



**Executive**  
12 November 2012

**Report from the Director of  
Regeneration and Major Projects**

Wards Affected:  
[ALL]

**Authority to invite tenders for the Procurement and  
Management of Temporary Accommodation**

**1.0 Summary**

- 1.1 This report seeks authority pursuant to the Council's Contract Standing Orders 88 and 89 to invite tenders for Dynamic Purchasing System (DPS) for the Procurement and Management of Temporary Accommodation pursuant to the Council's Private Sector Accommodation Scheme (PSA). This procurement exercise is designed to provide a sufficient supply of accommodation in the right places to adequately respond to the changes being made to the benefit system in 2013. The report also updates members on other actions being taken to mitigate the impact of these changes. The proposed DPS will commence in April 2013 for the duration of two years with an option to extend for up to two years.

**2.0 Recommendations**

- 2.1 The Executive is asked to give approval to the pre-tender considerations and the criteria to be used to evaluate tenders for a DPS for the Procurement and Management of Temporary Accommodation as set out in paragraph 3.7 of the report.
- 2.2 The Executive to give approval to officers to invite expressions of interest, agree shortlists, invite Tenders for a DPS for the Procurement and Management of Temporary Accommodation and evaluate them in accordance with the approved evaluation criteria referred to in 2.1 above.
- 2.3 The Executive to note the content of the Council's temporary accommodation placement policy as set out in Appendix 1 and to delegate authority to the Director of Regeneration and Major Projects

to finalise and approve any minor amendments to the temporary accommodation placement policy.

### **3.0 Detail**

- 3.1 The Council has a statutory duty to provide suitable temporary accommodation to homeless persons who are eligible and have a priority need for accommodation under part VII of the Housing Act 1996(as amended by the Homelessness Act 2002). There are currently just fewer than 3,200 homeless households in various Temporary Accommodation (TA) schemes. Private Sector Leasing (PSL) schemes involve the Council leasing properties from the private sector and letting them to homeless households as temporary accommodation and the Council has a number of these. The proposed Private Sector Accommodation scheme is a type of Private Sector Leasing Scheme.

### **3.2 The Overall Benefit Cap**

With the introduction of the Overall Benefit Cap (OBC) in April 2013, benefits are to be capped at £500 a week – this includes all benefits including housing benefit. The Department for Work and Pensions (DWP) states that approximately 3000<sup>1</sup> families will be affected in Brent and for these, rents will no longer be affordable. For example, a couple with three children, under Universal Credit, will have a personal allowance of £332.10. With benefits capped at £500, their maximum rent allowance will be £167.90. The local housing allowance rent for a three bed property in South of the Borough is £340.00 per week, leaving a weekly shortfall of £172.10. In this example the household will lose nearly £9,000 per year. The largest households could lose substantially more.

- 3.3 The National Audit Office's report 'Managing the impact of Housing Benefit reform'<sup>2</sup> states:

*1.8 A large number of households are expected to experience small reductions in their current entitlements. Around 85 per cent of reductions resulting from changes to Local Housing Allowance will be of £15 or less. Figure 4 overleaf shows that most households will lose less than 10 per cent of their total rental cost.*

*1.9 A small number of households could experience very large reductions in their entitlements. These include large families living in high rent areas who could be subject to the overall benefit cap or caps on the rates of Local Housing Allowance.*

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<sup>1</sup> The number of families will change as families move on and off benefits, and move boroughs.

<sup>2</sup> NAO, 1 November 2012, [http://www.nao.org.uk/publications/1213/housing\\_benefit\\_reform.aspx](http://www.nao.org.uk/publications/1213/housing_benefit_reform.aspx)

*The Department estimates that up to 13,000 households could experience a weekly fall in benefits of £100 or more.*

As a borough the second paragraph far more accurately describes the situation in Brent, with larger families, on low incomes, with high rents. Current information from DWP indicates that more than 1,200 households in Brent will be losing more than £100 per week.

- 3.4 The national pot for Discretionary Housing Payments (DHP) has been substantially increased to £390m. However as the NAO report goes on to state:

*2.15 It is not clear how the current level of funding for Discretionary Housing Payments has been determined or whether it is likely to be sufficient for local authorities in tackling the impacts of reforms. The £390 million of funding over the Spending Review period represents around six per cent of the total £6.4 billion savings expected from Housing Benefit reforms during this period. This works out at around £200 per household affected.*

*2.16 There is also no established process for reviewing the level of funding for Discretionary Housing Payments over time. For example there is no mechanism to assess whether the overall funding amount should change to reflect higher claimant numbers. Uncertainty about the basis for future funding in part reflects the fact that the Department is still reviewing how to provide support for housing as a result of broader welfare reforms.*

Clearly additional DHP funding is welcome, although this is far from a panacea, and will only help to assist a small number of the most vulnerable households.

### **3.5 Employment**

The benefit cap is intended to act as an incentive to work. The benefit cap does not affect households who are in employment for 16 hours (lone parents) or 24 hours (couples). The Council has put in place significant resources to assist getting families into employment, alongside this we are working closely with Job Centre Plus and the work programme providers.

### **3.6 Navigators**

Following the Employment Review this summer and as part of Brent's Employment Offer we have begun work on recruiting a team of 6 'Navigators' who will start in January 2013. Essentially, the team will trial an approach to engage with the most excluded individuals and

families in Brent and will start by working closely with housing teams and those hardest hit by the benefit caps. The Navigator will carry a caseload of families drawn from the group of residents most at risk of homelessness/displacement to mitigate the impact and support families who are likely to have multiple, highly complex needs. Success will be measured by the number of families enabled to stay in their homes, through achievement of employment enhanced engagement and effectiveness with other services.

### 3.7 BACES review

The review of the BACES services is focused on getting greater alignment between training and employment. A feasibility study is also being commissioned into the set up of three vocational training centres.

### 3.8 Brent in2Work

Brent in2work has continued to deliver advice and guidance to local residents seeking employment and training opportunities from the Wembley Works office. Over 100 local unemployed residents found work with Brent in2work since April 2012. This includes 59 jobs with the Hilton Hotel. This is as a result of the successful collaborative working of Brent in2work, JCP and CNWL and Wembley City.

We are also continuing work with construction contractors such as Skanska and Wilmot Dixon to ensure S106 agreements are adhered to so that local residents' access opportunities made available through their supply chains, such as jobs, training and apprenticeships. Partnership working with Denne contractors continue to create positive outcomes for the local residents in South Kilburn, with further work being developed with Catalyst Housing as Phase 2 of the regeneration project in the area unfolds.

### 3.9 Finding affordable accommodation within the cap

We have a strong focus on assisting families into employment. However, we need to be realistic in the assumptions that we make on what is achievable before the caps are applied in April 2013. Part of our planning needs to focus on finding accommodation that will be affordable within the cap levels, so that families can sustain themselves within the income available. We also need to manage the financial impact on the Council.

The council has identified suitable areas of procurement based on a favourable relationship between the LHA rate and the market rents. Other areas of research included ethnic composition of areas; economic deprivation, education levels, local support agencies and

travel back to Brent (please see background paper 1 – Creating Procurement bands out of London). This research indicates that there are some areas that are clearly unaffordable within the cap. There is also a clear relationship between what is affordable and family size.

- 3.10 The PSA scheme will provide the council with a supply of units that will be needed to house homeless households that can no longer be provided for under the Housing Association Leasing Scheme (HALS) and PSL schemes. This particularly applies to larger households that require 4 and 5 bed properties.
- 3.11 The PSA scheme will utilise Housing Benefit subsidy to fund the lease and management costs of the scheme. The specification for the contract will incorporate improved property procurement and management standards agreed by the West London Alliance.
  - 3.11.1 The scope of services will include a full property management service to include property acquisition, viewings and lettings processes, tenancy management, property inspections, administering decants, void periods and property handbacks and performance management.
  - 3.11.2 The services under the proposed DPS will be provided by multiple providers. The Council will be the lead authority for the operation of the DPS. There will be provision for members of the West London Housing Partnership and Haringay to call off services from the proposed DPS. The major advantage of this for the Council is that a competitive price for the services can be achieved as a result of the potential combined buying power of the West London Housing Partnership. The other members of the West London Housing Partnership are Hammersmith & Fulham, Kensington & Chelsea, Ealing, Hillingdon and Hounslow.
  - 3.11.3 There are many potential benefits of the DPS especially the flexibility of adding new suppliers throughout its period of operation provided they meet the set criteria. This potentially increases the supply base for the provision of the service. Suppliers are also able to improve their tenders at any time which would make it easier for them to improve their tender offer (possibly by reducing their management fee or improving service delivery).
- 3.12 In accordance with Contract Standing Orders 89 and 90, pre-tender considerations have been set out below for the approval of the Executive.

Ref.	Requirement	Response
(i)	The nature of the service.	To procure and manage temporary accommodation properties, let to homeless persons as nominated by the council through a Dynamic Purchasing System (DPS) operated by multiple providers.
(ii)	The estimated value.	£3,120,000 based on an average of 500 properties in management across a four year contract.
(iii)	The contract term.	4 <sup>th</sup> April 2013 for 2 years with the option to extend by up to a further 2 years.
(iv)	The tender procedure to be adopted including whether any part of the procedure will be conducted by electronic means and whether there will be an e-auction. Brent is about to move to an electronic process and whilst the procurement is being delivered consideration will be given to the use of e-tendering.	<p>Formal tender by way of a single stage process in accordance with the Council's Standing Order 96(b). Stage 2 – Issuance of invitations to tender.</p> <p>Brent is about to move to an electronic process and whilst the procurement is being delivered consideration will be given to the use of e-tendering.</p> <p>It is anticipated that this procurement will be of interest to the wider market so it will voluntarily be advertised through the Official Journal of the European Union (OJEU). Part 6 of the Council's Constitution – Financial Regulations – Paragraph 5.4 states that regard must be had to the Council's Contract Procurement and Management Guidelines (the "Blue Book"). Section 4 (c) Paragraph 7.3.4 of the Blue Book states that once a voluntary choice has been made to advertise in the OJEU then the EU Regulations (as enacted in the Public Contracts Regulations 2006 [as amended]) must be followed in their entirety; however officers are recommending to adjust the DPS process for this particular procurement due to the nature of the proposed contracts. Additionally, in order to attract local providers, the procurement will be advertised in the local press and on the Councils web site.</p>

v)	Executive	<b>Date of action</b>	<b>Date of completion</b>
	<b>Exec meeting Approval to proceed</b>	12/11/2012	12/11/2012
	Dispatch of OJEU notice	30/11/12	30/11/12
	Issue invitation to tender	30/11/12	30/11/12
	Tender close date	15/01/13	15/01/13
	Tender Evaluation/ Tender Appraisal	16/01/13	08/02/13
	<b>Leaders Briefing</b>	26/02/2013	26/02/2013
	<b>Final Report to Democratic Services for dispatch to Executive Meeting</b>	27/2/2013	27/02/2013
	<b>Brent Cabinet/ Executive meeting decision</b>	11/03/2013	11/03/2013
	<b>Conclusion of Dynamic Purchasing System and notices to successful and unsuccessful tenderers</b>	12/3/2013	12/3/2013
	<b>Standstill period (period of time that the Council will not be able to enter into any formal contractual arrangement with the successful tenderer[s])</b>	13/3/2013	25/03/2013
	<b>Contract start date</b>	26/03/2013	26/03/2013

(vi)	The evaluation criteria and process.	<p>Shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines namely the pre qualification questionnaire and thereby meeting the Council's minimum requirements in relation to financial standing requirements, technical capacity, technical expertise and compliance with statutory requirements such as health and safety. Candidates who meet the Council's minimum requirements will be selected to tender and issued with invitations to tender.</p> <p>The DPS will be concluded on the basis of the most advantageous offer, with the tenders received to be evaluated against this this evaluation criteria :</p> <table border="1" data-bbox="826 837 1434 1028"> <tr> <td>Procurement</td> <td>40%</td> </tr> <tr> <td>Repairs and maintenance</td> <td>25%</td> </tr> <tr> <td>Complaints and management</td> <td>15%</td> </tr> <tr> <td>Resettlement</td> <td>15%</td> </tr> <tr> <td>Anti-social behaviour</td> <td>5%</td> </tr> </table> <p>Financial and legal considerations on tenders returned are to be given by the Housing Finance Team and representatives from the Council's Legal and Financial services respectively. Where required, these representatives will participate in the evaluation panel.</p> <p>A further report will be presented to the Executive seeking approval of the award recommendation.</p>	Procurement	40%	Repairs and maintenance	25%	Complaints and management	15%	Resettlement	15%	Anti-social behaviour	5%
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(vii)	Any business risks associated with entering the contract.	No specific business risks are considered to be associated with entering into the proposed contract. Financial Services have been consulted concerning this contract.										
(viii)	The Council's Best Value duties.	The voluntary advertising of the procurement on the OJEU will attract competition from the wider market. Also, the conclusion of the DPS based on the most economically advantageous tender by way of a one-Stage Tender process as detailed above. These will assist the Council in achieving best value for the proposed service.										
(ix)	Any staffing	None										

	implications, including TUPE and pensions.	
(x)	The relevant financial, legal and other considerations.	See paragraphs 4.0 to 6.0 below

The Executive is asked to give its approval to these proposals as set out in the recommendations and in accordance with the Council's Contract Standing Order 88.

#### **4.0 Financial Implications**

- 4.1 Part 4, section 2.5 of the Council's Constitution states that contracts for supplies and services exceeding £500k or works contracts exceeding £1million shall be referred to the Executive for approval to invite expressions of interest, agree shortlists and invite tenders.
- 4.2 The total agreed budget for expenditure on Temporary Accommodation for 2012/13 is £3,440,000. This includes a growth of £1,134,000 in order to assist in managing the cost pressures and increased service demand. The growth figure has taken into consideration an efficiency savings target of £500k in relation to a planned One Council project in relation to the commissioning of temporary accommodation across the entire Council.
- 4.3 Based on current projections officers expect to break even against this budget. However, there continues to be significant risks attached to the Council's ability to control demand led pressures relating to this particular service whilst ensuring that statutory duties are met. It should also be noted that this remains an area of pressure, and officers will closely monitor the impact of both the LHA changes and the wider welfare reform agenda on the service budget.
- 4.4 The estimated value of this 4 year contract is £3.12m.
- 4.5 The PSA scheme will utilise Housing Benefit subsidy to fund the lease and management costs of the scheme.
- 4.6 Officers had previously forecasted an optimistic overspend of between £3m-£4m million as the impact of growth against the not yet agreed Temporary Accommodation budget in 2013/14 as a result of the proposed financial impact of the welfare reforms. There is also a projected figure of around £7.25m annual reduction in subsidy as a result of the welfare reforms. Grossing these figures gives a budget gap of between £3m and £10.25m which is definitely not sustainable with the reductions made and planned to the revenue support grant.
- 4.7 This forecast took into account both the expected increase in homeless approaches as a result of changes to the Local Housing Allowance, and the impact of changes to the Housing Benefit subsidy regime for

temporary accommodation and the Overall Benefit cap.

- 4.8 These assumptions are heavily reliant on our capacity to find accommodation that will be sustainable within the overall benefit cap. Inevitably this will mean procuring properties in areas where the rents are lower, elsewhere in the country. Although for some households this is not a viable option, and for the largest households there is nowhere in the country that is affordable within the caps.
- 4.9 If out of borough placements can be achieved within the revised housing benefit allowances, there would be a net saving to the council of approximately £150 per unit per week. This would be offset by any increases in temporary accommodation costs due to increasing numbers of people presenting themselves as homeless.
- 4.10 The Department for Work and Pensions (DWP) has recently reviewed the TA subsidy regime and have confirmed this will continue to be based on current arrangements. That is, in most cases, 90 per cent of the appropriate January 2011 LHA rate for the property (not the household size), that the local authority places the claimant into; plus £40 (for London authorities) or £60 (for non-London authorities).

## **5.0 Staffing Implications**

- 5.1 None

## **6.0 Legal Implications**

- 6.1 Homeless legislation places duties, powers and obligations on housing authorities towards people who are homeless or at risk of homelessness. Under the legislation certain categories of households, such as families with children and households that include someone who is vulnerable, have a priority need for accommodation. The requirement to provide accommodation to persons who are homeless and satisfy the qualifying criteria for assistance arises under Part VII of the Housing Act 1996 ("the 1996 Act") as amended by Homelessness Act 2002. The Council has a statutory duty pursuant to section 193 of the 1996 Act to provide temporary accommodation to homeless applicants who satisfy the following criteria: they are homeless; they are eligible for assistance; they are in priority need of accommodation; and, they are not intentionally homeless. The Council also has a duty to secure interim or emergency accommodation, pursuant to section 188 of the 1996 Act, to those persons it has reason to believe may be homeless, eligible for assistance, and have a priority need pending a decision to the section 193 duty, (if any) owed to the applicant.
- 6.2 The properties will be offered either as emergency accommodation under the Council's duty under section 188 of the 1996 Act or as temporary accommodation under section 193 of the 1996 Act.

- 6.3 Section 206 of the 1996 Act provides that where a housing authority discharges its functions to secure that accommodation is available for an applicant, the accommodation must be suitable. Suitability must be in relation to the applicant and to all members of his/her household who normally reside with him/her, or who might reasonably be expected to reside with him/her.
- 6.4 So far as reasonably practicable the Council shall, in discharging its housing function under Part VII of the 1996 Act, secure that accommodation is available for the occupation of the applicant in its district, pursuant to section 208 of the 1996 Act. Households who have no overriding need to be in Brent may be offered accommodation outside of the borough in a location which has been identified. Selection of areas will be based upon a number of socioeconomic factors including access to employment, education and affordability. Proximity and transport links to Brent will also be considered. In addition to the obligations under s208 of the 1996 Act, the Homelessness Code of Guidance for Local Authorities, of which the local policy would have regard, advises that housing authorities should aim to secure accommodation within their own district wherever possible. The guidance for Local Authorities clearly sets out key factors to consider which include:
- *Proximity to schools, public transport, primary care services, local services in the area in which the accommodation is located*
  - *Space and arrangement*
  - *medical and/or physical needs of the household*
  - *Health and safety and social considerations*
  - *Affordability*
  - *Location.*
  - *Availability of alternative suitable accommodation in the local authority area.*
  - *Size and location of alternative equivalent accommodation available outside of the borough and the availability of support networks in the area.*
- 6.5 There is the right of review of the suitability of accommodation offered under section 193 of the 1996 Act and an applicant may increasingly exercise this right to assert their need to remain in the borough. If the decision to place out of borough is upheld on review then applicants can challenge the decision through the courts on a point of law, which may be costly to defend. Case law has held that the cost of providing accommodation can be a factor a Council could take into account in deciding how to discharge its duty to provide temporary accommodation. Brent Legal Department has provided advice and assistance on an out of borough placement policy in respect of the provision of temporary accommodation (please see Appendix 1 – Temporary Accommodation Placement Policy). Officers are currently

considering whether there should be further amendments made to the out of borough placement policy which is set out in Appendix 1.

- 6.6 The Procurement of Private Managed Temporary Accommodation is considered to be a part B service under the Public Contracts Regulations 2006 (as amended) (the “PCR”) and as such the application of the PCR to this procurement is limited. However, Officers are intending to issue a voluntary OJEU Contract Notice that will ensure the service requirements are sufficiently advertised, thereby satisfying the PCRs and Contract Standing Orders. The procurement of Part B services however is still subject to the underlying EC treaty principles of equal treatment (of economic operators), fairness and transparency which must govern all public procurement. In addition, there are obligations relating to ensuring that technical specifications are prepared relating to the subject matter in a non-discriminate manner and there are obligations to submit post-award information.
- 6.7 Officers recommend setting up a Dynamic Purchasing System using the Open Procedure under the PCR. A Dynamic Purchasing System is a completely electronic system which may be established by the Council to purchase commonly used services, such as the procurement and management of private temporary accommodation. As the services are deemed a Part B service for the purposes of the PCR, Officers are proposing to alter the tender process prescribed by the PCR slightly, in relation to procuring contracts under the Dynamic Purchasing System, once it is set up. The advantage of using such a system, which is akin to a Framework Agreement, is that unlike a framework agreement, it allows for new providers in the market to apply for admittance onto the Dynamic Purchasing System throughout the life of the system, which cannot exceed four (4) years unless there are exceptional circumstances.
- 6.8 The estimated value of the procurement over the lifetime of the Dynamic Purchasing System is deemed a High Value Contract as defined by the Council’s Contract Standing Orders. Further, as the service being procured is a Part B service, the Council’s Contract Standing Order 96 states that a formal tendering process must be conducted. In addition, the approval of the Executive is required to invite tenders.

#### Public Sector Equality Duty

- 6.9 As a public authority the Council is subject to a specific duty in relation to the Equality Act 2010:

'Meeting the general equality duty requires 'a deliberate approach and a conscious state of mind'. R (Brown) v Secretary of State for Work & Pensions [2008] EWHC 3158 (Admin).

Members must know and understand the legal duties in relation to the public sector equality duty and consciously apply the law to the facts when considering and reaching decisions where equality issues arise.

6.10 The Equality Act 2010 introduces a new public sector equality duty which came into force on 6th April 2011. The duty placed upon the council is similar to that provided in earlier discrimination legislation but those persons in relation to whom the duty applies have been extended.

6.11 The new public sector equality duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimization and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic. A 'protected characteristic' is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;(including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

6.12 The previous public sector equalities duties only covered race, disability and gender.

6.13 Having due regard to the need to 'advance equality of opportunity' between those who share a protected characteristic and those who do not includes having due regard to the need to remove or minimize disadvantages suffered by them. Due regard must also be had to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and encourage those who have a protected characteristic to participate in public life. The steps involved in meeting the needs of disabled persons include steps to take account of the persons' disabilities. Having due regard to 'fostering good relations' involves having due regard to the need to tackle prejudice and promote understanding. Complying with the duty may involve treating some people better than others, as far as that is allowed by the discrimination law.

- 6.14 In addition to the Equality Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty. The advice set out to members in this report is consistent with the previous Codes and published guidance.
- 6.15 There is no prescribed manner in which the equality duty must be exercised. However, the Council must have an adequate evidence base for its decision making. This can be achieved by means including engagement with the public and interest groups and by gathering relevant details. An Equality Impact Assessment is set out in Appendix 2 to this report and its content is discussed further below in the Diversity Implications of this report.
- 6.16 Members should be aware that the duty is not to achieve the objectives or take the steps set out in section 149 of the Equalities Act 2010. Rather, the duty on public authorities is to bring these important objectives relating to discrimination into consideration when carrying out its public functions, which includes grant funding. "Due regard" means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. There must also be a proper regard for the goals set out in s.149. At the same time, Members must also pay regard to any countervailing factors, which it is proper and reasonable to consider, which include budgetary pressures, economics and practical factors. The weight of these countervailing factors in the decision making process is for Members in the first instance.

## **7.0 Diversity Implications**

An Equalities Impact Assessment has been completed and is attached (please see Appendix 2)

- 7.1 There are variations within the population of Brent in those applying for assistance as homeless persons.
- 7.2 Through pre-selected providers, this scheme is designed to ensure an on-going supply of privately sourced accommodation. Certain types of properties can be specifically sourced, for example, some BAME households tend to have larger households and require larger properties. Households with certain disabilities require ground floor level access. Properties are to be sourced in areas where there is access to support and resettlement. Consideration will be given to transport links to Brent.

- 7.3 Households, of which BAME households are over represented, will spend less time in emergency accommodation which compromises quality of life, educational attainment, and social inclusion and integration.
- 7.4 Homeless families will be integrated into communities and not stigmatized as homeless households. Accommodation providers are asked to demonstrate how they would deal with harassment/ anti social behaviour in order to be successful and will submit performance statistics on monthly basis. The following actions have been identified to ensure that affected groups continue to obtain a fair and equitable service as a result of the policy:
- 7.4.1 The Council will be directly responsible for nominating applicants to the scheme in line with temporary accommodation policy and procedure and will be able to monitor take up by affected groups Providers are asked to demonstrate how they would implement equalities and deal with harassment/ anti social behaviour in order to be successful. These requirements form part of the contractual obligations.
- 7.5 The Housing Act 1996 code of Guidance makes reference to criteria in the 'suitability of accommodation' order which takes into account education, welfare and medical needs. These criteria will be used to make decisions about whether to place out of borough. The council will adopt a policy using the criteria above to ensure that certain vulnerable groups remain in borough. There will be continuing monitoring and review of provider's commitment to provide an equitable service to homeless applicants.

## **8.0 Background Papers**

- Background paper 1 – Creating procurement bands out of London

### **Appendices**

- Appendix 1 - Brent TA Placement Policy
- Appendix 2 - Equalities Impact Assessment & Consultation Analysis

Any person wishing to inspect the above papers should contact:

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