight on hidden 'back office' costs

By Greg Campbell and Jonathan Card



Social landlords have always had difficulty comparing their central services costs with other organisations to get a handle on what 'value for money' really means. But now, new research for Longhurst Group by Campbell Tickell has found effective ways of benchmarking these costs, especially for organisations with group or partnership structures.

A recent survey of around 80 social landlords highlighted that every one of the organisations is actively seeking cost savings, up from just over half of them two years earlier. No surprise there in times of economic austerity. But a major challenge for housing organisations has been how to get a handle on comparing their central services costs with other organisations.

In one sense, this is a part of each organisation asking the wider question 'how do we know if we're any good? The answer must include looking at the relative costs and efficiency of each significant part of its operation. With a slimmed down role for the housing regulator, but a focus on value for money in the Homes & Communities Agency's regulatory framework, the onus is on the Board of each housing provider to ensure they have the right information to understand how their organisation compares.

Alongside that, quite simply there is less money around, whether from the reduction in development grant, the drying up in many places of Supporting People funding, or the pressures on rent collection of welfare reform and direct payment of benefits. Social landlords need to make sure they are maximising income and reducing costs. Better information on what their peers spend is an important part of identifying areas for greater potential efficiency.



Photograph: Bruce Ayres/Getty Images

It is relatively straightforward to compare costs for housing management or maintenance, services typically delivered in similar or comparable ways. There are much wider variations in how different organisations deliver 'back office' services especially in group structures. Size is a factor, but the overall effect on costs per property may not be obvious. For example, a larger organisation with an ambitious business growth strategy may commit additional resources to marketing. Another variable is which services are delivered in-house and which outsourced. Most will rely on external legal expertise for instance: For human resources services though, most have in-house teams, but some will buy in either specialist advice or recruitment services from outside.

Lincolnshire-based Longhurst Group (www.longhurst-group.org.uk), working with Campbell Tickell have just completed an exercise to compare central services costs with other housing providers. Longhurst provides a range of services to their group members, and as part of their work to improve efficiency, wanted to test out how competitive their costs were.

Data was obtained from 16 major housing providers across the country. Between them, these have over 400,000 homes, employ 18,000 staff, and have a combined annual turnover of £2.2 billion. They include large housing groups and private sector providers.

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Shining a spotlight on hidden ‘back office’ costs

By Greg Campbell and Jonathan Card



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The data was analysed to give a sound basis for comparison, although the report found big variations between organisations. The median annual costs for the services examined were:

- **Human Resources - £46 per property managed;**
- **Development - £2,889 per property developed;**
- **ICT - £106 per property managed;**
- **Strategic and governance services - £99 per property managed;**
- **Marketing - £23 per property managed;**
- **Health & Safety – £4 per property managed.**

The key point to bear in mind with looking at figures like these is that they are not the last word. Benchmarking never is. To be useful to housing providers, the bare figures need to be treated as ‘can openers’. So if your costs look

way out of line with the median or average figures, you will want to know why, and whether there is a good reason for the discrepancy (for instance because your services are configured in a particular way to suit your organisational structure or your service users), or whether potentially you are wasting money that you could put to better use.

“The results have proven invaluable”, says Bob Walder, Longhurst CEO. “This exercise has enabled us to examine our spending in areas that housing providers have always found difficult to compare like with like.”

Greg Campbell is Director and Jonathan Card a Senior Associate Consultant of Campbell Tickell.

For further details, contact Jonathan Card at jonathancard@campbelltickell.com or Greg Campbell at gregcampbell@campbelltickell.com



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To find out more about QR codes visit:

www.whatisaqr.com



CT Favourites Gallery



Greg Campbell presenting the CT sponsored Business transformation of the year award to A2Dominion at the UKHA 2013. Congratulations to A2Dominion and all those shortlisted.



Inside the CQC

By Karen Patten

Last year an opportunity arose to join the Care Quality Commission (CQC - www.cqc.org.uk) as a bank inspector. I work as an interim senior manager within the care and support sector both as a provider and commissioner of services. So attaining experience as an inspector I thought would help to understand how the three roles work together to help combat poor care and abuse. For this role the CQC were looking for skilled and experienced care or health practitioners to help them achieve their end of year targets for 2012/13. So following a week of successful recruitment and induction, I became a bank inspector for the South Region for the last three months of the financial year.

In total I carried out 14 inspections of care homes, some with nursing care and some domiciliary care services. The bank inspectors were very well supported during this time with plenty of opportunity for sharing good practice and the ability to learn from each other. As bank inspectors we were provided with a portfolio of scheduled inspections that had been assessed as relatively low risk, leaving the higher risk services for the permanently employed staff.

In brief, the CQC have developed an Outcome Framework which is used to assess whether services are compliant with the The Health and Social Care Act 2008, Regulations 2010 and the Care Quality Commissioning Regulations 2009. There are 28 eight outcomes in total and on a scheduled inspection it is normal to test a minimum of five outcomes. However during the inspection, if there are concerns regarding non-compliance with other regulations, it is possible to choose additional



outcomes. For care homes and domiciliary care, the usual outcomes used are 'Respecting and involving people', 'Care and welfare of people', 'Safeguarding people from abuse', any one of the three outcomes under 'Suitability of staff', and finally assessing and monitoring the quality of service provision.

Services are found to be either compliant or non-compliant. Should the judgement be the latter, a judgement is made as to whether the non compliance will have a minor, moderate or major impact on people who use services and appropriate action was taken accordingly.

During my time as an inspector, I spoke to staff and managers, I spoke to people receiving care and their families and I checked a range of records to help assess the quality of care being provided. I was truly amazed at the passion and dedication of a workforce that is one of the lowest paid in the country.

For the high quality homes where people truly mattered, I saw the difference this made to people's lives. However there are still some services that just provide the minimum standards even though they can still be compliant, the outcomes for people are considerably different. The lack of quality ratings makes it difficult for potential users of services to distinguish between compliant providers with minimal quality standards and those that stand out from the rest. I am therefore very pleased to see the CQC looking to return to quality ratings and getting back to driving up standards in services again. Overall a very worth while experience that very much added to my understanding of the inspectorate role.

Karen Patten is an Associate Consultant with Campbell Tickell





What a difference six years make

Interview with Barrington Billings and Dorian Leatham



Barrington Billings has been Chair of the Board at ARHAG Housing Association since 2007. He is standing down this year at the end of his term of office. Dorian Leatham has been Chief Executive since 2011.

ARHAG is rather different from other housing associations. Tell us why.

ARHAG was founded in 1979 to help respond to an urgent need for housing and support among Britain's growing refugee and migrant communities. By 1981, ARHAG was housing its first tenants in short-life properties. The association then began to build our own homes. Initially most refugees and migrants ARHAG helped were from Africa, but needs have changed. In addition to people from Africa, we now house people from the Indian sub-continent, central and Latin America, the Middle East and Asia.

Is its approach still relevant today?

People continue to arrive in the UK, some with a legal right to settle here, others fleeing persecution in their home countries. Britain has an honourable history providing a haven for people suffering victimisation and the effects of war or genocide.

New arrivals may not speak good English, and may need help finding a home and job. If we're to help them settle and become economically active or otherwise

contribute to community life, it's crucial to recognise their individual needs, which mainstream organisations may not always be geared up for. The demand for our assistance is as strong as ever.

The organisation attracted unwelcome media and regulatory attention a number of years ago. Has it moved beyond that difficult period?

ARHAG got into difficulties some years ago. The organisation lost its way to an extent, and performance dropped as the association failed to focus on the people it is here to support.

However, with help from the regulator and others who recognise the importance of ARHAG's role, the organisation has completely turned around over the past six years. We brought in new Board members, new senior management and staff. The association is unrecognisable from that difficult time.

What has changed about ARHAG? What have you done to turn it around?

As ARHAG's new Chair in 2007, I (Barrington) stated: "I have given an unequivocal commitment to ARHAG's tenants that we will deliver the highest quality service within our means and resources and I intend to deliver on that promise"

As well as a new Board and staff team with an absolute focus on what ARHAG is in business to do, we've introduced a performance management culture. Crucially, we've been listening to tenants: what works for them; how we can become more relevant to them; how we can involve them. We've also been talking to council, housing association and voluntary sector partners, to see how we can add value to their work.

How is the organisation performing now? How is its relationship with tenants?

ARHAG is a top quartile performer for responsive repairs, planned maintenance, and gas safety. We've reduced our rent arrears by more than half, to 4.8%. In 2007, only 66% of tenants were satisfied with the repairs service, but in 2013 almost 95% are satisfied.



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We have two places on our Board for tenants; we hold well attended tenants' and residents' conferences, residents' fun days, trips and activities; and we have an effective Residents' Scrutiny Panel.

What is the future for ARHAG?

Over the past six years, we've increased the number of homes we own by more than half. We now own and manage nearly 800 homes across 13 London boroughs. These include a supported housing scheme for people with learning difficulties. We're currently negotiating the development or acquisition of nearly 300 more homes over the next three years.

Beyond that, we want ARHAG to become an 'ideas lab' for strategy and new thinking on issues affecting migrants and refugees. At the same time, we want to help our residents

develop social enterprise initiatives and leadership skills. And we're looking to increase partnership working with other community organisations and landlords where this will help further our core mission.

You are recruiting a new Chair of the Board. Where can people find out more about this?

For an informal discussion, you can contact Maggie Rafalowicz of Campbell Tickell on 07802 187867 or 020 3434 0990. You can download the job pack from www.campbelltickell.com/jobs or e-mail arhag@campbelltickell.com.



How do you know you're any good? Business Assurance Seminars

Tuesday, 2nd July 2013 - Trafford

Tuesday, 9th July 2013 - Wakefield

Wednesday, 17th July 2013 - Spennymoor



It's all change again for housing providers. Money is tight; there's no safety net to balance the risks of diversification. The Homes and Communities Agency (HCA) is discussing changes to the Regulatory Framework to better manage risks to housing assets, the Audit Commission is not there to verify or challenge your performance; and leadership teams are being asked "how do you get sufficient assurance on the management of risks to the delivery of your strategic objectives?"

Integrating assurance with risk management and internal audit can move beyond reactive compliance testing to build confidence that reported outcomes match the reality on the ground. But it can also build bureaucratic systems that are too large to manage effectively.

This seminar will explore:

- Expectations of the HCA to better manage risk
- Assurance frameworks
- Coverage and gaps
- Achieving consistency
- Keeping up-to-date; and
- Identifying where external verification adds value

Speakers include:

- Mick Warner, Deputy Director, HCA
- Graeme Foster, Strategic Regulation Manager, HCA
- Sue Harvey, Senior Consultant, Campbell Tickell

For more information and details of how to join these events visit: www.northern-consortium.org.uk/FutureEvents or contact Sue Harvey on 0203 434 0979 or sue.harvey@campbelltickell.com.



Mixed bag - managing mixed tenures

By Julia Greenwood

For a many councils and housing associations without a development portfolio, the management of leaseholders has evolved in a piecemeal way. The Right to Buy created leasehold (and some freehold) communities pepper potted amongst the rented tenure from which they had been created. The original landlord may have transferred the stock to another body, the lease lost or its terms ignored. Management functions may have been provided by the housing department, or often the finance department, purely to coordinate billing for major works.

There is however another group of landlords, (predominantly housing associations) that welcomed the extension in tenure options and developed shared ownership schemes in some cases with a general needs scheme on an adjoining development. As a result dedicated leasehold management teams have developed to address the particular needs of this group of clients.

Government commitment to balanced communities is opening the door to future developments with mixed tenure developments as the norm.



Managing tenures equally and fairly has always been an issue which has frustrated leasehold estate managers. The Commonhold and Leasehold Reform Act 2002 changed this. Now whole estate management is possible. The sanctions for failing to comply with the terms of the lease can be as effective as for failing to observe the terms of a tenancy agreement. Leasehold Valuation Tribunals have powers to determine whether a breach of the lease term has occurred and proof of the breach is a prerequisite to forfeiture proceedings. More positively though, proving a breach will hopefully open up opportunities for the landlord and leaseholder to work together to agree to what is acceptable behaviour.



In particular large developing RPs are striving to adopt a joined-up approach to management, focussing on neighbourhood managers managing all estate issues rather than just one particular tenure.

Planning for integration: key questions

If you have a customer service centre, have staff been trained to deal with the majority of issues regardless of tenure and do officers know when to hand over to a specialist team?

Are comprehensive policies and procedures in place for dealing with and resolving issues regardless of tenure?

The same issues arise if estate management is split out to neighbourhood management officers on a patch basis. Staff must be well trained and confident to manage all tenure types even-handedly. Its also true though that leaseholders may be more demanding regarding lease issues and leaseholders will want builders defects resolved to their total satisfaction.

Does the IT system distinguish the caller's tenure, so that repair orders are blocked if it is the leaseholder's responsibility? An order raised in error cannot be recharged to the property or the service charge, so will have to be absorbed by the organisation.

Staff responsible for managing arrears need to understand the different financial profiles of leaseholders and tenants. The former are more likely to be in employment, but will have higher monthly charges, including substantial service charges, a mortgage, and possibly furnishing loans. They may well be at the margins of affordability with many competing demands on their income. Arrears management will need to be prompt whilst being sensitive to the current economic difficulties.

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Some leasehold specialisation will need to be retained. Financial penalties can be high for failing to consult in accordance with legislation. What is more, failing to go beyond those requirements will not only affect the financial stability of the organisation but also the relationship with customers. This may in time reflect in satisfaction rates, and it can take a long time to recover from poor ratings.

Organisations must also consider how they will resource the back office functions specific to tenure.

Leasehold issues must be understood at a senior level within the organisation. Officers at the front line may have the tools to do the job but the whole organisation must embrace the tenure and acknowledge the particular issues affecting this client group.

Julia Greenwood is an Associate Consultant with Campbell Tickell.

To discuss how we can help you manage your mixed tenure sites please e-mail julia.greenwood@campbelltickell.com.

PROJECT | 2020

Homes for Haringey - Giving young people a future.

Project 2020 was set up by Homes for Haringey to tackle youth unemployment in Haringey with an initial focus on Northumberland Park. Since it began in 2012 the project has engaged with over 200 local young people and currently has more than 40 registered participants. Mentoring is provided by staff volunteers, and corporate partners in the public and private sectors are providing training and work experience opportunities.

On Tuesday 22 January Campbell Tickell's Radojka Miljevic attended the formal opening of 'Off Road' – a newly refurbished Project 2020 hub in Northumberland Park and friends and supporters of the Project turned out in force. The event was sponsored by Campbell Tickell.



Aimed at helping young people in the area get into work, the new hub in Northumberland Park provides a meeting place where they can get expert advice and support on accessing education, training and

employment opportunities, as well as relax and make new friends. Formerly an unused community space, the hub now boasts an IT suite and music studio, as well as areas where the young people can talk confidentially to Project 2020 staff about their ambitions.

Those attending the opening heard direct from some young people involved in the Project, ahead of tours of the facility. Aaron Blake, now a Neighbourhood Worker Volunteer supporting Project 2020 staff and working towards a level 2 Chartered Institute of Housing qualification, commented: "The project has opened a new chapter for me – I know that there are different opportunities for me now – there's so much more that I can do. The local people, especially the older ones, in my area are inspired by the changes in me."

Paul Bridge, Chief Executive of Homes for Haringey, said: "With 40% unemployment among young people in the Tottenham area, some have few or no aspirations for the future. Project 2020 is about providing those young people with the opportunity to not only develop, but realise their aspirations, fulfilling their potential and contributing to their local community."

The hub was formally opened by Cllr Claire Kober, Leader of Haringey Council.

Said Radojka, "The youngsters were chuffed to bits to get awards for their work. They spoke as if butter wouldn't melt in their mouths when they were being recognised".

To suggest training and work placement opportunities please contact Chinyere Ugwu, Project Director, on 020 8489 5092, email: chinyere.ugwu@homesforharingey.org.



Homes for Haringey

Data Protection and Privacy

By Marzieh Chipperfield



Data protection and privacy are important considerations for all businesses. Failing to treat personal information in accordance with legislative requirements and best practice can have an adverse effect on a company's reputation and its relationship with its employees and customers. Businesses have a duty, when processing personal information, to comply with the Data Protection Principles, or risk having a penalty of up to £500,000 imposed on them for the most serious contraventions.

Putting in place a suitable infrastructure for the management of information is increasingly known as "Information Governance." This describes the rules, policies, and procedures which govern the integrity, security and use of information within an organization, taking into account legal obligations such as data protection and privacy, data governance, information security and records management. Additional protection is required where the employer operates in a sector which entails holding third party information; such as financial services, health, housing and education.

Simply defining information as confidential will not make it confidential. The nature, purpose, and origin of the information must be examined together with the potential damage its disclosure could do to the business.

A charity that allowed employees to take home unencrypted memory sticks containing personal details of individuals was guilty of Data Protection Act (DPA) breaches, the Information Commissioner's Office (ICO) ruled recently. Following this case, all organisations should ensure they have policies for keeping data secure,

including deleting it when no longer required, and when it is kept at home by employees.

The main obligations imposed on organisations and their data controllers by the DPA are set out in the eight data protection principles (Principles) (Part I, Schedule 1, DPA). Guidance on the Principles is also provided in the DPA (Part II, Schedule 1, DPA).

Access to confidential information will depend on the role of any employee and, for those who require daily access (for example housing managers or administrators) it would be impractical to keep information under lock and key. Practical precautions include:

1. Password protection of documents or databases;
2. Limiting employees' ability to download and save data;
3. Policies for use of own computers and devices; and
4. Information sharing with other bodies, both governmental and non-statutory.

Every business holds information it regards as commercially sensitive and confidential. Employees will require access to this information in the course of their employment. The issue for employers is how to permit access to information whilst protecting the business.

Marzieh Chipperfield is an Associate Consultant with Campbell Tickell.

If you would like advice on meeting data protection requirements, please contact James Tickell - jamestickell@campbelltickell.com

Mergers & Acquisitions Seminars

Manchester, 4 June 2013

The affordable housing sector is facing a period of unprecedented change. In this fluctuating sector, there is often strength in numbers. Affordable housing providers are increasingly examining their options to merge with or acquire other housing providers in either the social housing, care, or private sectors.

These sessions will bring together contributions from Devonshires, Campbell Tickell, Centrus Advisors, and the Homes and Communities Agency about current thinking on the preparation, drivers, advantages and pitfalls which affect merger and acquisition activity in England and Wales. The session will reflect on the current marketplace and also trends for the future.

Speakers Include:

Andrew Cowan - Devonshires

David Williams - Campbell Tickell

Jonathan Walters - Homes & Communities Agency

Paul Stevens - Centrus Advisors LLP



How to book:

To book your place, please go to <http://bit.ly/1513CGr> and fill in the registration form. A confirmation email will then be sent to you. Please call Business Development on 020 7880 4309 for further information or email seminars@devonshires.co.uk.



Avoid expensive mistakes in recruitment

CT has a first rate track record in sourcing high quality interim managers, permanent executives and non-executive board members. Over recent years, we have successfully helped over 250 organisations recruit to more than 550 senior or specialist roles. Our recruitment activity has a national spread. The range of organisations we work with encompass housing associations, councils, ALMOs, care and support providers and charities.

It is easy to make expensive mistakes in recruitment. Our networks are second to none. Our success rate in helping organisations fill permanent vacancies first time is over 95%. Our first time success rate filling non-executive board roles is nearly 100%.

To discuss how we can help meet your recruitment needs, please contact Gera Patel on 020 8830 6777, gera@campbelltickell.com.



It's a jungle out there

The environment for development and growth is increasingly complex: housing markets down and up; development grant squeezed; public funding cut; institutional investment; for-profit RPs; private rented sector; councils building again; Supporting People slashed; welfare reform; NHS property disposals.

Developers and housing providers need to understand where markets are going, seeking potential partnerships, and managing risks while maximising sustainable growth.

CT works across the country with housing associations, councils, ALMOs, care providers, developers and contractors. Our recent work includes:

- ④ Development and growth strategy
- ④ Assessment of financial capacity
- ④ Private rented sector analysis
- ④ Prospective partner mapping
- ④ Strategic asset management
- ④ Care services viability review
- ④ Joint venture establishment
- ④ RP registration support
- ④ Project management
- ④ Bid writing

