



Equalities Committee

Monday 20 February 2017 at 6.00 pm

Board Room 4 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

McLennan (Chair)
Davidson (Vice-Chair)
Harrison
Mashari
Thomas

Substitute Members

Councillors:

Conneely, Crane and Hylton

Councillors:
Kansagra and Maurice

For further information contact: Nikolay Manov, Governance Officer
020 8937 1348, nikolay.manov@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:
www.brent.gov.uk/committees

The press and public are welcome to attend part of this meeting.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members.

Item	Page
1 Declarations of interests	
Members are invited to declare at this stage of the meeting, any relevant personal and prejudicial interests and disclosable pecuniary interests in any matter to be considered at this meeting.	
2 Minutes of the previous meeting	1 - 8
3 Matters arising (if any)	
4 Deputations (if any)	
5 Impact and mitigation of the Overall Benefit Cap	9 - 18
The report provides details of the expected impacts on residents of the reduced welfare benefits cap, and the steps taken to offer support and services to residents affected.	
Ward Affected: All Wards	Contact Officer: David Oates, Customer Services and Benefits Tel: 020 8937 1931 david.oates@brent.gov.uk
6 European Union Referendum and the Impact of Uncertainty on Brent Residents	19 - 32
The report looks at the impact of uncertainty on Brent residents and services following the European Union referendum.	
Ward Affected: All Wards	Contact Officer: Pascoe Sawyers, Head of Strategy and Partnerships Tel: 020 8937 1045 pascoe.sawyers@brent.gov.uk
7 Brent's Equality Analysis process	33 - 40
The report outlines the Council's Equality Analysis (also known as Equality Impact Assessment) process of assessing the potential / likely	

impacts of proposed changes on service users with protected characteristics. The Equality Analysis (EA) process aims to ensure that the Council's decision-making is evidence-based and robust.

The organisation has a similar internal EA process for restructures which is outside the scope of this report.

Ward Affected: All Wards
Contact Officer: David Veale, Director of Human Resources and Organisational Development
Tel: 0208 937 4565
david.veale@brent.gov.uk

8 Progress update on the 2016-17 Equality & Diversity Action Plan 41 - 42

The item provides the Committee with a progress update on the 2016/17 Equality and Diversity Action Plan.

Ward Affected: All Wards
Contact Officer: Andreyana Ivanova, Head of Equality
Tel: 020 8937 3154
andreyana.ivanova@brent.gov.uk

9 Exclusion of Press and Public

The following item(s) is/are not for publication as they relate to the following category of exempt information as specified in the Local Government Act 1972 namely:

Paragraph 3

“Information relating to the financial or business affairs of any particular person (including the authority holding that information)”.

10 Equal Pay Audit benchmarking (verbal update) 43 - 52

At the Equalities Committee Meeting on 6 December 2016 Members requested a report comparing Brent's 2015-16 Gender Pay Gap Audit data to other London Boroughs.

The 2015-16 Gender Pay Gap Audit report is attached as an appendix for reference.

Members will be provided with a verbal update on cross-council Gender Pay Gap benchmarking data. The item is exempt from publication because the cross-council benchmarking data is not currently available in the public domain.

Ward Affected:
All Wards

Contact Officer: David Veale, Director of
Human Resources and Organisational
Development
Tel: 0208 937 4565
david.veale@brent.gov.uk

11 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.

12 Date of next meeting

The next scheduled meeting of the committee is on 2 May 2017.



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.



MINUTES OF THE EQUALITIES COMMITTEE **Held on Tuesday 6 December 2016 at 6.00 pm**

PRESENT: Councillor McLennan (Chair), Davidson, Harrison and Thomas

Apologies were received from: Councillors Tatler

1. Declarations of Interests

There were no declarations of Interests made by Members.

2. Minutes of the Previous Meeting

RESOLVED that the minutes of the previous meeting held on 12 September 2016 be approved as an accurate record of the meeting.

3. Matters Arising (If Any)

Councillor Harrison referred to Agenda Item 7 of the previous minutes (YourVoice 2016 Staff Survey: Equality Analysis) and questioned whether there were any updates from the workshops with the staff groups whose responses had shown variations from the Council's averages. Andreyana Ivanova (the Council's Head of Equality) responded to say that this would be covered under item 11 to this agenda.

4. Deputations (If Any)

The Chair noted that she had received one request to speak from a member of the public on the content of item eight to the agenda.

5. Election of Vice Chair of the Committee

RESOLVED that Councillor Davidson be elected as the new Vice-Chair of the Committee for the remainder of the 2016-2017 Municipal Year.

6. Update on Outcome Based Reviews and the Harlesden Community Hub

Peter Gadsdon (the Council's Director of Policy, Performance and Partnerships) introduced the report, which provided the Committee with an overview of the Harlesden Community Hub prototype, recently trialled for two weeks in Harlesden from 31 October to 12 November 2016. It was primarily based in Tavistock Hall in Harlesden, with an accessible stationary London bus also being present on Tavistock Road to aid publicity of the hub's location. Mr Gadsdon explained that the community hub formed a key part of the Council's three ongoing Outcome Based Reviews (OBRs) which had been established to focus on:

- (i) Employment support and welfare reform;
- (ii) Housing for vulnerable people; and
- (iii) Regeneration

The Committee heard that it was felt that a community hub was the best way to bring together different communities and Council services to address the issues identified by the OBRs. Peter Gadsdon gave a summary of the advice and information zones available to residents on different issues such as: Housing Benefit; Council Tax Support; Children and Family Advice; and Drug and Alcohol Awareness. These were run alongside activities such as: an arts taster session run by Crisis; a Brent Youth debate on the USA elections; and Brent Mind Music Workshop. It was felt that, overall, the hub had been very successful as it had provided a relaxed, non-corporate environment, which had allowed residents to engage with a range of different organisations and service areas in one place to discuss their varying needs. Peter Gadsdon also emphasised the collective team spirit within the hub, with it being an excellent example of different groups working together and building partnerships to support the local community. In terms of evaluating areas for improvement, he stated that it would have been ideal to stay longer than the two weeks as the numbers of residents engaging with the hub picked up noticeably in the second week. It was noted that this was also linked to the need for using different publicity tools and clearer messaging to allow residents to understand what the hub was and therefore engage with it more effectively.

Peter Gadsdon concluded that the prototype had been successful and that it was important not to lose momentum generated from this project. He stated that the partnerships fostered by the numerous different groups involved had been very important and that moving forward, a working group would be drawn from people who have been involved in the hub. He noted a key aim would be to develop a more sustainable model and hoped a temporary hub could be in place in Harlesden as soon as possible.

The Chair thanked Peter Gadsdon for the report and commented that she had had a fantastic experience when she visited the hub herself. She asked whether there was any set of defined outcomes for the residents who engaged with the hub. Mr Gadsdon said that the aim had been to provide services which related to the issues identified by the OBRs. For example, on employment and welfare and services to support vulnerable people, CRISIS had run a session on the benefit cap which had been very successful. It was noted that the session had been directed at residents who were already known and identified as being likely to lose income due to the cap. The session provided a constructive space to talk through the related issues they were facing. He noted that otherwise, it had largely been a case of those at the hub dealing with the different issues and queries people had as and when they came in. The Committee heard that the main objective was to build trust with local residents by highlighting that the Council and community organisations were proactively working together to improve their lives.

In response to a Member's question as to when a temporary hub would likely be in place, and what factors were involved to achieve this, Peter Gadsdon stated that finding a venue was the main issue as suitable properties in the area were often busy with pre-booked events. He did however stress that there was a clear desire to embed the hub in the area and that everyone who worked on the prototype remained eager to make this happen.

In response to concerns raised by a Member that positive community initiatives of this kind had been proposed in Harlesden before but had never taken off, and there

were fears that this could happen again with the community hub, Peter Gadsdon noted these concerns and stated that local community groups had also voiced this. He told the Committee that building trust with both partnering groups and residents was an ongoing process but that this prototype had been a good start. He noted that the Council was committed to making the hub a sustainable model of success in Harlesden and then replicating it elsewhere in the Borough. The Chair added that there was evidently a real determination to take this forward, and this included talking to businesses in the area about how the presence of the hub could benefit them. Carolyn Downs (the Council's Chief Executive) also noted these concerns and stated that this initiative linked to the Council's plans for Town Centre Managers throughout the Borough. She stated that there needed to be co-ordination of these different elements going forward to allow for a significant positive impact to residents.

RESOLVED that the progress and next steps for the work on the OBRs and Harlesden Hub prototype be noted.

7. Employment, Skills and Enterprise team: summary of available support for vulnerable residents

Kaya Chatterji (the Council's Service Development Manager for Employment, Skills and Enterprise) introduced the report, which provided an overview of the employment and training support for vulnerable residents, including those with a disability, which were commissioned or delivered by the Employment, Skills and Enterprise Team. The Committee heard that there were barriers to vulnerable people which caused significant inequality, and that there was a growing body of evidence to suggest that paid employment could assist vulnerable people to live independently for longer, improve their mental health and wellbeing whilst reducing reliance on traditional support services. Ms Chatterji noted that there was a clear theme around holistic, integrated working for residents with complex needs across different services and organisations in all of the projects contained in the report.

The Committee heard about four specific project examples. The overview included their aims and the key outcomes which were hoped to be delivered. These examples were: the Brent Works Learning Disabilities Contract (Section 7.0-7.1 of the report); Brent Start courses for learners with learning difficulties or disabilities (Section 7.2 of the report); Mental Health Trailblazer project (Section 5.0-5.1 of the report); and Job Brokerage Contract (Section 6.1 of the report). She specified the estimated job starts for people who were engaged with the projects over the length of the respective contracts.

A Committee member noted that it was clear that Brent residents were going to be badly affected by the Government's benefit changes, and questioned whether there was any grant funding from the Department of Work and Pensions (DWP) extended to these projects in assisting residents with disabilities or mental health problems find work. Kaya Chatterji responded by stating that DWP had provided a degree of funding to some of the projects in the report but not all. She noted that Section 6 of the report detailed the Council programmes which responded to the changes to the Welfare system. Matthew Dibben (the Council's Head of Employment, Skills and Enterprise) added that the Employment, Skills and Enterprise Team was aware that there were huge numbers of households in Brent affected by the welfare reforms and was working hard to identify those most vulnerable so they could be steered

towards the most appropriate support programme. Discussions continued on what the Council was doing more widely to ensure that the most vulnerable residents were supported, and Matthew Dibben suggested that services such as Troubled Families and Adult Social Care would be approached to obtain information on current practices and the Committee would be informed respectively.

The Chair welcomed the report, mentioning specifically that it was pleasing that the Team was commissioning projects to improve outcomes for residents on the autistic spectrum. She advised the Committee that she was part of the London Councils Grants Committee, which offered grants to community projects aimed at improving employment and skills, and asked whether this had been explored as a source of funding. Matthew Dibben stated that the Team's next steps were to look at how to make these projects more sustainable whether this was through grant funding or exploring different commissioning routes such as through the Brent Clinical Commissioning Group. He noted that it would be beneficial to discuss any potential to utilise the London Councils' Grants Committee with the Chair going forward.

Another Member of the Committee noted that the targeted approach was interesting and questioned whether there was any scope for this approach to be adopted by the Council on a wider scale in helping residents to find employment such as schemes with College Leaders focusing on youth employment. Matthew Dibben stated that there was potential to take these projects further than the pilots and if their impact was successful then that is what the Team would be aiming to do. He did note however that large scale projects would be dependent on the level of investment and how well these were managed.

RESOLVED that:

- (i) The contents of the report be noted; and
- (ii) A report specifying what input the Council's Adult Social Care and Troubled Families teams have in identifying vulnerable families due to be adversely affected by the welfare reforms be brought to the next meeting of the Equalities Committee.

8. Eastern European Communities Living in Brent (Task & Finish Group Report)

The Chair invited Mr Martin Francis, to address the Committee in relation to the Task and Finish Group Report. Mr Francis stated that he believed that the report's methodology and evidence base was inadequate and perpetuated stereotypes about Romanian nationals in particular. He also noted that it was focused too narrowly on two nationalities which excluded a variety of other Eastern European countries. The Committee heard that Mr Francis had spoken to the Romanian Cultural Centre about the report which had also felt that the Council had a limited understanding of the Romanian community and needed a more thoughtful data collection process. He concluded that the Council had missed the opportunity to highlight the cultural richness that the Eastern European Community brought to the Borough within this report.

Andreyana Ivanova (the Council's Head of Equality) thanked Mr Francis for his representation. She addressed the points raised stating that the intention of the report was in no way meant to exclude specific Eastern European nationalities but

to update the Committee on the most recent data available to the Council that was heavily reliant on people's self-declaration. The focus on Polish and Romanian nationals was primarily because these were the two largest Eastern European groups in Brent and the two groups which the Council had the most substantial evidence base on socio-economic barriers to draw from.

The Committee heard that the task and finish group had held a recent roundtable with 15 different Eastern European Community Groups invited, including the Romanian Cultural Centre, the Bosnia and Herzegovina Community Advice Centre and the Eastern European Resource Centre, where the findings and recommendations of the task and finish group were presented. The work and recommendations of the group had been well received and no specific concerns had been raised. Members heard that all organisations expressed an interest to be involved in the implementation of the relevant recommendations. Andreyana Ivanova reminded the audience of the scope of the report and that this was the first phase of the task and finish group. The next phase, would be to work much more closely with these community groups and do outreach work to deliver sustainable outcomes to improve the lives and experiences of Eastern European residents.

Genevieve George (the Council's Partnerships and Engagement Manager) added to this by emphasising that all of the recommendations were a starting point and that the Council was looking to be inclusive and work alongside the Eastern European community. She went through the proposed recommendations aimed at improving outcomes for Eastern Europeans including: community groups applying for grants; expanding volunteering opportunities; holding drop-in information sessions and open door events in different community hubs on a range of themes; working with Advice4Renters to offer bespoke advice to the Eastern European residents; and carrying out ethnographic research to inform further outreach work, if required. She also acknowledged that community cohesion was extremely important to address after the rise in hate crimes after Britain's vote to leave the European Union.

Members welcomed the report and the planned initiatives within the recommendations. It was also acknowledged from the Officers' comments that this was deemed to be the starting point which the task and finish group could build upon. Members felt there needed to be a clear focus on translation and language services being available to Eastern European communities to aid integration and community cohesion. It was suggested that this could be done through schools, who had, in the past, offered lessons to parents to aid the process of settling into the area. There were also discussions on the need to educate the local population on the positive aspects that these communities could offer and break down any barriers which existed culturally or socio-economically.

RESOLVED that:

- (i) The findings and proposals outlined in the report be noted and the task and finish group's next steps under the recommendations section be endorsed;
- (ii) An update on the task and finish group's progress be brought to a future Committee meeting, provisionally in summer 2017;

- (iii) The report be amended (under section 4.3) to include **schools** as a venue for holding local drop-in information sessions; and
- (iv) The Committee place on record its great appreciation for the Eastern European Community in Brent and that all Eastern European nationals were very welcome in the Borough.

9. **Overcrowding and BAME Households (Task & Finish Group report)**

Andreyana Ivanova (the Council's Head of Equality) introduced the report which provided the Committee with an initial background and summary of the scale and impact of overcrowding affecting Black, Asian and Minority Ethnic (BAME) households. She noted that the recent Runnymede Trust research in particular had found that Bangladeshi and Black African groups continue to be the two groups that are most disproportionately affected by overcrowding, closely followed by the White Other ethnic group that had seen the highest increase in overcrowding. She noted that the findings and recommendations of the task and finish group would inform the Council's review of its Housing Strategy.

Tony Hirsch (the Council's Strategy and Policy Manager for the Housing Partnerships Service) provided some more detail on the report. The Committee heard that overcrowding typically occurred through a lack of income, changes to welfare and/or lack of supply of larger accommodation. Mr Hirsch stated that overcrowding was quite difficult to measure as it was based on census data which could quickly become out of date and that local data was usually limited or anecdotal – especially so in the private sector. He outlined that the task and finish group had focused on the Council's social housing stock, leasehold data and the diversity and socio-economic profile of the Council's tenants and leaseholders to begin to build a picture of the situation in Brent (figures found in Section 3.10 of the report). Tony Hirsch noted that a significant finding was that leasehold properties which had been sold under right-to-buy legislation were often more crowded than Council-owned properties because they were now being let privately. The Committee heard an overview of the report's recommendations containing the steps the Council should be looking to take to guard against this problem.

In discussions surrounding the recent Autumn Statement, the Chair asked whether the instruction for Councils to sell high-value housing assets and pay a sum of the sale to central government had changed. Tony Hirsch responded saying that this provision had not gone but the understanding was that this would be piloted over a five-year period. It was also noted that the Council would definitely not have to pay anything from any high value sales in the next year.

It was noted that there were also wider discussions surrounding the role of the London Mayor and providing housing in the Borough, and also whether Brent had the resources it needed to address the potential problems specified in the report. The Chair noted that the Council had recently set up a Wholly Owned Investment Company which was specifically designed to build and assist the development of the Council's Housing Strategy. Tony Hirsch added that, as it stood, Brent Housing Partnership was a registered provider and could apply for grants for additional housing although this could change if the Council's Housing Management services were brought back in-house as was currently proposed. The Committee also heard details about the London Mayor's affordable housing program which was aiming to

build 90,000 new homes between now and 2021 and that his target of 50% affordable had now been dropped to 35%. It was felt that this could also assist in the helping to alleviate potential problems of overcrowding affecting BAME households.

RESOLVED that the findings and proposals outlined in the report be noted and the recommendations to help inform the review of the Council's Housing Strategy be endorsed.

10. **2015-16 Gender Pay Gap Audit**

David Veale (the Council's Director of Human Resources and Organisational Development) introduced the report which considered the gender pay differences between men and women within Brent Council's non-schools workforce. The Committee heard more detail about the methodology involved which was based on the primary data taken from the HR database on 31 March 2016.

David Veale outlined that the Council's overall *general* pay gap was 6.8 percent which meant that on average women within the organisation earned this percentage less than men. This was below the UK-wide general pay gap for all employees which was 19.2 percent and the public sector specific pay gap of 11.4 per cent. He also outlined that the overall *proportional* gender pay gap was -0.42 percent which meant that the median pay for women was slightly higher than the median pay for men. David Veale explained that the differences between findings of general and proportional pay gaps were because of the higher proportion of women being on lower grades within Brent's workforce. However the belief was that the Council was doing relatively well in comparison to UK averages and the report contained proposals aimed at reducing the overall gender pay gap.

Members of the Committee welcomed the findings within the report and felt that the Council was generally heading in a very positive direction on equalising gender pay. There was a brief discussion on whether it would be feasible to compare Brent's findings with statistics from other London Boroughs. David Veale specified that a lot of London Borough's had not published the findings from their Gender Pay Gap Audits because currently it is not mandatory to do so. However, in preparation for the enactment of section 78 of the Equality Act on mandatory gender pay gap reporting London Councils have set up a group to come up with a common approach to pay gap audits so that Councils could benchmark more effectively.

RESOLVED that:

- (i) The findings and proposals outlined in the report be noted; and
- (ii) A report comparing Brent's Gender Pay Gap Audit data to other London Boroughs, where possible, be brought to one of the next meetings of the Equalities Committee.

11. **2016/17 Equality Strategy Action Plan**

Andreyana Ivanova (the Council's Head of Equality) provided an update to Members on the progress of the Equality Strategy Action Plan. She directed Committee Members to the 'Amber' status sections of the document and noted

Councillor Harrison's early request for feedback on the follow up workshops to the 'YourVoice' survey (see *matters arising*). She explained that the Amber status was due to the one month delay of the workshops that had been put back to November to factor in further feedback from the Forward Together and Question Time sessions held by the Council's Corporate Management Team in October. The workshops were held at the end of November and were facilitated by Business in the Community as an impartial partner. The findings and suggestions from these sessions would be assessed and taken forward as part of the relevant action plans to ensure that all staff felt that they were a valued part of the workforce and that they can fulfil their full potential. Ms Ivanova also mentioned the other amber section which was the review of the Council's MyMentor programme that was currently being undertaken. The Committee heard that any notable updates would be provided at a future meeting of the Equalities Committee.

A Member of the Committee questioned why the Committee had not been updated formally on the work to assess equalities implications for different departments facing budget cuts. David Veale responded that service-facing equalities impacts were published as part of the relevant reports and that all reports on budget proposals are supported by equality analysis of their impact. He continued that both the Equalities and Human Resources teams monitored internal restructures for equality impacts and that, to date, no restructures had had a disproportionate impact on any particular group. The Chair added that Cabinet key decisions were all also subject to equality assessments. Althea Loderick (the Council's Strategic Director of Resources) agreed that a report clarifying the process of how equality impact assessments were completed, would be brought to the next meeting of the Committee.

RESOLVED that:

- (i) The progress of the 2016/17 Equality Strategy Action plan be noted; and
- (ii) A report clarifying the process of how equality impact assessments were completed and which specific bodies were involved be brought to the next meeting of the Equalities Committee.

12. Date of the Next Meeting

The date of the next meeting of the Equalities Committee was scheduled to take place on 20 February 2017 at 6pm.

13. Any Other Urgent Business

There was no other urgent business.

The meeting was declared closed at 8.09 pm

COUNCILLOR MARGARET MCLENNAN
Chair

 Brent	<p style="text-align: center;">Equalities Committee 20 February 2017</p> <p style="text-align: center;">Report from the Head of Benefits & Customer Services</p>
<p>For Information Wards affected: ALL</p>	
<p style="text-align: center;">Impact and mitigation of the Overall Benefit Cap</p>	

1.0 Summary

- 1.1. This report provides details of the expected impacts on residents of the reduced welfare benefits cap, and the steps taken to offer support and services to residents affected.

2.0 Recommendations

- 2.1 The committee is asked to note the contents of the report, in particular the impact of the reduced benefit cap on single claimants living in the private sector.

3.0 Detail

3.1 Context

- 3.2 The Overall Benefit Cap (OBC) was first introduced nationally in 2013 and in Brent during August 2013 and refers to the maximum amount of specified Government welfare benefits that can be received by a household on a weekly basis unless they are exempt. It originally equated to £500 per week for working age couples and single parents and £350 per week for single persons. Where a household receives more in weekly benefits than the current cap permits, their Housing Benefit is reduced by the excess.

- 3.3 From 7 November 2016 these limits were reduced to £442.31 per week for working age couples and single parents and £296.35 per week for single persons resident in the London area. Unlike previously, there is now a separate, lower Benefit Cap limit for residents of properties outside of the London area.

- 3.4 Residents already subject to the benefit cap immediately prior to 7 November 2016, experienced a further reduction in their Housing Benefit entitlement from that date. Residents who were subject to the benefit cap for the first time due to the reduced limits, experienced a reduction in their Housing Benefit entitlement from 23 January 2017.
- 3.5 Details of the welfare benefits which are included in the cap, and those which provide exemptions from it, are provided in Appendix A.
- 3.6 The original cap in 2013 affected 1320 households, predominantly single parents. Through a combination of factors, including extensive mitigation activities carried out by various Council departments and partner organisations; the incentivising or penalising policy intention of the cap; and – arguably – a generally improving economic situation, the number of capped household in Brent had reduced to 631 affected by the existing cap immediately prior to 7 November 2016.
- 3.7 It should also be noted that the cap also applies to claimants of Universal Credit, of whom there are currently 2,175 in Brent. Full detail of these households is not available to the Council although it is understood from the DWP that there are currently 61 capped UC claimants in Brent.
- 3.8 It will also be appreciated that many households impacted by the Cap may also be affected by other welfare reforms including restrictions to Local Housing Allowance rates in private sector housing, the Bedroom Tax in the social sector, the local Council Tax Support scheme and the general four-year freeze in benefit allowances and premiums introduced from 2016.

4.0 Impact of the Cap

- 4.1 At the time of writing, not all of the expected instructions to cap claimants from 23 January 2017 had been received from DWP. Therefore, this report refers to the previous file of expected capped cases provided by the DWP in September 2016 for pro-active mitigation purposes.
- 4.2 The original cap in 2013 initially affected 1320 households and over the following 12 months, a total of 2322 cases were capped.
- 4.3 Lone parents represented over half (53%) of the cases capped and households with dependants accounted for over 77% of all cases. Single claimants were less likely to be capped as they were likely to be living in smaller properties and so entitled to less benefit. In terms of ethnicity, claimants from the black ethnic group were disproportionately impacted by the OBC, relative to their proportion of the overall HB caseload.
- 4.4 The new, reduced cap will affect approximately three times the existing number of cases capped (as at the start of November 2016). The following tables indicate the impacts of the reduced cap across a range of criteria.
- 4.5 Whereas the original cap largely affected lone parents and couples with dependants (85%), the reduced cap will affect a far greater proportion of single claimants. (See Table 1)

Table 1: Household Summary			
Type	Number	%	Average Cap
Single People	808	43%	£40.17
Single Parents	753	40%	£76.15
Couple with dependents	314	17%	£101.94
Total	1875		

- 4.6 Although there are increases of households capped across all tenancy types, by far the most significant increase is in the private sector, and predominantly affects single claimants, aged over 35. (Single claimants aged under 35 are already restricted within the HB scheme to the cost of a room in a shared house.) (See Table 2)

Table 3: Age Range	Number	%	Average Cap
18-24	96	5%	£ 52.39
25-34	480	26%	£ 69.00
35-44	629	33%	£ 71.27
45-54	474	25%	£ 60.10
55-64	194	10%	£ 48.93
65-74	5	0%	£ 180.73
Total	1878		

- 4.7 This group are unlikely to be in priority need if made homeless, presenting a potential risk of increased rough sleeping, sofa surfing or overcrowding if forced to leave their accommodation. However, this group will also be the focus of the Council's Single Homeless Prevention project which will commence shortly. (See Table 3)

Table 3: Tenancy Type	Number	%	Average Cap
Council Tenant (BHP)	39	2%	£51.72
Housing Association	393	21%	£66.04
Private Tenant	1301	69%	£57.67
Temporary Accommodation	145	8%	£125.75
Total	1878		

- 4.8 It is also worthwhile considering the types of claimant affected based on their main income type, as demonstrated in the tables 4 and 5 below.

Table 4: Main Income Type (“Passported” benefits)	Number	% of Passported	Average Cap
Income Support	526	35%	£ 72.98
Job Seekers Allowance	607	40%	£ 47.20
Employment Support Allowance	372	25%	£ 63.99
Total Passported Incomes:	1505	100%	£ 60.82

4.9 It is significant that only 40% of capped cases are in receipt of Jobseeker’s Allowance (ie are actively required to seek work and are arguably the most “job ready” of claimants). 35% (largely single parents) are on Income Support, with 450 of these being lone parents with children aged under 5, and technically not required to be available for work; the cap, however, makes working near mandatory if the claimant wishes to remain in their present accommodation.

Table 5: Income from working		
Main income Type	Number	Average Cap
Earned Income	229	£ 86.30
Self Employed	51	£ 85.67

4.10 It is also significant to note that merely being in work does not in itself enable the claimant to escape the cap; the work must be of sufficient hours to enable them to qualify for Working Tax Credit (16 hours per week for a single claimant; 24 hours for a couple; 30 hours for a single claimant). Table 5 above shows that there are a significant number of working Brent residents who do not meet this threshold and who will therefore be capped.

4.11 The ethnicity breakdown shown in Table 6 below corresponds broadly with that of the overall caseload ethnicity profile, which is: Asian (17%), Black (31%) and White (28%). When compared to the wider Borough ethnicity profile, it is notable that Black claimants are over-represented. Given the high degree of potential variance due to the claims where ethnic monitoring data has not been provided, this data should be treated with caution. However, a more detailed analysis of ethnic identify will be conducted when all the reduced caps have been implemented in the live system.

Table 6: Ethnicity	Capped	%	Average Cap
Asian	222	11%	£74.10
Black	520	27%	£66.36
White	372	19%	£57.03
Mixed	86	4%	£75.23
Other	83	4%	£71.56
Not Held	595	31%	£62.66
Total	1878	100%	

5.0 Mitigation

5.1 The options most likely to be available to a resident affected by the Benefit Cap are as follows:

- Apply for one of the benefits that will exempt them from the cap (see Appendix A);
- Make up any shortfall in rent from other money received or negotiate a rent reduction with their landlord
- Find somewhere more affordable to live (which may need to be outside Brent);
- Find work sufficient to qualify for Working Tax Credit;

5.2 In most cases the first two options above will not be viable leaving only the latter two options available.. However as seen above, merely finding work may not be sufficient in itself to avoid the cap, and even those in work in the borough are subject to the high rents and scarcity of affordable accommodation due to the Housing Benefit Local Housing Allowance rates.

5.3 A new welfare reform mitigation strategy was developed in February 2016 via a coordinated cross-Council approach, and with external partners, to provide a joined-up response in response to the challenge of the reduced cap (and other welfare reforms, notably Universal Credit).

5.4 The new welfare reform strategy reflects a greater need for the Council to work together with partners, with the Council fulfilling more of a strategic and co-ordinating role than the previous interventionist approach, although there will be still be intervention on a targeted basis towards the most vulnerable residents. Welfare reform mitigation will also be delivered far more within mainstream service delivery than the previous specialised approach which involved a large, co-located multi-disciplinary team, which is not now viable given current resourcing constraints.

5.5 The priorities of the strategy are:

- To target assistance for those potentially affected by the Overall Benefit Cap who are most vulnerable and / or likely to present a future statutory duty (priority need) on the Council
- To promote employment as the preferred route out of poverty and welfare dependency, and where this is not possible, to take a preventative approach to potential homelessness to minimise a statutory duty later
- To ensure a smooth handover from claiming HB to UC (with specific assistance for certain aspects of UC or for vulnerable cohorts)
- To make general information and advice available to all affected claimants (with appropriate signposting to partner agencies).

- 5.6 With regard to OBC, the strategy has specifically targeted vulnerable residents for assistance, including those residents in the following cohorts:-
- Working With Families
 - Mental health
 - Substance abuse
 - Children with disabilities
 - Children with a child protection plan
 - Families in Temporary Accommodation or at risk of statutory homelessness
 - Claimants with learning difficulties or physical disabilities
- 5.7 In some cases, of course, these claimants' personable circumstances may make them exempt from the cap.
- 5.8 General and specific advice is now available to all claimants via a central information hub (on the Council's website) and there has been an associated publicity and engagement campaign across various media.
- 5.9 More specifically, those claimants vulnerable through Mental Health, Troubled Families, addiction issues etc and / or likely to present a future statutory demand on the Council are prioritised for more dedicated support. The greatest impacts of the Cap also coincide broadly with the Council's priority neighbourhoods and officers have targeted support through place-based initiatives such as the Living Room and the Harlesden Hub. The Benefit Service has provided relevant data and information to Council colleagues and external partners (eg Registered Social Landlords) to enable them to deliver both the central messages and to add and interpret this through the prism of their own service provision, thus providing tailored specialist support for claimants.
- 5.10 The strategy places employment and skills at the heart of the Council's approach and seeks to integrate the employment and skills offer with its overall customer service offer. This will apply to resident interactions generally but will be most evident in an integrated "triage" approach between Employment & Skills, Housing Needs and Customer Services, with partner provision from Citizens Advice Bureau and DWP, in the Customer Service Centre at the Civic Centre.
- 5.11 In addition, an electronic Partner Toolkit has been developed and is located on the Council's website containing all relevant information regarding the cap, referral pathways and other mitigation, and a Benefit calculator which provides claimants and caseworkers with a tool for calculating potential entitlement to welfare benefits (including Universal Credit), a "better off" calculation showing the financial impact of claimants starting work or increasing their hours, and a household budgeting tool.
- 5.12 Links to the Partner Toolkit and the Benefit calculator are provided in Appendix B.

6.0 Discretionary spending

6.1 The Benefits Service administers two discretionary funds which are for the alleviation of hardship for benefit claimants, not exclusively aimed at those affected by welfare reforms, but heavily utilised by those claimants:-

- The **Local Welfare Assistance (LWA) scheme** has no base budget or ongoing government funding (there was a government allocation for 2013/14 and 2014/15) but is currently being administered from reserves accumulated from underspends in the previous two years. LWA provides emergency payments to vulnerable residents in crisis situations or for large one-off costs (eg white goods). The future of the scheme is currently under review given that the current financial arrangements are not sustainable indefinitely.
- The **Discretionary Housing Payment (DHP)** fund has an annual government grant (which authorities may supplement with their own funds) to assist Benefit claimants (on HB or UC) who are experiencing hardship through housing-related costs. Priority areas are reviewed at least annually, with Lead Member oversight, and are aimed at encouraging desired claimant behaviour (eg seeking work) or as a safety net for the most vulnerable. Payments may be one-off (eg costs associated with moving to a more affordable property) or ongoing for prescribed periods (eg paying the shortfall in rent while the claimant undertakes a job brokerage course; or assisting a particularly vulnerable claimant to avoid homelessness).

6.2 Government funding has reduced since a high point in 2013/14 (£4.8M) when the original caps were introduced, save a small 10% increase in 2016/17. However provisional indications from DWP indicate a further 8% decrease in 2017/18 (to £2.6M), despite the tripling of the capped caseload in Brent, and despite an additional £35M being made available nationally for the impact of the reduced cap.

6.3 The reason for Brent's proposed reduction next year is that the impact of the reduced cap is now spread much more across the country (although Brent is still second most affected, behind Birmingham), and because the funding formula no longer takes account of the impacts of the Local Housing Allowance changes (again, very significant in Brent) which occurred during the previous Parliament.

6.4 The reduced DHP budget and increased demand in 2017/18 will clearly put additional strain on the scheme, mainly resulting in fewer, lower or shorter periods of awards and a corresponding increase in the expectations on claimants to resolve their situation quicker or through their own means.

7.0 Financial Implications

7.1 Covered in main body of report.

8.0 Legal Implications

8.1 Covered in main body of report.

9.0 Equality Implications

9.1 Covered in main body of report.

Additional Papers

Appendix A - Welfare benefits included in the Benefit Cap and exemptions
Appendix B – Links to the Overall Benefit Cap Toolkit and Benefit Calculator

Contact Officer

David Oates
Head of Service (Benefits & Customer Services)

0208 937 1931

David.Oates@Brent.gov.uk

Appendix A

Welfare benefits included in the Benefit Cap and exemptions

Benefits included in the Benefit Cap calculation:-

- Housing Benefit;
- Income Support;
- Job Seeker's Allowance;
- Employment and Support Allowance (except where it is paid with the support component);
- Child Benefit;
- Child Tax Credit;
- Maternity Allowance;
- Incapacity Benefit;
- Severe Disablement Allowance;
- Widowed Parent's and Widowed Mother's Allowance;
- Widow's Pension;
- Bereavement Allowance

Exemptions

Exemptions from the benefit cap will apply if the Housing Benefit claimant or their partner receive any of the following:

- Attendance allowance
- Disability living allowance
- Personal independence payment
- Employment and support allowance (support component)
- Industrial injuries benefits
- War widow or war widower's pension
- Guardian's Allowance and Carer's Allowance (subject to Government changes to be made later this year).

Additionally, an exemption from the benefit cap will apply if:

- The Housing Benefit claimant qualifies for Working Tax Credit because they work for at least 16 hours per week if they are a single parent, 24 hours per week between them if they are a couple with one of them working at least 16 hours per week or 30 hours if they are a single person.
- They are responsible for a child or young person getting Disability Living Allowance, Personal Independence Payment, or an Armed Forces Injuries Payment

The cap will also not apply for a period of 39 weeks if the claimant or their partner, if appropriate, has ceased paid work that lasted for at least 50 of the 52 weeks immediately prior to their leaving and in the final week, they worked at least 16 hours.

The Benefit Cap applies solely to working age claimants and therefore persons of pension credit age are exempt provided that both members of a couple are of pension credit age.

Appendix B

Links referred to in the report

Overall Benefit Cap (OBC) - <https://www.brent.gov.uk/services-for-residents/benefits-and-money-advice/important-benefit-changes/>

OBC Toolkit - <https://www.brent.gov.uk/media/16406131/benefit-cap-toolkit-040117.pdf>

Benefit Calculator - <https://brent.entitledto.co.uk/>

Money Advice (including Budget Planner) - <https://www.brent.gov.uk/services-for-residents/benefits-and-money-advice/money-advice/>

 Brent	<p style="text-align: center;">Equalities Committee 20 February 2017</p> <p style="text-align: center;">Report from the Director of Performance, Policy & Partnerships</p>
For information	Wards affected: WARDS
<p style="text-align: center;">European Union Referendum and the Impact of Uncertainty on Brent Residents</p>	

1.0 Summary

- 1.1. There are a large number of European nationals living in Brent, with one in eight residents born in Europe. Some communities are settled and have been here for many years, and others, like Romanians, have only started to move to Brent more recently.
- 1.2. A wide range of services in Brent are used by EU nationals, and there are many Europeans contributing to our communities, running community groups and working in public services and other local jobs.
- 1.3. There are particular groups of people that could be put at risk if free NHS services were removed from European nationals, specifically, children, and drug users who are using clinical prescribing services.
- 1.4. If European nationals were no longer allowed to remain in the country, this would have a substantial impact on many services in Brent, as they have high numbers of European nationals working for them. On average, one in ten workers in public services is European. The users of public services vary, only 3% of adult social care users are European, as are 6% of youth offending services. The numbers rise when looking at children's services, with 16% of children's centre attendees, 14% of primary school children and 11% of secondary school children being European. A high proportion of rough sleepers and casual workers are European some of whom have not exercised their Treaty rights. However, it is difficult to predict the impact on them if the free movement of people is restricted in the future.

2.0 Recommendations

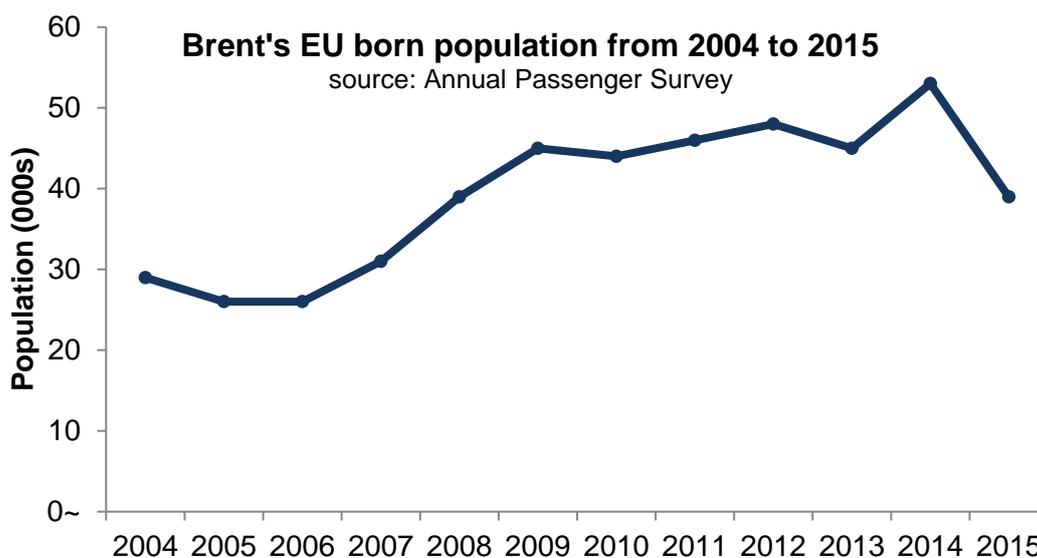
- 2.1. The Equalities Committee is asked to note the findings of this report

3.0 Detail

- 3.1. Unless otherwise stated, the term Europeans used throughout this report means EU nationals, but does not include Ireland or the UK.
- 3.2. Many services do not collect nationality data, so as a proxy for nationality, the ethnic group white other has been used. This should be used with caution as in Brent in the 2011 Census, people born in Europe made up 69% of the white other group, and 79% of people born in Europe identified as white other. Where language spoken at home is available, this is also used as a proxy, but again should be treated with caution as it will include people from South America, Canada, and Africa where European languages are also spoken.

4.0 Community

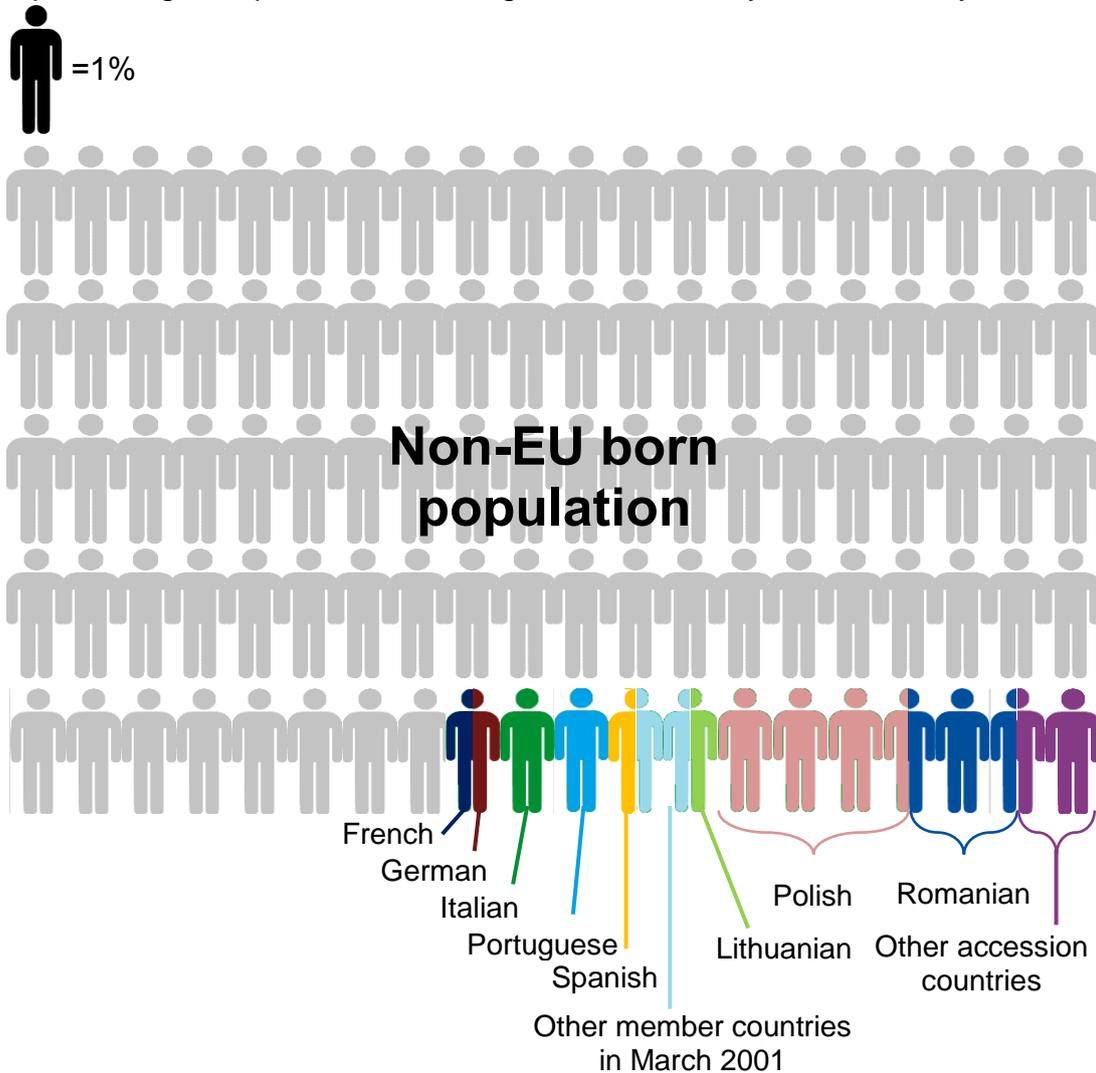
- 4.1. In 2015, 39,000 residents, 12% of Brent's population, were born in Europe. In 2014, 53,000 (18%) of Brent residents were born in Europe. The confidence intervals for these data sets are large, at 16,000 in 2014 and 10,000 in 2015, so there is the possibility that the number of Brent residents born in Europe remained the same. If the modelled estimates are correct, the change in Europeans living in Brent between 2014 and 2015 is largely in residents born in the Czech Republic, Estonia, Poland, Hungary, Latvia, Lithuania, Slovakia and Slovenia. Polish people made up the majority of the EU residents in Brent. The Polish economy increased in 2014 and 2015 and therefore some economic migrants may have returned to Poland during this time.
- 4.2. Since 2006, the number of Brent residents born in the EU has increased, growing between 2006 and 2009, and then remaining fairly steady until 2013 when it began to rise again. In 2015, the numbers dropped sharply, to levels similar to those in 2008.



- 4.3. Since the EU referendum, the number of people applying for residency, and British citizenship has increased markedly.

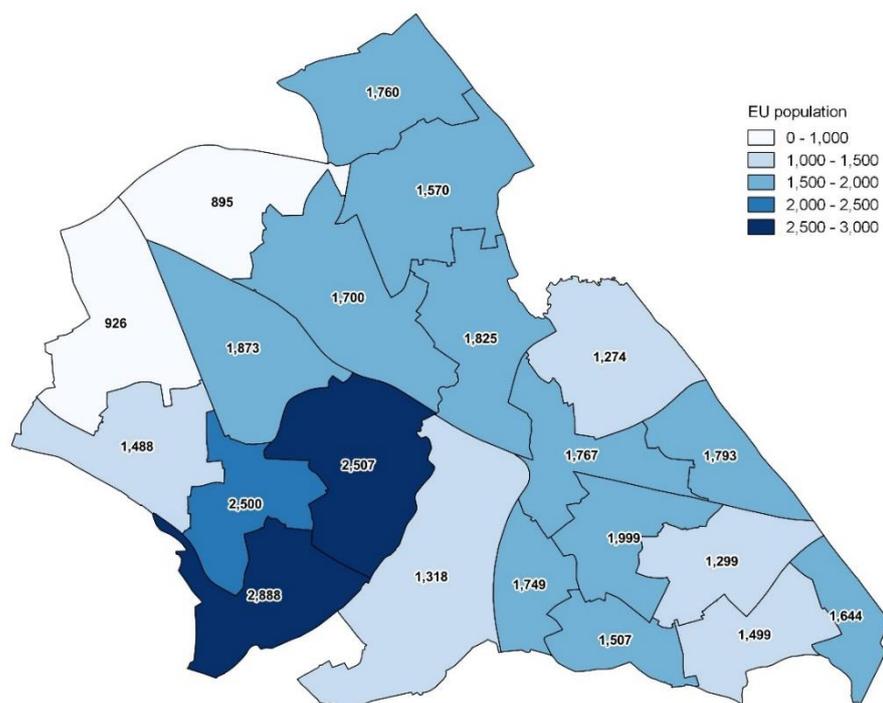
- 4.4. In 2011, there were 35,649 people born in Europe living in Brent, making up 11.5% of the population. They lived all across Brent, with higher numbers in the south of the borough, specifically in Dudden Hill and Willesden Green.

Map showing European nationals registered to vote by ward, January 2017



- 4.5. In 2010, there were 24,100 Europeans registered to vote in Brent. Although a lot lower than the number of residents registered as born in Europe in the 2011 Census, a year later, the proportion of the electorate (11.7%) is similar to the proportion of residents born in Europe (11.5%). In 2010 European nationals lived across the borough: Willesden Green and Dudden Hill had the largest numbers with over 1,500 of EU nationals in each ward. Six years on, in January 2017, 35,836 European adults are registered to vote, 16.2% of the electorate. There are more European nationals in Wembley Central and Alperton than in any other ward.

Map showing EU nationals registered to vote by ward, January 2017



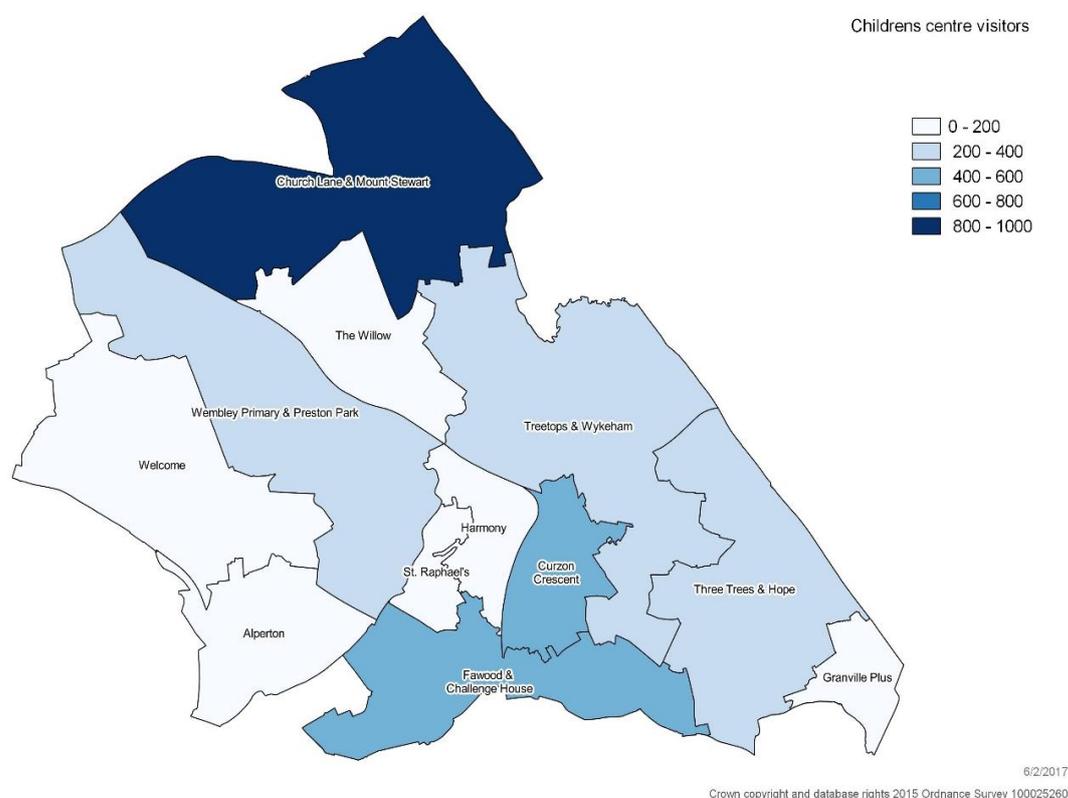
Contains OS data © Crown copyright and database right 2017

- 4.6. There are ten community groups on the Council's community directory which are specifically supporting European communities, and one for Portuguese speakers, which will service both the Portuguese and Brazilian communities. Of the ten groups, four are for Romanian communities, two for French communities and one for German, Bosnian, Greek, and Czech and Slovak. Three of the organisations are churches, and two are educational. There are new emerging local groups and the Council is engaging with them to provide information and support that might be relevant to them.

5.0 Children and young people

- 5.1. In 2014, 37% of births were to mothers born in Europe. This decreased to 23.3% in 2015, with 1,213 births to mothers living in Brent and born in Europe.
- 5.2. There are 17 Children's Centres in Brent across 12 areas. From 01 July to 31 December 2016 the Children's Centres had 18,083 visits, with 9,747 of these by carers. 1,934 (20%) were by residents with ethnicity white other, and 8,336 by children, 993 (12%) of whom were white other. The proportions varied with Alperton Children's Centre seeing the smallest proportion of white other (7.4% carers and 4.5% children), to Church Lane and Mount Stewart Children's Centre where 27.7% of carers and 21.3% of children were white other. Although Alperton had the smallest proportion of visits by white other, St Raphael's had the smallest number with 29 white other carer and 19 white other children visits. About one third (32.9%) of white other carers speak Romanian as their main language, followed by 13.5% who speak Polish.

Map showing attendances by Europeans at Children's Centres



Many of Early Years practitioners are from EU countries and recruitment and retention of Early Years practitioners may be affected.

- 5.3. Nationality data will be collected by schools from January 2017. Language of pupils and parents is available and gives a good proxy for nationality. In Brent schools, the proportion of children whose first language is European is increasing. In secondary schools, (key stages three, four, and five), there are 2,031 children and young people whose first language is European; 10.7% of our secondary school pupils. This proportion increases to 13.9% in primary school (key stages one and two), with 3,233 children speaking a European language as their first language. Brent has a large Brazilian community who speak Portuguese as their main language, so this community will be included. In the 2011 Census, it showed that around a third of Brent residents who were born in South America held European passports, but may have dual nationality. In total there are 657 pupils in Brent primary schools, and 453 pupils in Brent secondary schools who speak Portuguese as their first language. Discounting the Portuguese speakers, 8.3% of secondary school pupils, and 11.1% of primary school pupils speak a European language as their first language. The most spoken European language is Romanian, with 934 (4.0%) speakers in primary schools and 548 (2.9%) speakers in secondary schools, followed by Polish, with 707 (3.4%) speakers in primary school and 393 (2.1%) in secondary. As well as the state schools, there is a private French all through school in Brent which has about 700 pupils.

- 5.4. A snapshot of the youth offending caseload on 10 January 2017 showed that 6% of the 189 service users are European.

6.0 Adults

- 6.1. In 2017, there are 35,781 EU nationals registered to vote in Brent; this does not include Irish nationals, or people from Gibraltar or Malta. Cross referencing the electoral role with the housing and council tax benefits register showed that 6,021 (5.7%) people registered on housing benefit claims in 4,242 households, were European (not including Irish, Gibraltarians, or Maltese). In these households there were 3,331 claimants, with 1,870 partners, 4,516 dependants, and 1,575 other household members. There are likely to be more European housing benefit claimants who are not registered on the electoral role.

- 6.2. There is a slightly smaller proportion of European adult social care users; of those with known nationality, 3% (114) are European; this decreases to 2% of all adult social care users when including the unknowns. There are 489 (8.5%) adult social care users of white other ethnicity, 127 speak European languages, but for 130, language is unknown. There are 168 adult social care users who speak European languages as a main language.

- 6.3. Translation services provide face to face interpreting, telephone translating, and interpreting of documents. Last year, the service provided 5,221 face to face interpreting sessions, 1,407 (27%) for European languages; 3,666 telephone interpreting sessions, 1,327 (36%) for European languages; and 287 document translations, 126 for European languages. Overall, just under a third (31%) of our translation services are for European languages.

- 6.4. There is a known issue with a small proportion of Brazilian people obtaining fake Portuguese passports and using them in the UK to access services. A small proportion of Russians and people from Ukraine are using a similar scheme but with passports from countries such as Romania and Hungary. It should be noted, however, that these are very small numbers within the above communities and the issue is being examined by authorities.

- 6.5. Brent has a statutory duty to provide education services for school age children who have lived in the borough for longer than four weeks. The NHS provides primary care services for free at the point of contact, this includes GP and A&E services. Other NHS services, (secondary, tertiary, and community care) are not free, and since April 2015 non EU migrants who are here for longer than six months are asked to pay a surcharge for NHS services (currently £200 a year).

7.0 Substance misuse services

- 7.1. Some drug and alcohol services collect data based on nationality but the National Drug Treatment Monitoring System (NDTMS) records ethnicity, age, gender, sexual orientation and faith. A breakdown analysis of the cohort excluding the criminal justice service highlighted the following numbers:

- CNWL clinical prescribing and recovery day programme 96 EU nationals
- CRI/CGL outreach and engagement services 15 EU nationals
- Addaction treatment and recovery services 34 EU nationals

7.2. If restrictions were placed on European nationals accessing NHS services, patients engaged in clinical prescribing services, provided by CNWL, would be most at risk. If their treatment was restricted it could potentially expose these service users at risk.

7.3. The EXIT project is a borough wide service which provides advice and support around substance misuse issues. Most of the clients seen by the EXIT project at CRI/CGL are British or are here legally (or otherwise) and tend to be engaged in on street sex working and Class A drug users. Contrary to popular belief in some sections of the media, sex workers from the EU and predominately Eastern Europe tend to be employed and engaged in off street sex working in saunas / brothels and generally do not present to services with substance misuse related problems but have requested access to sexual health and contraceptive services which are highly confidential. If access to sexual health services is restricted then this could mean that some sex workers will no longer be able to access sexual health services which could lead to a rise of undetected sexually transmitted infections.

7.4. Two key themes came out of the discussion with service providers about the possible impact of Brexit on service users in treatment. One was their separation from friends and families, and the negative impact of disruption to clinical treatment interventions, notably secondary prescribing. The second was the impact on the lifestyle changes clients are able to make in treatment in other areas, such as housing, education and employment.

8.0 Hate crime

8.1. Over the last ten years, hate crime in Brent has almost tripled from 221 incidents a month in October 2006 to 649 incidents a month in September 2016. Over 90% of these hate crimes are race and religious hate crime. The increased numbers may partly be due to better data capture and more awareness among residents. Since the Brexit vote, incidents of hate crime have increased, but they have been steadily increasing over the last three years, from a low of 326 in September 2013. In the last year (September 2015-September 2016), 24% of hate crime victims have been white – North European, which includes white British, and white Irish. This is slightly lower than the London average of 27% for the same year. A more in depth analysis of the most recent hate crime data for Brent was performed looking at incidents in 2016 from 01 January to 03 June. During this time period, around one in ten incidents were due to out of borough suspects who were in Brent for football at Wembley.

10.0 Changes in employment law for EU migrants

- 10.1. Since April 2015, the government introduced more stringent rules around EU migrants. These changes affected all the jobseekers, predominantly migrants from EU states who now have to wait three months before they can claim for Jobseekers' Allowance. For non-UK nationals to stay longer than three months, they have to be in work, actively seeking work, or have a genuine chance of being hired. Either that, or they have to prove that they have the resources to sustain themselves without support from the government. However, EU migrants cannot automatically claim benefits after three months. They have to pass a "habitual residence test" under EU law. This covers the individual's status regarding their duration of stay, activity, income if they are students, family status, and housing situation. Even if they pass, they can then only claim Jobseekers' Allowance for six months – after that, only those with a job offer or proof they are likely to find work are allowed to continue claiming.
- 10.2. The majority of clients that Brent Outreach work with don't declare or report cash in hand payments, which puts them at risk of losing their employment rights and if they are non-UK nationals, they will not have recourse to public funds.
- 10.3. Because of these changes and the employment opportunities often pursued by this group of migrants, these clients are often not eligible to access mainstream housing options.

11.0 Employment in Brent

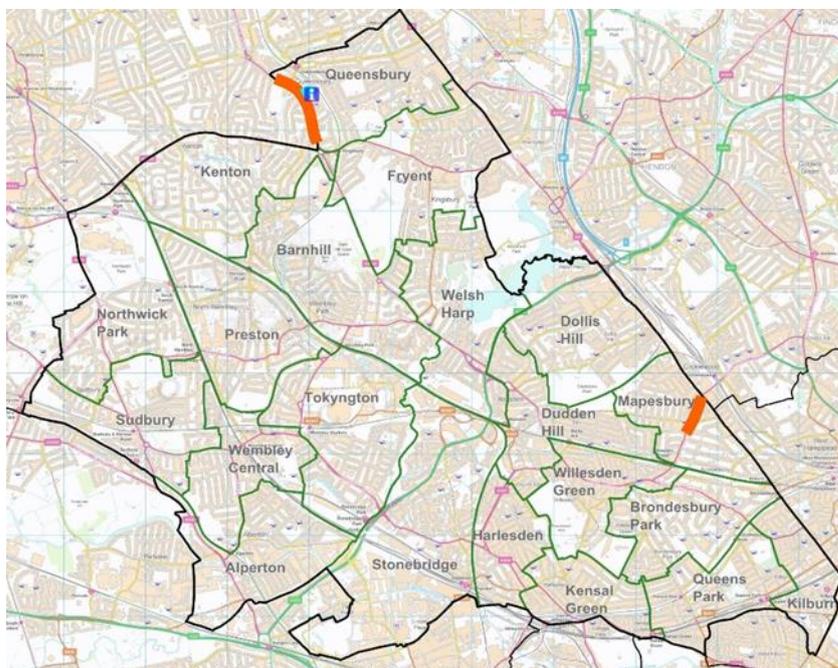
- 11.1. Over the last five years, there have been 73,523 applications for National Insurance numbers from addresses in Brent, by Europeans. This is on average 15,500 a year. In 2011, EU citizens made up 55% of all National Insurance Number applications in Brent. This has increased reaching a high of 85% in 2014, with 20,631 applications, and has since gradually declined to 80% in 2016 (three quarters).
- 11.2. In 2011, there were 35,624¹ adults (aged 16 and over) in Brent with European passports. In the 16 to 49 age group, one in five employed residents held a European passport; this includes those employed full-time, part-time, and self-employed. Of those who were self-employed, one in three held a European passport. These proportions declined in the 50 and over age group, where around one in ten in employment held a European passport. Across both age groups, 1,819 people held European passports and were unemployed. This is 13% of the total unemployed. A higher proportion of European passport holders were economically active with 22% economically inactive compared to 34% overall.
- 11.3. Brent Works is a joint venture between Brent Council, Quintain Estates, and the College of North West London. It helps local residents to secure and sustain employment, created by regeneration projects in the borough. Brent works has

¹ 2011 Census, not including Irish passport holders

had contact with 14 people who speak a European language as their main language, and 17 whose ethnicity is white other. The nationalities of Brent Works European service users are: Spanish, Portuguese, Polish, Hungarian, and Romanian people.

- 11.4. In Brent historically, there has been a market for illicit labour, with groups of workers gathering in certain areas from 6am to be picked up for casual labour. Currently these workers are generally known to be Eastern European men, predominantly from Romania. Regular arrivals of Romanian nationals by coach to Westmoreland Road, close to Honeypot Lane, has contributed to these numbers. The numbers are higher during the week, but still continue through the weekend. During the week, there are about 60 people in Chichele Road in Mapesbury, and up to 110 people in Honeypot Lane in Queensbury on the borough boundary.

Map showing Honeypot Lane and Chichele Road (orange) and Westmoreland Road (blue)



Contains OS data © Crown copyright and database right 2017

- 11.5. The influx of people also seems to have caused an increase in rough sleeping. Brent has seen a significant increase in rough sleepers over the last 18 months in Gladstone Park, Welsh Harp, and Fryent Country Park.

12.0 Rough sleepers

- 12.1. Between Q1 2015/16 and Q2 2016/17 (six quarters) the number of rough sleepers has quadrupled, from 27 to 106. The proportion of rough sleepers who are European fluctuates between 52% and 71%. European rough sleepers have increased from 14 to 74 over the same time period. The numbers of rough sleepers have quadrupled during this time, with the most notable increase in the numbers of Romanian rough sleepers which grew from two in quarter one 2015-16 to 41 in quarter two 2016-17.

12.2. It is important to note, however, that this represents a small proportion of the European population who live in Brent and contribute to the socio-economic development and cultural wealth of the borough.

13.0 Brent's workforce

13.1. Brent Council does not collect nationality data of its employees so white Other is used as a proxy. Of the current 2,200 direct Council employees 1,315 disclosed their ethnicity. Of those, 134 (10%) are white other employees. The proportion varies by department: from 8% of Community Wellbeing to 13.4% in Children and Young People where employees are known to be from white other backgrounds.

13.2. Information collected about school staff does not include nationality or ethnicity.

13.3. There are two hospitals in Brent, Northwick Park and Central Middlesex Hospital. In the NHS in North West London, 7% of all staff are European. This ranges from less than 1% of qualified ambulance staff, to 10% of doctors (including locums). London North West Healthcare NHS Trust comprises of Northwick Park, and Central Middlesex Hospital, as well as two other hospitals outside the borough, have 832 European staff members, of which 119 are doctors, and 341 nurses or health visitors. Central and North West London NHS Foundation Trust currently provide mental health services within the borough. They have 398 European staff members, of which 42 are doctors, and 110 nurses or health visitors. London Ambulance Service provides ambulance services for the whole of London and has 133 European staff members.

13.4. There are approximately 25 EU nationals working across the agencies in the drug and alcohol sector, which equates to just under a third of the workforce. It is difficult to find prescribing nurses, and many prescribing nurses in Brent are European. It would significantly affect the service and its users if these nurses left. A key theme that came out of the discussion with service providers was the impact on commissioned services EU staff who are feeling vulnerable and ways of supporting them.

13.5. The numbers of EU students applying to study in Further and Higher education settings in the UK had fluctuated over the last five years, increasing steadily from 48,240 in 2013, to a high of 59,960 in 2016, and decreasing to 55,240 in 2017. Applications for almost all subjects increased in 2016, and dropped slightly in 2017. Recently the media reported a large drop of EU applications for nursing courses. Between 2013 and 2017 the numbers of EU applicants for nursing courses has declined fairly steadily from 1,680 to 1,100 in 2017, although the decrease between 2016 and 2017 was sharper. The number of applicants for nursing from all backgrounds has dropped, although the decline of EU applicants seems large, they currently make up 2.5% of all applications, compared to 3.1% in 2013.

13.6. The MET police does not publish nationality information about its workforce and although it publishes ethnicity statistics, it does not differentiate white other from white.

- 13.7. In 2011, across the country, 25% EU nationals working in the UK worked in the distribution, hotels, and restaurants industry; and 21% in financial, real estate, professional and administrative activities, closely followed by 17% in the public administration, education, and health industries. The proportion of EU nationals represented in different industries varied by EU member states, 15% of EU accession countries nationals worked in manufacturing, and 10% in construction, whereas citizens of countries that were EU Members since 2001 were not much represented in either of these industries.

14.0 Financial Implications

- 14.1. The financial implications following the results of the referendum to leave the European Union are far reaching as this report highlights. It is not possible at this time to quantify the possible implications of the referendum.

15.0 Legal Implications

- 15.1. The impact of Brexit on Europeans living in Brent and on the services used by them depends on the UK's future relationship with the EU. This could mean any future equality and human rights protections from the EU are not binding in UK law. This will depend upon the manner in which the UK continues to trade with the EU. Existing models for trade agreements with the EU require an EU trading partner to comply with EU law (in the areas covered by the trade agreement). Therefore, leaving the EU, and conducting trade through a new trading agreement, would not necessarily result in lower protections in human rights and equality under UK law for Europeans living in Brent.
- 15.2. As there is little clarity about the impact on UK legislation. This in turn creates uncertainty of the impact of Brexit for Europeans living in Brent and on services accessed by them.

Free movement of workers

- 15.3. The free movement of workers is a fundamental principle enshrined in Article 45 of the Treaty on the Functioning of the European Union (TFEU). The UK Government has not been clear to date on what this means for EU nationals working in the UK.
- 15.4. With regard to legal protection for workers, existing workers' legal rights, it seems that the Government intends to convert the existing body EU law into British law, including existing workers legal rights rights. This would give businesses and workers maximum certainty as the UK leaves the EU. This means that the same rules and laws will apply to them after Brexit as did before Brexit.

Employment law

- 15.5. Suggested opinion is that the consequences for UK employment law of Brexit are unlikely to be significant in the short term, given the complexities involved and the uncertainty it would bring. It could be argued, therefore, that any changes to employment law are likely to be slow and incremental

Human rights

- 15.6. The Human Rights Act 1998 (HRA), which incorporates the European Convention on Human Rights (ECHR) into UK law will not be directly affected by Brexit.

16.0 Equality Implications

- 16.1. The equalities implications following the results of the referendum to leave the European Union are far reaching as this report highlights. It is not possible at this time to fully identify and assess the equalities implications of the referendum.

- 16.2. All of the EU directives which have progressively extended the protection against discrimination to more groups and in respect of more areas of life are now in the Equality Act 2010. However the 2010 Act goes further than these directives require in that:

- Non-discrimination in employment on grounds of race, sex and disability existed in UK law before the relevant EU directives were made.
- The public sector equality duty (PSED) comes from UK legislation and requires public authorities to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. This duty initially arose from [Macpherson's report](#) (1999) on the death of Stephen Lawrence. This led to the race equality duty in 2000, and has since been extended to all protected characteristics, except marriage and civil partnership.

- 16.3. It is argued by some that the Equality Act goes further than EU law as Non-discrimination in the provision of goods and services in EU law only applies on grounds of race and sex. However, such protections already existed in UK law when they came into force. Also there is no similar provision in EU law for the other protected characteristics (disability, age, sexual orientation, religion or belief), but they are covered in the Equality Act 2010.

- 16.4. As EU equality directives are part of British law, the Equality Act 2010 will remain after Brexit because it is primary legislation unless it is repealed, irrespective of its origin. Some opinions suggest that it seems unlikely that the UK Government would roll back any protections as a result of Brexit, whereas others are concerned that protections could be weakened in future.

17.0 Staffing/Accommodation Implications (if appropriate)

- 17.1. There are no direct staffing/accommodation implications arising for this information paper, other than the ones already highlighted in the main body of the report.

Background Papers

Appendix One: Sources

Contact Officers

Anne Kittappa
Brent Council Wembley, HA9 0FJ
020 8937 6060
Anne.Kittappa@brent.gov.uk

Pascoe Sawyers
Brent Council, Wembley, HA9 0FJ
020 8937 1045
Pascoe.Sawyers@Brent.gov.uk

PETER GADSDON
Director Performance, Policy, and Partnerships

Appendix one: Sources

As well as published sources, a lot of information was gathered from speaking to individual services and looking at the data they collected and their experiences. Information was provided by:

Adult social care
Audit and investigation
Children's centres
Community protection
Early years
Electoral register
Employment, skills and enterprise
Housing needs
Human resources
Public health
Registration and nationality service
Schools census
Translation services
Youth offending

Published sources:

Brent:

[Community directory](#)

[Migrants and refugees JSNA](#)

ONS:

[2011 Census](#)

[Annual population survey](#)

[Birth statistics](#)

Other:

[DWP: National insurance number registrations](#)

[Mayor's Office for Policing and Crime \(MOPAC\): Hate crime dashboard](#)

[NHS Digital: Nationality of workforce](#)

[www.gov.uk](#)

[UCAS](#)

 Brent	<p style="text-align: center;">Equalities Committee 20 February 2017</p> <p style="text-align: center;">Report from the Director of Human Resources and Organisational Development</p>
For Information	Wards affected: ALL
Report title: Council's Equality Analysis process	

1.0 Summary

- 1.1 The report outlines the Council's Equality Analysis (also known as Equality Impact Assessment) process of assessing the potential / likely impacts of proposed changes on service users with protected characteristics. The Equality Analysis (EA) process aims to ensure that the Council's decision-making is evidence-based and robust.
- 1.2 The organisation has a similar internal EA process for restructures which is outside the scope of this report.

2.0 Recommendation(s)

- 2.1 The Equalities Committee to note the contents of this report.

3.0 Detail

Background

- 3.1 EAs have been core to policy design, service development and decision making at Brent for over ten years. The council's approach to equality analysis is an essential tool helping officers and Members to give thoughtful consideration to how our work could affect people with protected characteristics and whether our policies and practices are fair.
- 3.2 EAs are the most effective way to ensure the council is having due regard to its Public Sector Equality Duty. Occasionally, service users or organisations representing a group of service users will ask a court for a Judicial Review. This will usually be because they believe a proposed change will have a disproportionate and negative impact on a group with a protected characteristic and that this impact hasn't been sufficiently considered or addressed. An EA is a key part of the Council's due diligence process ensuring that such factors have been taken into account and that there are appropriate actions to mitigate impacts where required.

- 3.3 In early 2015 the Council, in partnership with Marshall ACM, developed and launched an online Equality Analysis (EA) process to analyse the impact of decisions on service users with protected characteristics. The online process also incorporated a screening tool to help officers determine whether a full EA is required and that the level of analysis is proportionate to the relevance to equality. The EA template is available in **Appendix 1**.
- 3.4 The launch of the online EA system has been supported by a structured communications and face-to-face training programme. The Equality team also introduced a mandatory e-learning module for all officers carrying out equality analyses and senior officers who are signing them off. Staff cannot access the online EA system until they have completed this training.
- 3.5 In order to further strengthen the EA approach, equality considerations were incorporated in all business processes, including service planning, financial decision-making and procurement.
- 3.6 In addition, a section on Equality & Diversity (E&D) implications was incorporated in the Council/Cabinet/Committee report templates. The Guidance on Decision-making, report writing and scrutiny arrangements was also updated to ensure that report writers and decision-makers are aware of and consider the relevant E&D implications accordingly.

Outline of the Council's EA process

- 3.7 The online EA system is considered to be a low-cost and effective solution for mainstreaming the EA process and reminding officers to complete EAs in a timely manner. EA writers can access guidance at each step of the process, draw on statistics and information in the portal's resource library and see examples of good analyses to assist them in producing their EAs.
- 3.8 The Equality team provides ongoing one-to-one support and tailored EA training for services, as well as regular EA drop in sessions.
- 3.9 The current EA process involves the following steps and stakeholders:

Screening stage:

- 3.10 The service proposing the decision / service change has to complete a screening EA template at the beginning of the decision-making process.
- 3.11 If the conclusion of the screening is that a full EA is not required, then the relevant Director must sign off the screening template, a record of which is kept for monitoring purposes.
- 3.12 If after the screening for relevance, the EA writer is still unsure whether or not a full EA is required, they can contact the Equality team for advice.
- 3.13 If the conclusion of the screening is that a full EA is required, then the service must complete the full EA.

Full analysis:

- 3.14 The service proceeds to stage two of the process. The service's interaction with the Equality team will depend on the level of support required.
- 3.15 The completed draft full EA is sent to the Equality team for final review and comments.
- 3.16 The final EA is signed off by the relevant Director and a copy of it is kept for monitoring purposes. The service is also required to publish the EA.
- 3.17 If the proposal is required to go to CMT, Cabinet or another decision making body, a copy of the EA is attached to help inform the final decision.

Action planning, monitoring and review:

- 3.18 The EA is a live document and therefore should be updated when the decision/policy is changed or reviewed.
- 3.19 The service must ensure that the agreed actions as part of the EA are implemented accordingly.

Streamlining the process

- 3.20 While the EA process is sufficiently rigorous to support the Council in making evidenced-based decisions, the online EA system is currently underutilised and the feedback from EA users is mixed. Despite the comprehensive face-to-face EA training programme and support infrastructure put in place, some EA writers and approvers feel that system is not very intuitive and user-friendly.
- 3.21 Where required, the Equality team provides EA users with a WORD copy of the EA template and when it does so, receives consistent feedback that EA users prefer the offline approach.
- 3.22 One of the key advantages of having an online EA process is the reporting and monitoring function of the system. Unfortunately, this function is very limited so the Equality team still conducts manual recording and monitoring by interrogating individual EAs.
- 3.23 These aspects need to be reviewed to assess what further actions might be required to streamline the process and form part of the annual review of the contract with the EA system provider.

4.0 Financial Implications

- 4.1 The council has a rolling contract with Marshall ACM which is renewed on an annual basis (in May each year). The annual maintenance cost of the EA online system, including the e-learning module is £1,000 excluding VAT.

5.0 Legal Implications

- 5.1 While EAs are not a statutory requirement, a robust EA process is the most effective mechanism through which the Council can evidence that it adheres to its statutory obligations under s149 of the Equality Act 2010 (EA10), and enables the Council to sufficiently demonstrate 'due regard' to the Public Sector Equality Duty (PSED).

6.0 Diversity Implications

- 6.1 A robust equality analysis process does not only ensure that the Council can demonstrate compliance with the EA10 and the PSED, but also helps decision-makers to minimise any potential/likely negative impact and optimise positive equality outcomes for protected equality groups.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 There are no staffing/accommodation implications directly arising from this report.

Background Papers

Appendix 1 – Equality Analysis template

Contact Officers

David Veal
Director of Human Resources and Organisational Development
david.veale@brent.gov.uk

Andreyana Ivanova
Head of Equality
andreyana.ivanova@brent.gov.uk

Appendix 1 – Equality Analysis template

Equality Analysis: *title of proposal/policy/decision in scope*

Department	Person Responsible
Created	Last Review
Status	Next Review

STAGE 1: SCREENING

1. What are the objectives and expected outcomes of your proposal? Why is it needed? Make sure you highlight any proposed changes.

2. Who is affected by the proposal? Consider residents, staff and external stakeholders.

3.1 Could the proposal impact on people in different ways because of their equality characteristics?

3.2 Could the proposal have a disproportionate impact on some equality groups?

If you answered 'Yes' please indicate which equality characteristic(s) are impacted

3.3 Would the proposal change or remove services used by vulnerable groups of people?

3.4 Does the proposal relate to an area with known inequalities?

3.5 Is the proposal likely to be sensitive or important for some people because of their equality characteristics?

3.6 Does the proposal relate to one of Brent's equality objectives?

Recommend this EA for Full Analysis?

Yes/No

4. If answered yes, use the comments box below to give brief details of what further information you will need to complete a Full Equality Analysis.

What information will give you a full picture of how well the proposal will work for different groups of people? How will you gather this information? Consider engagement initiatives, research and equality monitoring data.

STAGE 2: FULL ANALYSIS

5. What effects could your policy have on different equality groups and on cohesion and good relations?

5.1 Age (*select all that apply*)

- Positive
- Neutral
- Negative

Please give details:

5.2 Disability (*select all that apply*)

- Positive
- Neutral
- Negative

Please give details:

5.3 Gender Identity (*select all that apply*)

- Positive
- Neutral
- Negative

Please give details:

5.4 Marriage and civil partnership (*select all that apply*)

- Positive
- Neutral
- Negative

Please give details:

5.5 Pregnancy and maternity (*select all that apply*)

- Positive
- Neutral
- Negative

Please give details:

5.5 Race (select all that apply)

- Positive
- Neutral
- Negative

Please give details:

5.7 Religion or belief (select all that apply)

- Positive
- Neutral
- Negative

Please give details:

5.8 Sex (select all that apply)

- Positive
- Neutral
- Negative

Please give details:

5.9 Sexual orientation (select all that apply)

- Positive
- Neutral
- Negative

Please give details:

5.10 Other (please specify) (select all that apply)

- Positive
- Neutral
- Negative

Please give details:

6. Could any of the impacts you have identified be unlawful under the Equality Act 2010? Prohibited acts include direct and indirect discrimination, harassment, victimisation and failure to make a reasonable adjustment.

- Yes
- No

7. Please provide a brief summary of any research or engagement initiatives that have been carried out to formulate your proposal.

7.1 What did you find out from consultation or data analysis?

7.2 Were the participants in any engagement initiatives representative of the people who will be affected by your proposal?

7.3 How did your findings and the wider evidence base inform the proposal?

STAGE 3: ACTION PLANNING

At this stage you need to think about how to remove or reduce all the negative impacts that you have identified and how to maximise any opportunities to promote equality. This might mean making changes to your proposal or to the way that it is implemented.

8. What actions will you take to enhance the potential positive impacts that you have identified?

9. What actions will you take to remove or reduce the potential negative impacts that you have identified?

10. Please explain how any remaining negative impacts can be justified?



2016/17 Equality Strategy Action Plan

Ref EO	Equality objective	Corporate plan	Action	Outcome	Action Owner	Due Date	Progress Commentary / Detail	RAG
EO1	To know and understand all of our communities	Better ways of working	Work with departments to identify and assess equalities implications and cumulative impact from budget proposals	Council's budget setting process is evidence based and informed by equality considerations	Andreyana Ivanova	Sep-16	The Equality team has been working with individual services to assess the equality implications from their saving proposals. The final proposals, informed by the consultation and EA findings were submitted to the February Cabinet and will also be included in the February Full Council budget report.	GREEN
EO2	To involve our communities effectively as part of our 'Breaking Barriers, Opening Doors' programme	Better lives	Host a job fair for disabled people, including young people and adults with mental health and/or learning disabilities	The Council's workforce is representative of the local community at all levels, particularly at senior management levels Increased employment rates of disabled residents	Andreyana Ivanova	Dec-16	The job fair was delivered as part of the annual International Day of People with Disabilities event on 1 December 2016. There was also a Disability Confident Employer Information briefing session for employers on 23 November that was co-delivered in partnership with the Department for Work and Pensions.	GREEN
EO2	To involve our communities effectively as part of our 'Breaking Barriers, Opening Doors' programme	Better lives	Launch a work placements scheme for local people with mental health, learning and/or other types of disabilities	The Council's workforce is representative of the local community at all levels, particularly at senior management levels Increased employment rates of disabled residents	Andreyana Ivanova	Aug-16	The scheme was launched in August and the first cohort of candidates completed their work placements by mid-December 2016. In total, ten people benefitted from the scheme. 60 per cent of those who completed their three-month work placement secured another employment opportunity as a result of their placement. The scheme is ongoing and we are currently trying to secure more placements across the Council.	GREEN
EO2	To involve our communities effectively as part of our 'Breaking Barriers, Opening Doors' programme	Better lives	Set up a Task and Finish group represented by the relevant services to look at the socio-economic barriers and inequalities experienced by newly emerging Eastern European communities and identify recommendations to address these, in partnership with local community organisations	Emerging Eastern European communities have access to Council's services and information about services	Andreyana Ivanova Genevieve George	Jul-16	The work and recommendations of the cross-Council Task and Finish group were presented to the Equalities Committee in December 2016. The Committee will receive a progress report in the summer, as agreed at the last meeting.	GREEN
EO3	To demonstrate leadership in equalities and human rights, both within the council and among partners	Better place	Submit an application to improve Brent's position on the Stonewall Workplace Equality Index Apply for the new Disability Confidence accreditation scheme (replacing the Two Ticks scheme) when it is launched by DWP	The Council is an exemplar of good practice on equality, diversity and human rights	Andreyana Ivanova	Mar-17	In April 2016 the Council achieved the 'Excellent' level in the Equality Framework for Local Government, the highest public sector E&D award. In later 2016 the Council applied for the DWP Disability Confident scheme and was accredited with the Disability Employer status. In January 2017 the Council was ranked among the top 200 LGBT-Inclusive employers by the 2017 Stonewall Workplace Equality Index. This represents almost a hundred points improvement since last year.	GREEN
EO4	To ensure that local public services are responsive to different needs and treat users with dignity and respect	Better lives	Establish a cross-Council group to explore ways to address disproportionate levels of overcrowding affecting ethnic minority groups living in Brent such as Somali, Bangladeshi, Black African and White Other groups	Reduction in the disproportionate levels of overcrowding affecting BAME and White Other groups	Andreyana Ivanova Tony Hirsch	Oct-16	The work and recommendations of the cross-Council Task and Finish group were presented to the Equalities Committee in December 2016. The recommendations will feed into the wider Housing Strategy review, as endorsed by the Committee.	GREEN
EO5	To develop and sustain a skilled and committed workforce able to meet the needs of all local people	Better locally	Carry out cross-network staff focus / working groups to further explore the emerging themes identified by disabled employees, carers and long-serving employees in the Your Voice staff survey	The Council has a good understanding of its workforce and their needs	David Veale Andreyana Ivanova	Nov-16	The Council held four employee workshops to further explore the findings from the YourVoice survey. The HR team is currently compiling a 'You said, we did' document that will be shared with participants and the wider workforce. The useful suggestions will be incorporated in the 2017/18 HR service plan.	GREEN
EO5	To develop and sustain a skilled and committed workforce able to meet the needs of all local people	Better locally	Introduce an SO2 and below staff cohort in the Aspire II Leadership and Development programme	The Council's workforce is representative of the local community at all levels, particularly at senior management levels	David Veale Andreyana Ivanova	Jan-17	Work has already started and a progress update will be provided at the next meeting.	GREEN
EO5	To develop and sustain a skilled and committed workforce able to meet the needs of all local people	Better locally	Review the Council's take up of the MyMentor programme	The Council has embedded a coaching culture	David Veale Andreyana Ivanova	Mar-17	The analysis of the staff take-up and evaluation of the scheme has been completed and the MyMentor scheme will be relaunched at the Staff Well Fair day on 21 February. The HR pages and resources have been revamped, which will enable employees to easily access useful information on mentoring, training and development opportunities. The new pages will also be launched at the staff event.	GREEN

This page is intentionally left blank

Appendix 1

 Brent	<p style="text-align: center;">Equalities Committee 6 December 2016</p> <p style="text-align: center;">Report from the Director of Human Resources and Organisational Development</p>
Wards affected: ALL	
2015-16 Gender Pay Gap Audit	

1.0 Summary

- 1.1 The Equality Act 2010 incorporates a power to introduce regulations requiring employers with at least 250 employees to publish information for the purpose of showing whether there is a difference in pay between male and female employees. Section 78 of the Act was not implemented at the time. Instead, since 2011, the government has encouraged businesses to report this information voluntarily.
- 1.2 The government recently consulted on introducing mandatory Gender Pay Gap reporting regulations under Section 78. Subject to the consultation findings and the approval of Parliament, the regulations will come into force on the earliest relevant common commencement date, although employers will not be expected to publish the required information immediately.
- 1.3 Currently there is no legal requirement to report on this information but the Council has been carrying out annual Gender Pay Gap audits over the past couple of years. This report outlines the key findings from the 2015-16 Gender Pay Gap audit.

2.0 Recommendations

- 2.1 The Equalities Committee is asked to note and comment on the findings and proposals outlined in the report.

3.0 Detail

Scope

- 3.1** The Gender Pay Gap audit is only concerned with equal pay for equal work. It does not directly address other aspects of employment equality, such as issues around the representation of women at different levels of the workforce, which are addressed through [Brent Council's Annual Workforce Equalities Report](#).
- 3.2** This report looks at gender pay differences within Brent Council's non-schools workforce. The main focus is on systemic pay inequalities between men and women rather than pay differences between individuals. Pay grade is used as an indicator of work of equal value, as determined by the Greater London Provincial Council (GLPC) or HAY job evaluation scheme
- 3.3** The 2015-16 Gender Pay Gap report looks at gender pay differences for all 2062 Brent Council employees. It is based on the following primary data taken from the HR database on 31 March 2016:
- the number of men and women in each pay grade
 - the median average basic pay for men and women in each pay grade
 - the gender pay gap for all employees and for full-time and part-time employees
 - the gender pay gap within each pay grade for all employees and for full-time and part-time employees
 - the average length of service broken down by gender within each pay grade.

Defining pay gaps

- 3.4** A gender pay gap of less than +/- five percent is considered to be acceptable as defined by the Equality and Human Rights Commission's Equal Pay Toolkit (reflecting the level of variation and statistical error). All gender pay gaps of three percent or more are subject to further analysis to identify the main causes and contributory factors of any pay differences.
- 3.5** A positive pay gap indicates that men are paid more, a negative pay gap indicates that women are paid more.

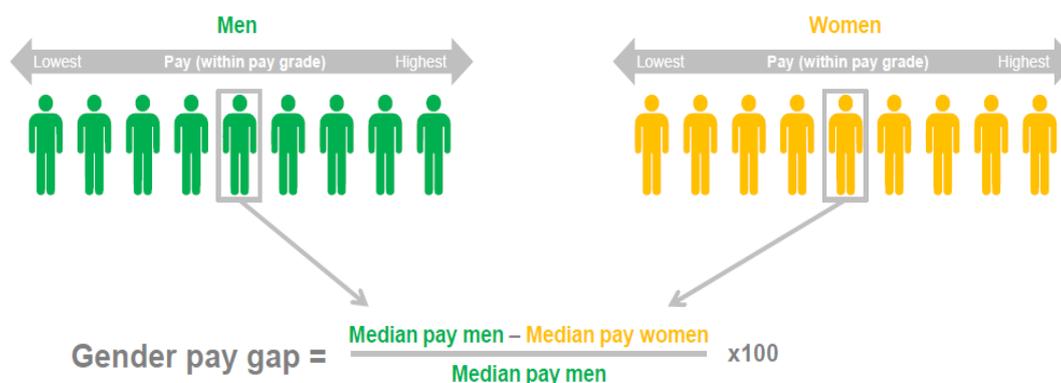


Analysing pay gaps

- 3.6** Significant pay gaps can often be explained by length of service, market factors, pay protection and/or progression.
- 3.7** Large pay gaps identified within small groups of employees must be interpreted with caution because adding or removing one individual can significantly change the pay gap.

Methodology

- 3.8 Currently there is no clearly outlined methodology of how we should report on gender pay gaps, beyond the application of median average as the recommended method of finding the gender pay gap.
- 3.9 To determine if there is a gender pay gap, a comparison is made between the median average basic annual pay (pro rata) of men and women.
- 3.10 The **median** is the numerical value which splits the top 50 per cent of the population from the bottom 50 per cent. It shows the midpoint in all employees' basic annual earnings of pay so half of employees will earn a rate above the midpoint and half will earn a rate below the midpoint.
- 3.11 The **overall gender pay gap** is defined as the difference between the median basic annual earnings of men and women expressed as a percentage of the median basic annual earnings of men.



Calculating the overall gender pay gap for 2015-16

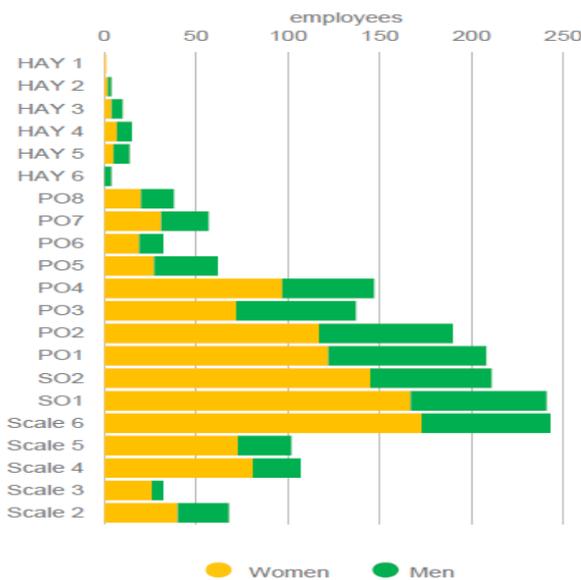
- 3.12 The overall gender pay gap is a high-level unweighted indicator of women's and men's relative earning power and is significantly higher than the in-grade pay gaps because of the occupational segregation and the fact that women are disproportionately represented in lower paid jobs.
- 3.13 The 2015-16 Gender Pay Gap audit identified that the Council's overall gender pay gap was 6.8 per cent meaning that on average women in the organisation earned 6.8 per cent less than men. The gender pay gap remained unchanged since 2014-15 when the overall gender pay gap was also 6.8 per cent.
- 3.14 In 2015, the UK's gender pay gap for all employees was 19.2 per cent. This is the official figure used by the Office for National Statistics (ONS), meaning that on average women earned around 19.2 per cent less than men. Based on the ONS Annual Survey of Hours and Earnings (2015), the national public sector gender pay gap is 11.4 per cent.
- 3.15 While Brent Council's gender pay gap is significantly lower than the national and sector specific gender pay gaps, it is a little higher than the Equality and Human Rights Commission Gender Pay Gap indicative figure of +/- five per cent (reflecting the level of variation and statistical error).

3.16 The majority of the Local Authorities have not reported consistently on their overall gender pay gaps and are waiting for Section 78 of the Equality Act 2010 to be enacted. Until then employers who choose to proactively publish their gender pay gap are free to present this data in any form they wish.

Calculating the overall proportional pay gap for 2015-16

3.17 The proportional gender pay gap is where the median of basic pay for men and women has been weighted to account for the different number of male and female employees at different grades. More weight is given to those grades with greater numbers of employees. This methodology was used in the 2014-15 Gender Pay Gap audit and for comparison purposes we have used the same methodology this year.

Table 1 below illustrates the workforce distribution across the grades by gender:



3.18 The proportional pay gap is calculated by combining the **pay gap for each grade**, weighted according to the **proportion of women in the organisation** who work at that grade.

For each grade we calculate the overall proportional pay gap in the following way:

$$\text{Proportional pay gap} = \frac{\text{Women at this grade}}{\text{Women in organisation}} \times \text{pay gap at this grade}$$

Then we add together all proportional pay gaps to find the **overall proportional pay gap**.

3.19 We use this method of calculating the proportional pay gap because, as illustrated above, the number of employees at different grades varies and therefore more weight is given to those with greater numbers of employees.

3.20 When the weighting is applied, the overall proportional gender pay gap is **-0.42** per cent, which means the median pay for women is slightly higher than the median for men. This falls well within the range of acceptability as defined by the Equality and Human Rights Commission. In comparison, the 2014-15 Gender Pay Gap audit identified a pay gap of 0.08 percent following the same methodology.

Limitations of the single figure pay gap reporting

3.21 The single figure pay gap is the difference between the remuneration of men and women across a whole organisation and allows a comparison between different employers. However, as a standalone figure it does not provide sufficient insight into the underlying causes of the gender pay gap. Employers are therefore encouraged to use a range of methodologies to calculate the gender pay gap – it can be shown in different ways, and each version tells us something different about the reasons for the overall gender gap in an organisation.

3.22 Even though it is the simplest figure to calculate, it is not sufficiently informative when used in isolation from other information and data:

- It makes it harder for employers to expose where pay inequalities lie, put the data into context and communicate a relevant narrative;
- It oversimplifies gender inequality within organisations, since it combines multiple causal factors, which are individually complex;
- It can fluctuate more sharply, for example as a result of big restructures or significant changes in service delivery.

3.23 A more granular pay gap figure for each pay grade is therefore essential to drive actions that tackle disparity in remuneration. This enables employers to identify gaps between women and men doing work at the same level in an organisational hierarchy, thereby mitigating the risk of any potential unlawful pay inequality.

3.24 Pay grade gaps tend to be smaller than the overall pay gap, because the effects of vertical occupational segregation – that is, women and men concentrated at different ends of the hierarchy – are removed. This enables employers to build a more sophisticated narrative about the gender pay gap and focus their efforts on structural changes.

In-grade pay gaps

3.25 A comparison of pay between men and women within GLPC pay grades (where equal value has been established through the GLPC job evaluation scheme) shows that in-grade gender pay differences are rare and fall within a range of acceptability.

3.26 A comparison of pay between men and women within HAY pay grades shows that in-grade gender pay differences occur more frequently, but these can partly be attributed to differences in average length of service for men and women within the pay grade. Large pay gaps at higher grades are also significantly affected by the small numbers of individuals at those grades.

3.27 There is no gender pay gap within 15 of 21 pay grades. Where pay gaps do occur, these are analysed in the body of the report and are mostly likely to occur due to discrepancies in length of service.

Table 2 is a snapshot of the in-grade pay gaps for 2015-16 and 2014-15:

Grade	Women		Men		Gap (£)	Gap (%)	2014-15 Gap (%)	Proportion of organisation's women at grade	Proportional pay gap	2014-15 Proportional pay gap
	Count	Salary	Count	Salary						
HAY 1	1	£193,071	-	-	-	-	-	0.1%	0.00%	-
HAY 2	2	£146,485	2	£146,485	£0	0%	-	0.2%	0.00%	-
HAY 3	4	£108,456	6	£117,956	£9,500	8%	0%	0.3%	0.03%	0.00
HAY 4	7	£76,702	8	£80,884	£4,182	5%	10%	0.6%	0.03%	0.03
HAY 5	5	£69,310	9	£69,310	£0	0%	-4%	0.4%	0.00%	-0.03
HAY 6	-	-	4	£59,131	-	-	4%	0.0%	0.00%	0.01
PO8	20	£54,893	18	£55,383	£490	1%	3%	1.6%	0.01%	0.03
PO7	31	£50,451	26	£50,451	£0	0%	0%	2.5%	0.00%	0.00
PO6	19	£48,477	13	£48,477	£0	0%	2%	1.5%	0.00%	0.05
PO5	27	£44,766	35	£45,690	£924	2%	0%	2.2%	0.04%	0.00
PO4	97	£42,951	50	£42,951	£0	0%	0%	7.9%	0.00%	0.00
PO3	72	£39,297	65	£39,297	£0	0%	0%	5.9%	0.00%	0.00
PO2	117	£36,558	73	£36,558	£0	0%	0%	9.5%	0.00%	0.00
PO1	122	£33,660	86	£33,660	£0	0%	0%	9.9%	0.00%	0.00
SO2	145	£31,368	66	£31,368	£0	0%	0%	11.8%	0.00%	0.00
SO1	167	£28,935	74	£28,935	£0	0%	0%	13.6%	0.00%	0.00
Scale 6	173	£26,277	70	£26,277	£0	0%	0%	14.1%	0.00%	0.00
Scale 5	73	£23,334	29	£22,659	£675	-3%	0%	5.9%	-0.18%	0.00
Scale 4	81	£21,552	26	£21,552	£0	0%	0%	6.6%	0.00%	0.00
Scale 3	26	£19,182	6	£19,182	£0	0%	0%	2.1%	0.00%	0.00
Scale 2	40	£17,748	28	£16,000	£1,748	-11%	0%	3.3%	-0.36%	0.00

This year
Last year
overall pay gap = **-0.42%** **0.08%**

3.28 There are six grades at which pay gaps (positive or negative) occur, as follows:

- **Scales 2 and 5** – negative pay gaps (-11 per cent and -3 per cent, respectively), i.e. women earn more than men.
- **PO5 and PO8** – positive pay gaps (2 per cent and 1 per cent, respectively), i.e. men earn more than women.
- **HAY 4 and HAY 3** – positive pay gaps (5 per cent and 8 per cent, respectively), i.e. men earn more than women.

Table 3 provides detailed breakdowns of the in-grade pay gaps:

Grade	Women		Men		Gap (£)	Gap (%)
	Count	Salary	Count	Salary		
HAY 1	1	£193,071	-	-	-	-
HAY 2	2	£146,485	2	£146,485	£0	0%
HAY 3	4	£108,456	6	£117,956	£9,500	8%
HAY 4	7	£76,702	8	£80,884	£4,182	5%
HAY 5	5	£69,310	9	£69,310	£0	0%
HAY 6	-	-	4	£59,131	-	-
PO8	20	£54,893	18	£55,383	£490	1%
PO7	31	£50,451	26	£50,451	£0	0%
PO6	19	£48,477	13	£48,477	£0	0%
PO5	27	£44,766	35	£45,690	£924	2%
PO4	97	£42,951	50	£42,951	£0	0%
PO3	72	£39,297	65	£39,297	£0	0%
PO2	117	£36,558	73	£36,558	£0	0%
PO1	122	£33,660	86	£33,660	£0	0%
SO2	145	£31,368	66	£31,368	£0	0%
SO1	167	£28,935	74	£28,935	£0	0%
Scale 6	173	£26,277	70	£26,277	£0	0%
Scale 5	73	£23,334	29	£22,659	£675	-3%
Scale 4	81	£21,552	26	£21,552	£0	0%
Scale 3	26	£19,182	6	£19,182	£0	0%
Scale 2	40	£17,748	28	£16,000	£1,748	-11%

Significant gaps at Hay 3 and Hay 4

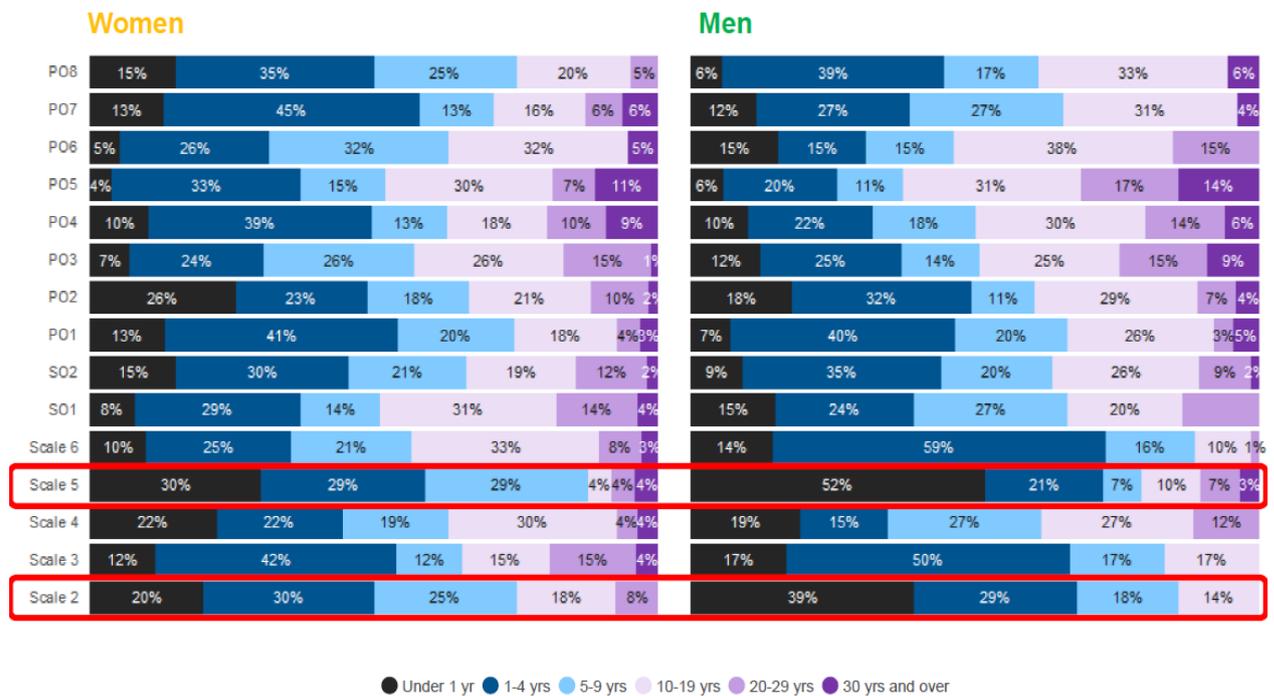
Small gaps at PO5 and PO8

Negative pay gaps (women paid more than men) at Scales 2 and 5

Analysis of in-grade pay gaps

3.29 Some of the identified pay gaps can partly be attributed to the length of service, as seen in the below table.

Table 4 illustrates the length of service by grade by gender:



Scales 2 and 5

3.30 Looking at the patterns of length of service across the different grades, it is apparent that this may be what is influencing the pay gaps at **Scales 2 and 5** where:

- There are high proportions of men who have worked at Brent for less than a year and are therefore likely to be paid at the bottom of the scale, i.e. on lower pay than their longer-serving colleagues
- It is also notable that Scale 2 has a high proportion of women who have worked at Brent for many years and are therefore likely to be paid at the top of the scale.

Grades PO5 and PO8

3.31 In terms of the small pay gaps of less than three percent at **PO5 and PO8** grades (1 per cent and 2 per cent, respectively):

- There are high proportions of men who have worked at Brent for many years and are therefore likely to be paid at the top of the scale.
- It should also be noted that the staff numbers in these grades are quite small (62 and 38) so these pay differences should be interpreted with caution.

HAY Grades

3.32 The overall pay gap just for the HAY grades, calculated using the methodology outlined earlier in this report is **0.06 per cent** (same as last year).

Table 5 shows the gender pay gaps in HAY grades:

Grade	Women	Salary	Men	Salary	Gap (£)	Gap (%)
HAY 1	1	£193,071			N/A	N/A
HAY 2	2	£146,485	2	£146,485	£0	0%
HAY 3	4	£108,456	6	£117,956	£9,500	8%
HAY 4	7	£76,702	8	£80,884	£4,182	5%
HAY 5	5	£69,310	9	£69,310	£0	0%
HAY 6			4	£59,131	N/A	N/A

} Gaps at Hay 3 and Hay 4

Note: Comparison is not possible at grades where all individuals are of the same gender (i.e. HAY 1 and HAY 6).

3.33 There are significant pay gaps at **HAY 4 and HAY 3** (as defined by the EHRC Equal Pay guidance), but these should be treated with caution because of the small numbers of people at these grades. If we experimentally remove one man from HAY 3, for example, this will change the pay gap to 2 per cent.

Full time / part-time status and gender

3.34 When carrying out the audit, we also looked at full-time and part-time status as we are aware that women are more likely to work part-time than men. Currently, 241 women work part-time compared to 45 men.

3.35 As see below, the **overall gender pay gaps for full-time and part-time employees**, calculated using the same methodology outlined in this report, are **not significant**.

full-time gender pay gap = +0.35%

part-time gender pay gap = -0.33%

3.36 When part-time and full-time workers are separated, however, gender pay gaps are apparent at more grades. None of these represent a significant gap but it is notable that positive gaps (men paid more than women) occur within PO grades while negative gaps (women paid more than men) all occur within lower grades.

Table 6 illustrates the full-time and part-time gender pay gaps by grade:

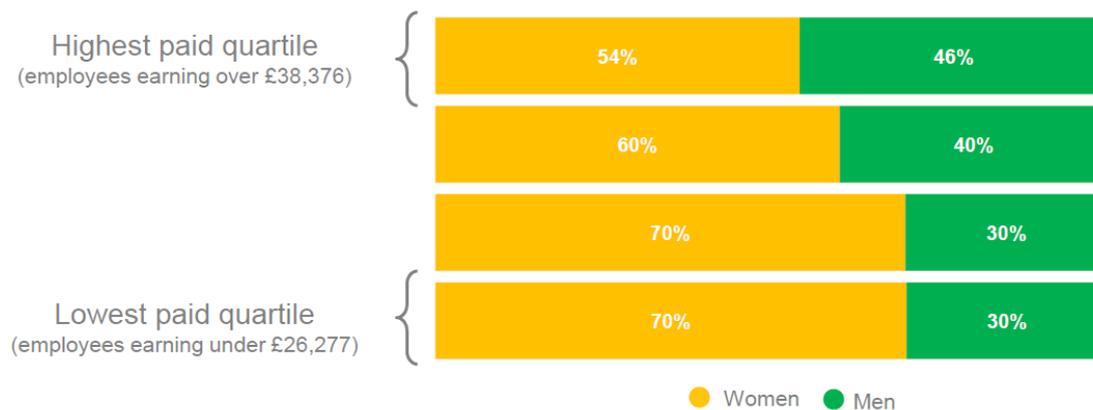
Grade	Female count	Female salary	Male count	Male salary	Gap (£)	Gap (%)	Grade	Female count	Female salary	Male count	Male salary	Gap (£)	Gap (%)
PO8	17	£54,402	18	£55,383	£981	+2%	PO8	3	£55,383			N/A	N/A
PO7	29	£50,451	26	£50,451	£0	0%	PO7	2	£51,441			N/A	N/A
PO6	19	£48,477	13	£48,477	£0	0%	PO6					N/A	N/A
PO5	23	£44,766	35	£45,690	£924	+2%	PO5	4	£45,228			N/A	N/A
PO4	88	£42,951	45	£42,951	£0	0%	PO4	9	£42,030	5	£42,030	£0	0%
PO3	63	£39,297	63	£39,297	£0	0%	PO3	9	£39,297	2	£39,297	£0	0%
PO2	103	£35,655	71	£36,558	£903	+2%	PO2	14	£36,558	2	£36,558	£0	0%
PO1	106	£32,784	84	£33,660	£876	+3%	PO1	16	£33,660	2	£33,660	£0	0%
SO2	127	£31,368	65	£31,368	£0	0%	SO2	18	£31,368	1	£31,368	£0	0%
SO1	136	£28,935	71	£28,935	£0	0%	SO1	31	£28,935	3	£28,935	£0	0%
Scale 6	136	£26,277	65	£26,277	£0	0%	Scale 6	37	£26,277	5	£26,277	£0	0%
Scale 5	49	£23,334	26	£22,361	£973	-4%	Scale 5	24	£24,027	3	£23,252	£775	-3%
Scale 4	42	£21,552	18	£21,204	£348	-2%	Scale 4	39	£21,552	8	£21,552	£0	0%
Scale 3	16	£18,983	2	£19,182	£199	1%	Scale 3	10	£19,182	4	£19,182	£0	0%
Scale 2	15	£16,000	18	£16,000	£0	0%	Scale 2	25	£17,748	10	£17,748	£0	0%

*Not enough data for comparison at HAY Grades

Pay quartiles and gender

3.37 We also looked at pay gaps using quartiles as gender quartiles are likely to be introduced in the new regulations. Each employee's salary was listed from lowest to highest, then divided into four equal groups.

3.38 The figure below illustrates how Brent's workforce is distributed across the four pay quartiles, by gender:



3.39 The above illustration suggests that while the Council pays people equally for equal work, there are still issues with the lower paid end of our workforce being disproportionately comprised of women.

4.0 Conclusion

4.1 Brent Council's overall gender pay gap of 6.8 per cent is significantly lower than the national gender pay gap of 19.2 per cent and sector specific gender pay gap of 11.4 per cent. However, the Council's overall gender pay gap is a little higher than the Equality and Human Rights Commission Gender Pay Gap indicative figure of +/- five per cent (reflecting the level of variation and statistical error). When looking at the pay gap between men and women at each grade, however, the proportional gender pay gap decreases to -0.42 per cent.

4.2 Overall, the findings of the 2015-16 Gender Pay Gap audit are fairly positive, bearing in mind the significant transformation changes that have taken place over the past couple of years, and suggest that the Council's pay policies and procedures are effective in ensuring that men and women receive equal pay for equal work.

4.3 While job evaluation schemes, if applied inconsistently can be a factor contributing to the gender pay gap, the Council has been applying the GLPC and Hay schemes consistently to ensure that women and men receive equal pay for equal work. Where in-grade pay differences occur, these are often attributed to the length of service and/or due to the small staff numbers in those grades.

4.4 The analysis also illustrates, however, that the main contributors for the overall gender pay gap are occupational segregation and the disproportionate over-representation of women at the lower paid quartiles. While these trends cannot be changed overnight, the following proposals are put forward to help reduce the overall gender pay gap:

- Hold a Task and Finish working group to explore the root causes contributing to the gender pay gap and actions required to reduce the gap
- Implement consistent monitoring of internal promotions and progressions by gender
- Implement consistent monitoring of new joiners' start salary for grades PO5 and above by gender
- Better utilise the existing / new staff development and talent management opportunities (e.g. through Aspire, appraisals and apprenticeships) to make structural changes and reduce pay gaps at PO5 and above
- Continue monitoring the impact of restructures on staff with protected characteristics such as gender
- Continue to conduct comprehensive annual audits as part of the Council's ongoing commitment to data transparency.

4.5 The above listed proposals may also be applied to other protected characteristics such as age, disability and ethnicity.

5.0 Financial Implications

5.1 There are no financial implications arising from this report.

6.0 Legal Implications

6.1 There are no legal implications arising from this report, other than those already mentioned in the body of the report.

7.0 Diversity Implications

7.1 There are no diversity implications arising from this report, other than those already mentioned in the body of the report.

8.0 Staffing Implications

8.1 There are no staffing implications arising from this report, other than those already mentioned in the body of the report.

Background papers

None

Contact Officer

DAVID VEALE
Director of Human Resources and Organisational Development