

2012

Equality Analysis

Guidance and Form



Brent Council Equality Analysis Form

Please contact the Corporate Diversity team before completing this form. The form is to be used for both predictive Equality Analysis and any reviews of existing policies and practices that may be carried out.

Once you have completed this form, please forward to the Corporate Diversity Team for auditing. Make sure you allow sufficient time for this.

1. Roles and Responsibilities: please refer to stage 1 of the guidance	
Directorate: Regeneration & Growth Service Area: Housing Needs Service	Person Responsible: Name: Adam Salmon Title: Street Population Coordinator Contact No: 020 8937 2459 Signed: Adam J S almon
Name of policy: Rough Sleepers' Support Services Retendering	Date analysis started: 16/05/14 Completion date: 30/05/14 Review date:
Is the policy: New <input type="checkbox"/> Old <input type="checkbox"/>	Auditing Details: Name: Elizabeth Bryan Title: Equality Officer Date : 30/05/14 Contact No: 0208 937 1190 Signed:
Signing Off Manager: responsible for review and monitoring Name: Fidelis Ukweno Title: Service Manager, Housing Options Date: 30/05/14 Contact No: 020 8937 4219 Signed:	Decision Maker: Name individual /group/meeting/ committee: Date:

2. Brief description of the policy. Describe the aim and purpose of the policy, what needs or duties is it designed to meet? How does it differ from any existing policy or practice in this area?

Please refer to stage 2 of the guidance.

This equalities analysis is on the retendering of Brent's Rough Sleepers' Support Services as the current contract expired at the end of March 2014, we have extended the contract with the current provider to cover the period of time it will take to retender the service, it is anticipated that the service will be put out to tender, at the latest, by the beginning of July 2014, so that it can be completed by the end of August 2014, so that the new contract can be mobilised in time to start from 06/10/14.

The existing service is provided by Ashford Place (previously Cricklewood Homeless Concern). It is commissioned to deliver outreach shifts, where outreach workers go out on the streets to find and meet with people sleeping rough to conduct an initial assessment of them and establish a relationship with them, so that they can then introduce them to the other commissioned component of the service, the building based resettlement team, which works with rough sleepers to take them off of the streets and resettle them into stable accommodation.

Currently the service is commissioned as a single, unified, Rough Sleepers' Outreach and Resettlement service, with funding for four FTE posts, with no stipulation for how hours/resources should be allocated to the Outreach or Resettlement components of the service. It is intended to recommission the service as two separate lots that might be commissioned from the same or different providers, with funding for two FTE posts allocated to the Outreach lot and funding for two FTE posts allocated to the Housing Advice and Resettlement lot. This change in the structure of how the service is commissioned is both to better ensure an appropriate split in the allocation of resources between outreach and housing advice and resettlement and to maximise the potential for providers to present innovative proposals for how to maximise the impact of the available resources.

The principal aims of the Rough Sleepers' Support Service scheme are to:

- Meet and engage with rough sleepers.
- Work proactively with rough sleepers to resettle them, through the provision of a structured Rough Sleepers Resettlement Pathway, into suitable stable accommodation, including, where appropriate, reconnection to their home country/area.
- Work with rough sleepers holistically, addressing issues that contributed to their homelessness and impair their ability to maintain stable accommodation once resettled.
- Contribute to community safety and minimise both rough sleeping related anti-social behaviour and its impact on the wider community.

3. Describe how the policy will impact on all of the protected groups:

The primary goals of the Rough Sleepers' Support Service are to ensure that, irrespective of age, disability, gender, race, religious belief, sexual orientation, pregnancy or gender identity, rough sleepers are rapidly made contact with, engaged and assisted off the streets and into accommodation.

Age

Rough sleepers will not be discriminated against because of their age. Analysis indicates that the greatest number of people contacted sleeping rough in Brent are aged 26-35 (37%) (87 individuals), followed by the age groups 36-45 (24%) (57 individuals), 18-25 (19%) (43 individuals) 46-55 (15%) (35 individuals) and 55+ (5%) (11 individuals). These figures are comparable to the demographic of rough sleepers in other boroughs

Disability

We have no data on this protected characteristic with respect to rough sleepers as this information isn't recorded on CHAIN (the Combined Homeless and Information Network database). To ensure that rough sleepers supported by the service are not discriminated against on the basis of disability the providers of the retendered services will be required to provide the council with monitoring data on the incidence of disability among service users contacted by the outreach team and supported by the housing advice and resettlement team and the council will review such monitoring data for any evidence of discrimination/barriers to access of services. A particular area of concern is the provision of support for rough sleepers with mental health problems that are severe enough to limit their engagement with support services, but insufficiently severe to make them sectionable under the Mental Health Act. The issue is that community mental health teams in Brent (in common with every other borough) are structured and resourced to primarily work with service users in office hours and from fixed locations, while Community Mental Health Teams have demonstrated a willingness to exercise a degree of flexibility to work alongside outreach workers, outside of their core hours and coming out onto the streets to meet with such clients, there are significant resource limitations that inhibit their ability to do so. This gap in provision, while affecting a very limited number of service users, (no more than 1-2 rough sleepers in the borough at any one time), is nonetheless one which we need to further explore to ensure these people receive equal access to services. Addressing this need will require resources and partnerships that go beyond the scope of the retendering of the Rough Sleepers' Support Service.

Gender

Rough sleepers will not be discriminated against because of their gender. Analysis indicates a gender split of the people contacted sleeping rough in Brent of 86% male and 14% female (200 men, 33 women), again these figures are comparable to the demographic of rough sleepers in other boroughs, with the overwhelming majority of rough sleepers being men. As part of their initial assessment of service users both teams will record their reasons for becoming homeless. The council will ask both teams to report on this data as part of their regular monitoring and will review this for evidence of people being made homeless as a result of discrimination or harassment, e.g. victims of domestic violence or hate crimes.

Race

The majority of people contacted sleeping rough in Brent in 2012-13 were from BAME households (specifically the Black African community). In 2012-13 42% of contacted rough sleepers from the Black community (African, Caribbean, Somali, Other) (97 individuals), 38% from the White community (Irish, UK, Other) (88 individuals) and 20% from the Asian community (Indian, Pakistani, Chinese, Other) (46 individuals). Although we don't yet have the year end figures for 2013-14, available data indicates that the demographic distribution of race for rough sleepers in 2013-14 will have been significantly shifted by the large increase in the number EEA (European Economic Area citizen) rough sleepers in the borough. Many of these EEA rough sleepers have restrictions on their entitlement to benefits that significantly limit their options for escaping rough sleeping, often their only option being to accept the assistance offered to return/reconnect them to their country of origin. Many EEA rough sleepers choose to continue to sleep rough rather than accept offers of reconnection. It is deemed likely that this situation will be further exacerbated by the further restriction on entitlement to JSA and Housing Benefit introduced by the changes in regulations that came into force on the 01/04/14. Brent is participating in a dialogue between the rough sleeping leads of the London boroughs to explore innovative responses to the envisaged increase in the number of EEA citizens who sleep rough as a result of these benefit entitlement changes, these include greater cooperation with these citizens' governments' representatives in London to explore what services can be developed for them and low cost, minimal provision of accommodation, that could be provided with entitlement to housing benefits. Such initiatives will not be without their challenges and we are at the very early stages of exploring them.

Religious Belief

We have no data on this protected characteristic with respect to rough sleepers as this information isn't recorded on CHAIN. To ensure that rough sleepers supported by the service are not discriminated against on the basis of their religious belief the providers of the retendered services will be required to provide the council with monitoring data on the religious belief of service users contacted by the outreach team and supported by the housing advice and resettlement team and the council will review such monitoring data for any evidence of discrimination/ barriers to access of services.

Sexual Orientation

We have no data on this protected characteristic with respect to rough sleepers as this information isn't recorded on CHAIN. To ensure that rough sleepers supported by the service are not discriminated against on the basis of sexual orientation the providers of the retendered services will be required to provide the council with monitoring data on the sexual orientation of service users contacted by the outreach team and supported by the housing advice and resettlement team and the council will review such monitoring data for any evidence of discrimination/ barriers to access of services. Providers will also be expected to develop links with local LGBT services to enhance their capacity to meet the particular needs of LGBT service users.

Pregnancy and Maternity

We have no data on this protected characteristic with respect to rough sleepers as this information isn't recorded on CHAIN. The primary reason for this is that as

pregnant women or parents with dependant children are a priority housing need group to whom there is a statutory duty, they very rarely sleep rough/make contact with rough sleeping services. The expectation would be that where the Rough Sleepers' Support Service did encounter a pregnant woman or parents with dependent children they would actively put them in touch with statutory services and, if appropriate, make a safeguarding referral.

Gender Identity

We have no data on this protected characteristic with respect to rough sleepers as this information isn't recorded on CHAIN. In the wider context the Housing Needs Department has recognised that it both needs to review the monitoring data it collects on transgendered applicants and its service offer to this service user group to ensure that it is best meeting their needs and ensuring they do not experience discrimination. The Rough Sleeping Support Service will be included in this wider review to ensure that rough sleepers are not discriminated against on the basis of their gender identity. To ensure that rough sleepers supported by the service are not discriminated against on the basis of gender identity the providers of the retendered services will be required to provide the council with monitoring data on the gender identity of service users contacted by the outreach team and supported by the housing advice and resettlement team and the council will review such monitoring data for any evidence of discrimination/ barriers to access of services.

Please give details of the evidence you have used:

The information the above analysis is based on was abstracted from the CHAIN database and CHAIN's 2012-13 annual report on rough sleeping in Brent. We had to rely on the 2012-13 report as the 2013-14 report will not be available until 30/06/14.

4. Describe how the policy will impact on the Council's duty to have due regard to the need to:

(a) Eliminate discrimination (including indirect discrimination), harassment and victimisation;

Brent's stated commitment to Equality and Diversity in procurement clearly states the commitment we expect from providers to promote equality and diversity, taking into account the needs of the people protected under the Equality Act 2010 in respect of the Protected Characteristics. The evaluation of bidding provider's tender submissions for the Rough Sleepers' Support Service will include a critical assessment of their demonstrable commitment to actively promoting diversity and equality.

The specification of the Rough Sleepers Support Service contract/s will include a requirement that bidders demonstrate their competence and experience to deliver the service by providing examples of how they have successfully delivered

equivalent outreach and support services, including examples of linking and partnering with community or specialist services that demonstrate the providers awareness of how and ability to draw on their relationships with these services to better enable the generic outreach service they deliver to meet the specific needs of disadvantaged and potentially discriminated against groups. This would include provision of support for the LGBT community, people with substance misuse issues and/or engaged in prostitution and the provision of language and culturally sensitive support for immigrants who have a first language other than English and may be unfamiliar with the social structures and institutions of the United Kingdom. The panel will also assess providers' bids to ensure they recruit appropriate staff, including ensuring that they are DBS checked.

Providers will also be contractually required to have a complaints procedure that as well as providing service users with a formal mechanism for expressing any concerns they may have about the service they receive will also contribute to preventing unlawful discrimination and promoting equal opportunities/access for all. In the event of service users having queries or complaints in relation to providers' conduct with regard to issues of discrimination or fair access to services Brent Council will provide advice and assistance to the enquirer/ complainant to ensure a timely and satisfactory resolution.

The number of complaints will be one of the performance indicators upon which providers' performance is monitored. All complaints of harassment or discrimination will be dealt with by the Provider in the first instance in line with their complaints procedure. Where the service user is not satisfied with the outcome, they will then able to contact Brent's Street Population Coordinator the council officer responsible for managing this contract.

Regular performance monitoring will allow the Council to ensure there is a consistent approach to complaints and that support is being provided with a caring and responsive approach with regards to complaints of harassment.

(b) Advance equality of opportunity;

People who have to resort to sleeping rough, irrespective of the other challenges or disadvantages they face, are some of the most excluded and marginalised members of society. In addressing their needs and supporting them to access accommodation and escape from rough sleeping this service will advance equality of opportunity. The overriding priority of the retendering of this service is to incorporate the recommendations of the Rough Sleepers Needs Analysis conducted for Brent by Homeless Link, the principle objectives of these recommendations being the refocusing of the service's street based outreach practise and the asserting of a stronger and more responsive rough sleepers resettlement pathway. While neither of these actions are specifically targeted at advancing the equality of opportunity for protected groups, these groups will, like all others, benefit from the envisaged improvement in the service that the retendering is intended to deliver.

(c) Foster good relations

In addressing the needs of rough sleepers and reducing the numbers of people

rough sleeping across the borough these services will also reduce the incidence of rough sleeping related anti-social behaviour and the impact rough sleeping can have on the public domain and wider environment, in doing so improving the economic, social and environmental well-being of the wider community and fostering good relations.

5. What engagement activity did you carry out as part of your assessment?
Please refer to stage 3 of the guidance.

i. Who did you engage with?

The retendering of this service has been informed by an external Needs Analysis for Rough Sleepers that the council commissioned Homeless Link to conduct on its behalf. As an integral part of this Needs Analysis the consultant Homeless Link employed met with a wide range of stakeholders including the current service provider, Lift, a local user led homelessness charity, the boroughs supported housing providers and specialist rough sleeping services, such as No Second Night Out and London Street Rescue that interact with Brent rough sleepers and rough sleeping services as part of their broader pan-london services. The consultant also joined an outreach shift and consulted with service users directly. As the previous director on the Places of Change programme and other central government rough sleeping initiatives the consultant was both expert in issues of rough sleeping and experienced in interacting directly with service users. As this piece of work conducted as recently as November 2013 it was felt that a further consultation process would repeat much of the work undertaken in the Needs Analysis and as such would both represent a poor allocation of resources and needlessly delay the tendering process.

ii. What methods did you use?

An externally commissioned needs analysis.

iii. What did you find out?

Primarily the need to review Brent's Rough Sleeping Pathway and the manner/speed with which rough sleepers access accommodation, a piece of work which is being conducted in parallel with the retendering of the Rough Sleepers' Support Service and an understanding that, going forward, commissioning the street outreach and housing advice and resettlement elements of the Rough Sleeping Support Services as two separate contracts, with separate service specifications and performance indicators would ensure that each service was allocated the resources intended and tighten each service's focus on delivering the specific area of work they were commissioned to deliver.

iv. How have you used the information gathered?

To inform the revised structure of the way these services are commissioned.

v. How has it affected your policy?

It has resulted in us separately specifying the two elements of the service, with separate service specifications, with the aim of tightening the focus of each element on their specific remits/roles.

6. Have you identified a negative impact on any protected group, or identified any unmet needs/requirements that affect specific protected groups? If so, explain what actions you have undertaken, including consideration of any alternative proposals, to lessen or mitigate against this impact.

Please refer to stage 2, 3 & 4 of the guidance.

It is recognised that provision for rough sleepers with mental health problems that are severe enough to prevent their full engagement with services, but insufficiently severe to make them sectionable under the Mental Health Act could be improved. The issue is that community mental health teams in Brent (in common with every other borough) are structured and resourced to primarily work with service users in office hours and from fixed locations, while Community Mental Health Teams have demonstrated a willingness to exercise a degree of flexibility to work alongside outreach workers, outside of their core hours and coming out onto the streets to meet with such clients, there are significant resource limitations that inhibit their ability to do so. This situation will not be made any worse by the retendering of these services, but the new provider of the outreach service will be required to review how this element of the service offer could, within the limited available resources, be improved.

We also recognise that the resettlement options that can be offered to EEA rough sleepers are severely limited as a consequence of the restrictions on their entitlement to JSA and Housing Benefit, meaning often the only service offer available to them is return/reconnection to their home country. Our experience is that many EEA rough sleepers, despite their only alternative being to sleep rough, refuse this offer. This does result in EEA rough sleepers experiencing more prolonged rough sleeping as compared to other rough sleepers who are entitled to JSA and Housing Benefit.

Please give details of the evidence you have used:

Examples of practice/casework with current rough sleepers with these mental health needs.

7. Analysis summary

Please tick boxes to summarise the findings of your analysis.

Protected Group	Positive	Adverse	Neutral
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	impact	impact	
Age			X
Disability		x	
Gender re-assignment			X
Marriage and civil partnership			X
Pregnancy and maternity			X
Race		X	
Religion or belief			X
Sex			X
Sexual orientation			X

8. The Findings of your Analysis

Please complete whichever of the following sections is appropriate (one only).
Please refer to stage 4 of the guidance.

No major change

The tender terms will ensure that all rough sleepers accessing the service will receive the best possible support in accordance with their individual needs and requirements.

The tender process will also include method statements which allow the panel to assess how well the provider/s are able to meet the needs of those sleeping rough in the borough. Bidders will be required to demonstrate their experience by providing examples of how they have successfully delivered equivalent outreach and support services. Particular attention will be paid to examples of anti-discriminatory practise and examples of linking and partnering with community or specialist services that demonstrate the providers awareness of how and ability to draw on their relationships with these services to better enable the generic outreach service they deliver to meet the specific needs of disadvantaged and potentially discriminated against groups, especially with regard to the protected groups. The panel will also assess provider's bids to ensure they recruit appropriate staff, including ensuring that they are DBS checked.

The tender specification will also include Brent's commitment to Equality and Diversity in Procurement and will state clearly the commitment we expect from providers to promote equality and diversity, taking into account the needs of the people protected under the Equality Act 2010 in respect of the protected characteristics.

Regular performance monitoring, in the form of monthly targeting and tasking meetings and formal quarterly reviews will allow the Council to ensure that the service is delivered in a manner that promotes Equality and Diversity, is consistent with best practice and provided with a caring and responsive approach with regards to service users' needs.

Adjust the policy

This may involve making changes to the policy to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential adverse effect on a particular protected group(s).

Remember that it is lawful under the Equality Act to treat people differently in some circumstances, where there is a need for it. It is both lawful and a requirement of the public sector equality duty to consider if there is a need to treat disabled people differently, including more favourable treatment where necessary.

If you have identified mitigating measures that would remove a negative impact, please detail those measures below.

Please document below the reasons for your conclusion, the information that you used to make this decision and how you plan to adjust the policy.

Continue the policy

This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not amount to unlawful discrimination, either direct or indirect discrimination.

In cases where you believe discrimination is not unlawful because it is objectively justified, it is particularly important that you record what the objective justification is for continuing the policy, and how you reached this decision.

Explain the countervailing factors that outweigh any adverse effects on equality as set out above:

Please document below the reasons for your conclusion and the information that you used to make this decision:

Stop and remove the policy

If there are adverse effects that are not justified and cannot be mitigated, and if the policy is not justified by countervailing factors, you should consider stopping the policy altogether. If a policy shows unlawful discrimination it must be removed or changed.

Please document below the reasons for your conclusion and the information that you used to make this decision.

9. Monitoring and review

Please provide details of how you intend to monitor the policy in the future. Please refer to stage 7 of the guidance.

As well as monthly targeting and tasking meetings there will be on-going performance monitoring via quarterly contract meetings with Providers and by review of reported their KPIs. The number of complaints will also be used as a monitoring mechanism to ensure service users have been treated fairly and have not experienced discrimination on the basis of ethnic origin, age, gender, faith, sexuality and disability.

Brent Council is committed to the principle of equal opportunities in the delivery of all of its services. Brent Council will seek to ensure that the Rough Sleepers' Support Service is delivered in a manner that is fair to all sections of the community regardless of nationality, ethnic origin, marital status, age, gender or disability.

Brent Council and its partners will be responsive, accessible and sensitive to the needs of all rough sleepers, irrespective of nationality, ethnic origin, marital status, age, gender or disability, will not tolerate prejudice and discrimination and will actively promote equality.

The Rough Sleepers' Support Service provider/s will record client contact data on CHAIN, an online database used across London by rough sleeping and outreach services. CHAIN monitors the demographics of engaged rough sleepers by ethnicity, nationality, age and gender. The provider/s will need to monitor for faith, sexuality, disability, pregnancy, marital status and gender identity by other means. Diversity data will be examined with providers as an integral part of contract management to ensure that the service does not operate in a manner that disadvantages or discriminates against any group/s of service users.

10. Action plan and outcomes

At Brent, we want to make sure that our equality monitoring and analysis results in positive outcomes for our colleagues and customers.

Use the table below to record any actions we plan to take to address inequality, barriers or opportunities identified in this analysis.

Action	By when	Lead officer	Desired outcome	Date completed	Actual outcome
Establish working group to establish better local partnerships to better meet the needs of rough sleepers with complex mental health needs.	Within six weeks of the mobilisation of the new Rough Sleepers' Support Service contract.	Street Population Coordinator.	Better arrangements to meet the needs of rough sleepers with these needs significantly outside of the usual operating hours of community mental health services and meeting with them on street based outreach sessions.		

Please forward to the Corporate Diversity Team for auditing.