



Cabinet
10 November 2014

**Report from the Director of
Regeneration and Growth**

For Action

Wards affected:
ALL

Allocation Scheme Review

1.0 Summary

1.1 This report sets out proposals for alterations to the council's Allocation Scheme intended to align the scheme more effectively with strategic objectives, make best use of available resources and correct anomalies in the existing Allocation Scheme.

2.0 Recommendations

2.1 Cabinet is asked to note the responses provided in the consultation process as summarised in Sections 4 and 5 of this report (and as set out in more detail in Appendix 3 to this report / and set out in the Equality Impact Assessment in Appendix 1 to this report);

2.2 Cabinet is asked to note and take into account the content of the Equality Impact Assessment as set out in Appendix 1 to this report;

2.3 Cabinet is asked to approve the proposed changes to the Council's Allocation Scheme as set out in paragraphs 5.1 to 5.8 of this report and summarised as follows:

- (a) In specified circumstances, the Allocation Scheme will allow bids to be placed automatically through Locata where a household fails to bid.
- (b) Band C priority should be restored for homeless households accepting a Qualifying Offer.
- (c) The Allocation Scheme should allow direct offers to be made at the council's discretion rather than limited to exceptional circumstances.

- (d) Adult children should not be allocated a separate bedroom if they are able to share with a same-sex sibling of any age.
- (e) Parents who have only one child residing with them will be able to bid for one-bedroom properties where they choose to do so.
- (f) Where the applicant is an under-occupier, adult children may be included as part of the household if the move is to a smaller home.
- (g) Households who were not employed at the time of application should be able to request the award of additional waiting time once they enter employment through submission of a change of circumstances form.
- (h) Residence criteria should apply to homeless households as they do to other applicants.
- (i) Overcrowding cases should move from Band B to Band C for all tenures.
- (j) The omission of the Voluntary Sector Quota from the current Allocation Scheme should be corrected.

2.4 Cabinet is asked to note that a report on the impact of the changes based on the first six months following implementation will be presented to the Policy Coordination Group in July 2015.

3.0 Background

3.1 The Housing Act 1996 requires local authorities to publish an Allocation Scheme setting out how priority for housing will be determined and the process through which allocations will be made. The current Allocation Scheme was approved by the Executive in April 2013 and was implemented on a phased basis between October 2013 and February 2014. A revised scheme was needed to comply with the requirements of the Localism Act 2011 and to ensure consistency with the council's Tenancy Strategy, which was approved in July 2012.

3.2 In the intervening period a need for further changes has been identified, with the aim of ensuring best use is being made of available resources. The relevant paragraphs below consider the particular indications of a need for change in relation to the individual proposals, while this section provides an overview of the wider factors involved.

3.3 The Council's Housing Strategy, approved in July 2014, sets out the context in which the Allocation Scheme operates. The housing market has seen significant change over the past few years, notably a significant shift in the tenure balance in Brent, driven by a significant rise in private renting, accompanied by rising house prices and rents in the private sector. Coupled with the impact of welfare reform, house purchase and private renting have become increasingly inaccessible to many Brent households, especially those who are unemployed or on low incomes and reliant on Housing Benefit. Homelessness has risen across London, particularly as a result of eviction

from private rented housing and the consequent increase in demand for social housing has not been met by an equivalent rise in new supply. At the same time, competing demand for and the rising cost of private renting have made it increasingly difficult for the council to secure private rented housing within the borough on a temporary or permanent basis. These factors, coupled with the changes to tenure and rents introduced by the Localism Act, have required the changed approach set out in the Tenancy Strategy and the current Allocation Scheme.

- 3.4 The Council's Housing Strategy recognises that demand pressure, particularly as a consequence of homelessness, leads to significant financial pressure through demand for temporary accommodation. The Strategy therefore sets clear targets to reduce temporary accommodation use and to increase the focus on homelessness prevention. At the same time, the Strategy emphasises the importance of employment, both for individual households and for the health of the local economy, seeking to identify ways in which employment can be supported and rewarded and identifying the strong links between the council's housing policies and its approach to employment, skills and enterprise.
- 3.5 In this context, it is essential that the available stock of social and affordable housing should be used in the most effective way to meet need. The changes proposed in this report seek to ensure that households do not stay longer than necessary in temporary accommodation and that every effort is made to ensure that households can remain in the borough through provision of affordable accommodation, minimising the number of temporary or permanent placements in other areas. In addition, it is important that the new homes provided through the Mayor's Affordable Housing Programme in this and future years are used most effectively to accommodate those households most at risk from the impact of welfare reform and other pressures.
- 3.6 The proposed changes also seek to address anomalies in the current Allocation Scheme and to ensure that the system addresses different needs in an appropriate and fair way. It is also intended that the Scheme should be transparent and explicit about the available options, so that applicants have a realistic picture of their position and their expectations for rehousing.

4. Consultation

- 4.1 The legislation requires consultation with Registered Providers; however, as with the earlier consultation on the current Scheme, consultation was also undertaken with households on the Housing Register, in acknowledgement of the significance of the changes for them. A summary of the consultation responses in relation to each proposed change is given at the relevant points in the report and in the Equality Assessment.
- 4.2 There was a good level of response to the consultation with 384 responses received electronically, the majority coming from households on the Housing Register. All references in the following paragraphs to the percentage of consultation responses for or against a proposal refer to the total of 384 responses received. Responses were also received from providers,

principally through discussion of the proposals with representatives of BHP and housing associations. Although the majority of households (76%) on the register have been accepted as homeless it is not possible to infer that they also make up the majority of respondents.

- 4.3 Consultation indicated clear support for the majority of the proposed changes, with two main exceptions, both relating to the proposals on bedroom allocation set out in section 5.4 below (although it should be stressed that, in both cases, providers were in favour). Changes have been made to these and some other proposals in response and details are given at the relevant points in this report.

5. Proposed Changes

5.1 Automated Bidding

- 5.1.1 Through the Brent choice-based lettings scheme, Locata, available properties are advertised on line each week. Applicants are able to bid for these properties and the Allocation Scheme determines how bids are prioritised. Priority is given to households in the highest band and within each band priority is given to households on the basis of the date their application was placed in that band.

- 5.1.2 In theory, this ensures that those who have the highest priority and have been waiting longest will be at the head of the queue to secure a property. However, some households have remained in temporary accommodation significantly longer than the average waiting time for rehousing without placing any bids. There are many possible reasons for this; in particular, given that it can take several years to acquire sufficient priority to bid, households may choose to remain in temporary accommodation that they have become accustomed to. Officers are concerned that applicants who could move on are not taking action themselves and it is therefore proposed that, in specified circumstances, bids should be placed automatically where a household fails to act.

- 5.1.3 Although it should be stressed that the Housing Register changes constantly as households join or leave it, at the time of writing there are 4509 applications in Band A-C, of which 3443 (76%) are homeless households in temporary accommodation. 404 of the latter have not made a bid in this financial year. The current scheme provides for bidding by proxy "in certain circumstances" (Section 6.5.7), but it is proposed that an amendment should allow automatic placement of bids through Locata once a household falls into the 5% of accepted homeless cases who have been waiting longest for the relevant property size. Bids would only be placed on appropriately sized properties and would take account of any medical or mobility recommendations in terms of property type and location.

- 5.1.4 Consultation indicated strong support for this change, with 52% agreeing or agreeing strongly while 31% disagreed or strongly disagreed. Responses indicated concerns about the way the change will be communicated and the potential barriers faced by vulnerable applicants. Each case will be

considered on its merits and appropriate support will be provided where it is needed, for example where physical or learning disability is a barrier. Consultation responses also suggested that the reasons for failure to bid might include reluctance to move to areas not close to children's schools or areas that are unpopular for various reasons. Given the pressures noted above and the uneven distribution of social and affordable housing in the borough, there is a need to communicate more effectively over what is deliverable in terms of the location of potential offers and the accessibility of housing to schools and other services.

5.2 Band C for Homeless Households Accepting a Qualifying Offer

- 5.2.1 Since the implementation of the relevant parts of the Localism Act on 9th November 2012, local authorities have been able to discharge their homelessness duties through an offer of accommodation in the private sector in appropriate cases and the council has elected to use this power. However, the power does not apply to households whose homelessness application was accepted before that date. In such cases, the household may voluntarily accept an offer of appropriate accommodation in the private sector and acknowledge that the council has discharged its duty through a "Qualifying Offer".
- 5.2.2 The previous Allocation Scheme (which was in force during 2007 to 2012) allowed homeless households who accepted a Qualifying Offer to retain Band C priority on Locata, thus providing some incentive for households to participate in addition to the ability to move on from temporary accommodation more quickly. This provision has been overlooked in the revised scheme although there was never any intention to remove it and it was therefore not included in consultation on the revised scheme. Officers' view is that the award of Band C priority remains a valuable incentive and, since it was removed in error and without consultation, the provision should be reinstated. Affected households would therefore retain Band C priority, effective from the date of the original acceptance of a homelessness duty by the council, subject to the annual re-registration exercise.
- 5.2.3 Consultation indicated strong support, with 63% agreeing or agreeing strongly, while 18% were opposed. The consultation also asked whether any time limit should be applied to the retention of Band C status. The majority (53%) felt there should be no limit, although a significant minority (35%) supported a two-year limit, with smaller numbers suggesting five or seven years. Given the general support for no time limit, it is proposed that applications should be subject to review in the usual way as part of the annual re-registration exercise as noted above. This will ensure that applicants who wish to remain on the register have the opportunity to confirm their application. Consultation also indicated some concerns about what applicants need to do when their circumstances change and some misunderstanding of what a Qualifying Offer entails. It is recognised that there is a need for improved communication and information around these issues.

5.3 Direct Offers

- 5.3.1 Alongside the Locata choice-based system, the council retains the ability to make an offer of accommodation direct to an applicant. Although it is required that priority be given to households falling into one or more of the reasonable preference categories, the legislation allows a proportion of allocations to be made outside the usual terms of any scheme (although the size of this proportion is not defined). Direct offers are used most often to ensure that an applicant can be rehoused quickly, since the outcome of bidding through Locata cannot be guaranteed. For example, a direct offer might be made to meet urgent medical needs. A full list of the reasonable preference categories and the circumstances in which direct offers might be made is set out at Appendix 2.
- 5.3.2 In addition to urgent cases, wider use of direct offers could assist in meeting other priorities. During 2014/15 the Mayor's Affordable Housing Development Programme will deliver additional homes to Brent and the council needs to take full advantage of the additional lets and be confident about the number of applicants who can be rehoused. In particular, consideration needs to be given to households posing a financial risk to the Council if they are not rehoused. In the current financial year, this relates to those impacted by the Overall Benefit Cap, who are only able to sustain their accommodation with significant financial support unless they are able to move into social rented housing. Further changes to the welfare system could require consideration of different groups in the future.
- 5.3.3 The current Scheme (Section 6.10) allows for Direct Offers to be made only in 'exceptional circumstances' in any year and the current list of defined circumstances reflects this approach. To provide scope to meet lettings priorities more effectively, it is proposed that the Scheme be worded to allow direct offers to be made at the council's discretion rather than limited to exceptional circumstances. The number of such offers would need to be proportionate with regard to the need to allocate on the basis of reasonable preference as noted above.
- 5.3.4 81% of consultation responses supported this change, with 49% agreeing strongly. The consultation also asked whether any additions needed to be made to the circumstances in which direct offers can be made, as set out in Appendix 2. A number of suggestions were made, all of which were already included in our scheme.

5.4 Bedroom allocation

- 5.4.1 In the current scheme, a separate bedroom is assigned to:
- Each married, civil partnership or co-habiting couple
 - Any other person aged 21 or over
 - Each pair of children or young people aged between 10 and 20 and of the same sex.
 - Each pair of children under 10, regardless of their gender

- Any unpaired person aged between 10-20 is paired, if possible with a child under 10 of the same sex, or, if that is not possible, is given a separate bedroom, as is any unpaired child under 10
- Adult siblings (under 21) of the same sex living as part of a larger household will be expected to share.

- 5.4.2 The bedroom requirements in the current scheme limit flexibility and mean that households face longer waiting times. Change is proposed in two sets of circumstances to address this.
- 5.4.3 First, adult children (aged 21 or over) are counted as part of a homeless household and many larger households have adult children. Given the significant shortage of larger properties, the requirement to allocate each adult child a separate bedroom means that households will face a much longer wait than would be the case if adult children were, like younger children, expected to share a bedroom. It is therefore proposed that adult children will not be allocated a separate bedroom if they are able to share with a same-sex sibling of any age. Adult children would not be asked to share with other adult relatives.
- 5.4.4 With regard to the proposal that adult children should share a bedroom, consultation indicated strong opposition, with 64% disagreeing and 24% in favour, although providers took a different view and supported the proposal. However, the severe lack of larger homes, the pressure of demand and the need to make the most effective use of the available stock require that the change should be implemented. This is especially the case for larger homes, where applicants face very long waits for properties that are very scarce or, in the most extreme cases, are not available. It should be stressed that the Allocations Panel will be able, as with other aspects of the Scheme, to consider exceptions. These would include, for example, cases in which a disabled or sick person requires their own room.
- 5.4.5 Conversely, there was also some questioning of the inclusion of adult children in any application, on the assumption that they should be moving on into independent accommodation. This is not the intention of the proposal. Comments did not suggest any viable alternative approaches.
- 5.4.6 Secondly, parents with only one child residing with them (including households where a mother is pregnant with the first child) have only been able to place bids for two-bedroom homes. This is the largest demand category on the waiting list and the waiting time is seven years on average. In contrast, the current waiting time for a one-bedroom property is three years. Where households assessed as needing two bedrooms request a one bedroom property to speed up rehousing, the current scheme provides discretion but this option has not been well-publicised and many applicants are unaware of it. The original proposal as set out in the consultation paper would enable the Council to enforce an offer of a 1-bedroom property to this client group, to provide some stability for the household for a fixed term of five

years, as opposed to continuing long waits in temporary accommodation and frequent moves between temporary accommodation provision, often outside the borough.

- 5.4.7 Consultation indicated significant opposition (56%) to this change and in response it is proposed that placing bids on 1-bed properties should remain a matter of choice, without any element of compulsion. Minimum space standards would apply in such cases to ensure that there is no risk of statutory overcrowding. Since, in the majority of cases, households would still be lacking a bedroom, it is proposed that they should retain their Band C status and that their previous waiting time will also be carried forward.
- 5.4.8 A number of households have requested rehousing into one bedroom homes and anecdotal evidence from other authorities allowing this approach suggest that take-up of the option has been high.
- 5.4.9 The consultation also asked whether an age limit for children of the household should be applied but since the option will now be based on choice, it is not proposed to apply any age limit. Comments made in consultation referred to parents sharing bedrooms with children. This is not the intention and may indicate some ambiguity in or misunderstanding of the proposal and may have contributed to the high level of opposition.

5.5 Under-Occupation

- 5.5.1 Large properties (three bedrooms or more) are in particularly short supply and the council encourages under-occupiers to move, including through provision of an incentive scheme. Currently, adult children over 21 are not considered part of a household when a transfer application is made, unless they are formally recognised as requiring or providing care. However, this policy has discouraged some older applicants who would like to downsize from following up applications, in particular where they are reliant on some level of support from their adult child or children which falls below the threshold of formal care.
- 5.5.2 It is therefore proposed that, where the applicant is an under-occupier (i.e. has one or more spare bedrooms), adult children may be included as part of the household if the move is to a smaller home; for example, from a three bedroom property to one with two bedrooms.
- 5.5.3 53% supported this proposal with only 10% disagreeing. As with the previous change, some comments questioned the principle that adult children should be allowed to live with applicants. While this may be an understandable concern, it is considered that the support, even at relatively low levels, offered by adult children to parents outweighs any other factors.

5.6 Incentive and Reward for Employment

- 5.6.1 The Housing Strategy and the Allocation Scheme aim to support employment and economic growth. The current Allocation Scheme offers increased priority to applicants who are working but on incomes that make it difficult for them to access private market options or low cost home ownership. This is achieved by granting additional waiting time of five years for those working at the time of their application for housing, effectively moving them to a higher position within their band on Locata. However, the Scheme is worded in a way that effectively excludes households who start and sustain employment after their first approach, application and acceptance onto the housing register.
- 5.6.2 It is therefore proposed that the Scheme should be amended to correct this anomaly by allowing households to request the award of the additional waiting time through submission of a change of circumstances form. For example, this would apply to a household that was not working when accepted as homeless but has since started and sustained work for the required amount of time.
- 5.6.3 50% were in favour of this change, with 27% opposed. There were no significant comments or suggestions either in favour of or against the proposal although many respondents were pleased that the Scheme will continue to reward employment.

5.7 Residence Criteria and Accepted Homeless Cases

- 5.7.1 Section 3.5.3 of the current Scheme states that (subject to certain exceptions required by legislation and regulation): *“All applicants must currently be living in the London Borough of Brent and have continuously lived here for the period of five years or more prior to joining the housing register.”* However, a specific exception is made for homeless applicants to whom the council has accepted a full housing duty.
- 5.7.2 It is proposed that this exception should be removed to place homeless households on the same footing as other applicants and reflect more accurately the rehousing options and waiting times in the borough. Households would receive their acceptance date as normal, but would only be able to bid for properties on Locata after five years residency has been achieved. Any residence prior to the acceptance date would be counted and a household would therefore only face a full five-year wait in exceptional circumstances. It should also be noted that the award of additional waiting time for households who are working would only apply five years after the acceptance date. In practice, given average waiting times, the impact on ability to bid will be limited and the change will remove a distinction between homeless and other households that can be perceived as placing the former at an advantage.
- 5.7.3 It is also recognised that average waiting times for rehousing may sometimes be less than five years; for example, the current average wait for a one-bedroom property is three years. It is therefore proposed that, while the five

year residence requirement should remain as a benchmark, households should be eligible to bid once their residence has exceeded the average waiting time for the relevant bedroom category, or five years if that is a shorter period.

- 5.7.4 It should be stressed that there may be cases in which the application of this change would not be appropriate, for example a household fleeing an immediate threat of violence.
- 5.7.5 64% of responses supported this change, with 15% against. Comments frequently reflected the view noted at 5.7.2, suggesting that long-term residents should have more priority over homeless households. This may reflect the fact that responses to consultation have come mainly from Housing Register applicants, many of whom have already faced long waits before being able to bid successfully.

5.8 Overcrowding

- 5.8.1 Overcrowded households (lacking two bedrooms) are currently awarded Band B priority, the award given for urgent housing need. In general, a Band B applicant should expect to be rehoused within a year of their application but the large number of households that have applied as overcrowded in Brent distorts the position and gives a misleading picture to overcrowded applicants. In particular, homeless households in temporary accommodation are placed in Band C and this proposal seeks to give equal priority to households without a social home and those that already have a social home, albeit of an unsuitable size.
- 5.8.2 It is proposed that such cases should move from Band B to Band C to reflect more accurately the waiting period applicants will face. This would apply to applicants in all tenures. While social housing cannot be provided for all overcrowded households, the council can provide support for them to find alternative accommodation that better suits their needs rather than waiting in unsuitable accommodation.
- 5.8.3 Consultation responses were split fairly evenly on this point. 30% felt that overcrowding should attract higher priority than homelessness, 44% felt that the priority should be the same and 26% that it should be lower. This may well reflect the status of individual respondents and whether they are homeless or overcrowded. Comments also stressed the importance of having regard to any special needs or vulnerability. In this, as with other elements of the Scheme, the council retains the ability to consider cases through the Allocations Panel and to make exceptions where appropriate.

5.9 Voluntary Sector Quota

- 5.9.1 A further anomaly arising from the transition from the previous Allocation Scheme to the current one is the omission of a quota allowing voluntary sector agencies to nominate a set number of households for social housing each year. The quota is used to free up bedspaces in supported accommodation and support those who have acquired the necessary living skills to live

independently in the community. Households – primarily single people with mental health issues or physical disabilities – are identified through discussions between the START Plus team and voluntary sector agencies. Accepted households receive Band B priority and, since they will be seeking bedsit or one bed homes, can usually expect to be rehoused reasonably quickly.

- 5.9.2 There has been discussion of a possible change to this arrangement, replacing the fixed quota with the ability to put forward an unlimited number of cases for consideration by the Allocations Panel. However, there has been no consultation on this option as yet and no analysis of the possible impact of changing the current process. It is therefore proposed that the existing quota should be reinstated in the Allocation Scheme and that the relevant voluntary sector agencies should be advised of this. As noted below and in the Equality Assessment, the temporary removal of the quota has had a negative impact for this group, which will be corrected by its reinstatement.

6.0 Financial Implications

- 6.1 The Allocations Policy supports the Housing Strategy agreed by Cabinet in July 2014 and as such there are no immediate and direct financial implications resulting from the recommendations of this report.
- 6.2 In general terms the Housing Strategy is supported by a combination of the Council's General Fund, The Housing Revenue Account and the Council's Capital Programme. Elements of Housing provision, particularly in respect of Housing Benefit Subsidy supporting people in Temporary Accommodation, are also supported from Central Government funds in respect of Housing related benefits and in the form of grants.
- 6.3 The Allocations Policy will assist in the delivery of the Housing Strategy which will need to be undertaken within the limited resources available to the Council. Officers will continue to review and monitor expenditure and income in order to minimise the impact of costs of Temporary Accommodation and to make the most efficient use of available funds to support the strategy in line with Corporate priorities.

7.0 Legal Implications

Allocation Scheme

- 7.1 The requirements regarding allocation schemes are set out in section 166A of the Housing Act 1996 ("the 1996 Act"), which has been inserted by section 147 of the Localism Act 2011.
- 7.2 Under section 166A(1) of the 1996 Act, every local housing authority (which includes Brent Council) shall have a scheme for determining priorities and as to the procedure to be followed in allocating housing accommodation. The allocations scheme must also include the authority's statement on offering choice of accommodation or how people are offered the opportunity to express their choice.

- 7.3 Under section 166A(14) of the 1996 Act, a local housing authority shall not allocate housing accommodation except in accordance with their allocation scheme. In other words, if a Council pursues allocation policies that are outside its allocation scheme, then they will be deemed to be unlawful.
- 7.4 Under section 166A(12) of the 1996 Act, a local housing authority must, in preparing or modifying their allocation scheme, have regard to: (a) its current homelessness strategy under section 1 of the Homelessness Act 2002, (b) its current tenancy strategy under section 150 of the Localism Act 2011, and (c) as Brent Council is a London Borough, the London housing strategy prepared by the Mayor of London. The content of these strategies have been considered in the formulation of the proposals set out in section 2 of this report.
- 7.5 Section 166A(13) of the 1996 Act states that before adopting an allocation scheme, or making an alteration to their scheme reflecting a major change of policy, the Council must -
- (a) send a copy of the draft scheme, or proposed alteration, to every private registered provider of social housing and registered social landlord with which they have nomination arrangements (see section 159(4)), and
 - (b) afford those persons a reasonable opportunity to comment on the proposals.
- These consultation requirements have been carried out.
- 7.6 Section 166A(3) outlines priorities to which the Allocation Scheme must give reasonable preference. As for what is a reasonable preference is a matter for the Council's Cabinet to determine in approving and amending the Allocation Scheme. These categories are outlined in detail within the scheme, but in summary they are;
- Homeless households
 - Homeless households in temporary accommodation
 - People living in overcrowded or unsatisfactory housing
 - People who need to move on medical or welfare grounds (including any ground relating to a disability)
 - People who need to move to a particular locality within the district where to not move them would cause hardship (to themselves or others).
- Additional preference may be given to any particular category where there is urgent housing need.
- 7.7 Subject to the content of section 166A(3) of the 1996 Act as set out in the previous paragraph, the allocations scheme may contain provision about the allocation of particular housing accommodation: (a) to a person who makes a specific application for that accommodation; (b) to persons of a particular description (whether or not they are within the categories set out in the previous paragraph). The Secretary of State has the power to make regulations to specify factors which a local housing authority in England must not take into account in allocating housing accommodation.
- 7.8 The Department for Communities and Local Government has issued statutory guidance in June 2012 and is entitled: "Allocation of accommodation:

guidance for local housing authorities in England”. The content of this statutory guidance has been considered in the formulation of the proposals set out in section 2 of this report.

Equalities – Public Sector Equality Duty

- 7.9 The public sector equality duty, as set out in section 149 of the 2010 Act, requires the Council, when exercising its functions, to have “due regard” to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who have a “protected characteristic” and those who do not share that protected characteristic.
- 7.10 The “protected characteristics” are: age, disability, race (including ethnic or national origins, colour or nationality), religion or belief, sex, sexual orientation, pregnancy and maternity, and gender reassignment. Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.
- 7.11 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 minimise 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 to 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.
- 7.12 The Council’s duty under section 149 of the Equality Act 2010 is to have “due regard” to the matters set out in relation to equalities when considering and making decisions on the provision of localised council tax support for the area of Brent. Due regard to the need to eliminate discrimination, advance equality and foster good relations must form an integral part of the decision making process. When the decision comes before the Executive, Members of the Executive must consider the effect that implementing a particular policy will have in relation to equality before making a decision. An Equality Impact Assessment will assist with this and an equality impact assessment is set out in Appendix 1 to this report.
- 7.13 There is no prescribed manner in which the equality duty must be exercised, though producing an Equality Impact Assessment is the most usual method. 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 detail and statistics from the Council’s Housing Register.
- 7.14 Where it is apparent from the analysis of the information that the policy would have an adverse effect on equality, then adjustments should be made to avoid that effect and this is known as “mitigation”.

7.15 The public sector equality duty is not to achieve the objectives or take the steps set out in section 149 of the Equality Act 2010. The duty on the Council is bring these important objectives relating to discrimination into consideration when carrying out its public functions. The phrase “due regard” means the regard that is appropriate in all the particular circumstances in which the Council is carrying out its functions. There must be a proper regard for the goals set out in section 149 of the 2010 Act. At the same time, when the Members of the Executive make their decision on the content of amending its allocations, they must also pay regard to countervailing factors which it is proper and reasonable for them to consider. Budgetary pressures and economic and practical factors will often be important. The amount of weight to be placed on the countervailing factors in the decision making process will be for Members of the Cabinet to decide when it makes its final decision.

8.0 Diversity Implications

8.1 An initial Equality Assessment has been undertaken and is attached as Appendix 1 to this report. A summary of initial findings for each of the proposed changes is set out below. It should be noted that analysis revealed a lack of relevant data in some areas, in particular in relation to the revised set of protected characteristics. In part, this reflects the fact that information has been provided by households at the point of their initial application, which in many cases was several years ago. Further work is planned to address gaps as detailed in the Assessment. The impact of the changes will be monitored and all aspects of the Allocation Scheme are subject to periodic review. A report assessing the impact of the changes in the first six months will be presented to the Policy Coordination Group in July 2015. Consultation responses reflected the broad ethnic, age and gender profile of households on the Housing Register, as detailed in the Equality Assessment.

8.2 Automatic Bidding

8.2.1 Initial analysis indicates that households affected by this proposal are predominantly headed by women, many of whom are lone parents, and are more likely to be from BAME groups, notably Black African and Black Caribbean households, reflecting the similar protected characteristics of households accepted as homeless. Auto-bidding will ensure that households are able to move on into appropriate permanent accommodation and the impact is therefore expected to be positive. It should be stressed that allocations will still be based mainly on choice and households with high priority – Bands A and B – will be largely unaffected. Consultation responses indicated strong support for the proposal.

8.3 Band C Priority for Households Accepting a Qualifying Offer

8.3.1 Initial analysis suggests that the number of households affected will be small (20 a year) and is likely to reflect the wider profile of homeless households in terms of protected characteristics as noted above. The impact of this proposal is considered to be positive for this group in that they will retain some priority on the Housing Register. Consultation responses indicated strong support for

the proposal and some further adjustments have been made to reflect responses.

8.4 Direct Offers

8.4.1 Again, initial analysis indicates that the profile of households affected by this proposal will be similar to the profile identified above, with disproportionate numbers of female heads of household and households from Black African and Black Caribbean groups. As for automatic bidding, allocation will remain primarily choice-based and households with high priority – Bands A and B – will be largely unaffected. It should also be stressed that properties allocated through Direct Offers will go to the same group they would have gone to through choice-based lettings. Since the proposal will lead to offers of appropriate social accommodation, the impact is expected to be positive and consultation responses indicated strong support.

8.5 Bedroom allocation

8.5.1 Analysis of households with adult children by ethnicity indicates that two broad groups are over-represented: Asian (including Asian Indian and Asian Pakistani) households and Black African households. The significant shortage of larger homes and the consequent long waits for suitable homes to become available requires a change in approach but it is acknowledged that negative impacts could arise where adults are required to share bedrooms and consultation responses indicated opposition to this proposal from households on the Register, although responses from providers were supportive. Consideration will need to be given to measures to mitigate this impact, which also needs to be balanced against the desirability of households moving to secure and permanent accommodation. In addition, the way in which exceptions – for example where a disabled household member needs their own bedroom – will be dealt with has been clarified.

8.5.2 With regard to the second element of the proposal, analysis indicates that around 541 applications are from lone parent households, which are more likely to be headed by a woman, and adding couples with one child would bring the total up to approximately 1000. Around 209 one-bed lettings are expected and although not all would be made to this group, it may be possible to meet up to 10% of need in this way. In terms of ethnicity, the profile is likely to match to overall homelessness profile.

8.5.3 As noted above, a number of applicants have requested this option, suggesting that for them the option of an early move into secure accommodation is a more important factor than property size. Since applicants will be able to choose to follow this route, the impact is expected to be positive for those that do so. Nevertheless, it is acknowledged that there is a risk that a household choosing this option may be obliged to remain in the home for the long term. The continuing award of Band C priority and waiting time is intended to mitigate any negative impact arising from this.

8.6 Under Occupation

- 8.6.1 Analysis indicates that under-occupiers are predominantly older, white female applicants with either no child remaining at home or fewer than appropriate to the number of bedrooms. However, it is worth noting that there are only eighteen current applications to which this proposal could apply, most of whom are between 45 and 60, probably reflecting the impact of the bedroom tax, while there is a broadly equal split between White, Black and Asian applicants. Overall, the information suggests that there is a real disincentive to applications at present. However, it should be stressed that it is difficult to provide a complete analysis since adult children over 21 are currently excluded and therefore do not appear in the data.
- 8.6.2 This proposal aims to encourage under-occupiers to move by offering a more generous bedroom allocation and including household members who are currently not considered. The impact will therefore be positive, especially for disabled households or others where the support that can be provided by another household member will assist the tenant and enable them to maintain their independence. Consultation indicated strong support for the change.

8.7 Incentive and Reward for Employment

- 8.7.2 The active caseload on the housing register is currently 5,100 households, including homeless households (75% of the register). Typically, employment figures are low for homeless households although with the implementation of the Overall Benefit Cap employment figures have increased. It would still be difficult to estimate how many applicants would qualify for the additional waiting time.
- 8.7.3 Black African and Black Caribbean and households headed by women are over-represented among homeless households. Evidence also indicates that the same groups face additional barriers to employment. However, the impact for those who do find work will be positive and work underway or planned through the emerging Employment, Skills and Enterprise Strategy is intended to improve opportunities for all Brent residents and for hard-to-reach groups in particular. Consultation indicated strong support for this proposal.

8.8 Applying the Residency Criteria to Accepted Homeless Cases

- 8.8.1 Data on the numbers affected is limited, as is data on protected characteristics. However, it may be assumed that the profile will broadly match that indicated for proposals discussed above with the additional likelihood that new migrants to the borough (both in-country and international) may be particularly affected. In the absence of data to confirm the numbers impacted, best estimates indicate that no more than 150 households would be affected.
- 8.8.2 Consultation indicated firm support for the change, but the original proposal has also been adjusted to reflect actual average waiting times, which in some bedroom categories may be less than five years. To avoid imposing additional waiting time unreasonably, the residence criterion will be matched

to the average waiting time as set out in paragraph 5.7.3 of this report. It should also be stressed that the proposal will not apply to cases where there is an urgent need to move, for example where a household is fleeing violence or where a disability or health issue requires an urgent move.

8.9 Overcrowding

8.9.1 Initial analysis indicates that some BAME households, particularly Black African households, and households headed by women are over-represented. In principle, there is the potential for negative impact since lower priority would be awarded but in practice, as noted above, the award of higher priority has little meaning where demand outstrips supply so markedly. Mitigation will include support to secure alternative accommodation in the private sector. Responses to consultation indicated mixed views, although a clear majority favoured treating overcrowded and homeless households equally, as the proposal seeks to do.

8.10 Voluntary Sector Quota

8.10.1 Initial analysis indicates that removal of the quota has had a negative impact for a vulnerable group, principally with regard to disability and specifically through delaying moves out of supported housing for individuals identified as able to live independently. Reinstatement of the quota will address this impact, with the intention of ensuring that those who would have moved between suspension in February and reinstatement will be able to move by the end of the year.

9.0 Staffing/Accommodation Implications (if appropriate)

9.1 There are no immediate staffing or accommodation issues arising from this report.

Background Papers

Brent Allocation Scheme: http://brent.gov.uk/media/7938099/Brent-Housing-Allocations-Policy-2013.pdf?_ga=1.128739595.684162897.1340792805

Tenancy Strategy

Housing Strategy

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APPENDIX 1: EQUALITY ANALYSIS

1. Roles and Responsibilities:	
<p>Directorate: Regeneration and Growth</p> <p>Service Area: Housing and Employment</p>	<p>Person Responsible:</p> <p>Name: Tony Hirsch Title: Head of Policy, Housing Contact No: 020 8937 2336 Signed:</p>
<p>Name of policy: Allocation Scheme</p>	<p>Date analysis started: July 2014</p> <p>Completion date: October 2014</p> <p>Review date: November 2015</p>
<p>Is the policy: New <input checked="" type="checkbox"/> Old <input type="checkbox"/></p>	<p>Auditing Details: Name: Arleen Brown Title: Equality Officer Date: 27th October 2014 Contact No: 020 8937 1190 Signed:</p>
<p>Signing Off Manager: responsible for review and monitoring</p> <p>Name: Jon Lloyd-Owen Title: Operational Director, Housing and Employment</p> <p>Date: October 2014</p> <p>Contact No: 07867169854 Signed:</p>	<p>Decision Maker:</p> <p>Name individual /group/meeting/ committee:</p> <p>Cabinet</p> <p>Date: 10th November 2014</p>

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?

The aim of Brent's Allocation Scheme is to:

- Meet housing need through provision of appropriate housing and give reasonable preference to the groups identified in legislation and guidance.
- Make best use of the existing social stock across all providers
- Make best use of the private rented sector, intermediate and sub-market renting and shared ownership.
- Promote economic and social regeneration and social mobility, particularly through employment
- Meet housing need through its approach to prioritisation and letting and the use of additional priority and qualification criteria
- Be transparent, fair and easy to understand
- Promote a consistent approach to the letting and management of social housing in the borough.

The proposals recommend changes to the existing Scheme, which was adopted following a report to Executive in April 2013. The changes are proposed for a number of reasons, which differ with reference to each element. In summary these are:

- The need to correct errors and anomalies within the current scheme
- The need to ensure compliance with strategic objectives set out in the Housing and Tenancy Strategies
- The need to ensure a level playing field for all applicants
- The need to ensure that best use is made of available lettings, in particular the additional lettings that will be available during 2014/15 as a result of the Mayor's Affordable Housing Programme
- The need to mitigate financial risks to the council and housing applicants, in particular those arising from the impact of welfare reform

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

The proposals have the potential to impact on all protected groups to the extent that they are represented on the Housing Register, but particular impacts have been identified for some groups, while for others there is limited data on which to make an assessment and this has been identified as a priority for further action. Since around 80% of households on the Housing Register at any one time have applied under homelessness legislation, the proposals are particularly relevant to this cohort. The following paragraphs set out the key points in relation to each of the proposed changes, since potential impacts vary for each element of the proposals.

Housing management systems currently collect information on gender reassignment and Civil partnership in addition to the other protected characteristics, but due to the recent introduction of the data fields, these fields are not populated sufficiently for analysis to be conducted. In some of the analysis, the last two years of data has been used to provide an indication of the demand groups.

It should be noted that numbers on the Register vary as households join or leave it. Figures for the total on the Register (in Bands A-C, which represent the active section) may therefore also vary in the tables and elsewhere below, depending on the point at which the data was collected.

3.1 Characteristics of Homeless Households

Some proposals affect parts of the homeless population, and in assessing the impact of the measures, we have considered a) the characteristics of the homeless population but also b) whether the proposed measure disproportionately affects a group within the homeless population.

The overall characteristics of households on the Register are summarised below and provide the basis for identifying any deviation from this profile with regard to each proposal.

Ethnic Origin - General	
Asian	20%
Black	44%
MIXED	3%
No Data	12%
Other	7%
White	15%
WOC	0%
Total	100%

Ethnic Origin - Detailed	Total
Asian Bangladeshi	1%
Asian Chinese	0%
Asian Indian	4%
Asian Other	11%
Asian Pakistan	4%
Black African	23%
Black African - Somali	6%
Black African Ghanaian	1%
Black African Nigerian	1%
Black African Other	1%

Black Caribbean	15%
Black Other	4%
Kurdish	0%
Mixed Other	1%
Mixed White/Asian	0%
Mixed White/Black African	1%
Mixed White/Black Caribbean	1%
No Data	4%
Other	5%
Other Afghan	1%
Other Iraqi	1%
White European	2%
White Irish	1%
White Other	6%
White Other Albanian	0%
White Other Bosnian	0%
White Other Polish	1%
White Other Portuguese	1%
White Other Serbian	0%
White UK	5%
Grand Total	100%

Gender	
F	72.96%
M	27.00%
(blank)	0.03%
Total	100.00%
Household type	
Couple with Dependant Children	45%
Other	13%
Single Parent Female	36%
Single Parent Male	1%
Single Person Female	2%
Single Person Male	3%
Total	100%

There are currently 16 pregnant women in households accepted as homeless. The average wait for a home for homeless applicants is between 4 years (1-bed) and 12 Years (4 bed), and therefore actual lettings to pregnant households occur by chance rather than as a result of policy. This also applies to maternity - there are 140 children under 1 year old, and it is estimated that half would be have been born within the last 6 months, totalling 70 children under the age of 6 months. Pregnancy and Maternity are temporary states within a household, and it is therefore difficult to project the impact of these proposals.

3.2 AUTOMATIC BIDDING

The proposal will affect homeless households in the top 5% by waiting time for each property size if they are not exercising their right to bid. Households will still be able to place their own bids and will be encouraged to do so; auto-bidding will only apply where this is not being done.

Initial analysis indicates that households affected are predominantly headed by women and are more likely to be from some BAME groups, in particular Black African and Black Caribbean households, reflecting the similar profile of all households accepted as homeless. However, it should also be stressed that impacts may be affected by the date at which a household first applied. In the case of this proposal, the main impact will be on households who have been on the Register for a significant period and, in particular, for longer than the average waiting time for the required bedroom category. Given the significant population churn in Brent, the profile of applicants from, for example, 1996 will differ from more recent years. One example is Somali households, reflecting the large numbers accepted as homeless during the period of increased migration from that country. More recently, the effect is apparent for households from eastern Europe, evidenced by the recent increase in the White Other category. Due to their more recent application dates, the latter group is less likely to be affected.

The proposal targets households who are high priority within their band due to the effective date of their application but who are not bidding for properties through the Locata system. No detailed analysis is available of the reasons why households may fail to bid and, clearly, reasons are likely to differ for individual applicants. While the principle of choice is embedded in the system, it is important that applicants should actively exercise their right to bid. Failure to bid distorts the prioritisation of applications and results in households remaining in unsuitable or temporary accommodation, while also preventing the temporary accommodation they occupy being made available to other households that need it. The table below indicates households failing to bid in the current financial year, in relation to their year of first application.

Year of first application	1 bed	2 bed	3 bed	4 bed	5 bed	Unknwn	Total
1994		1	1				2
1995			3				3
1996			1		1		2
1997		1	3	4	1		9
1998		1	5	6	1		13
1999	2	3	5	3	4		17
2000		5	12	9			26
2001	3	7	13	9		3	35
2002	2	11	25				38
2003	2	16	16			6	40
2004	2	22	16			4	44
2005	4	18				1	23
2006	8	28				3	39
2007	7	34				1	42
2008	7	25				3	35
2009	5					2	7
2010	10						10
2011	19						19
Total	71	172	100	31	7	23	404

It should be emphasised that, where there are barriers such as language, disability, learning disability or other factors, assistance is available and these and similar

issues should not prevent any household from using the system effectively. These and other factors would be taken into account when deciding whether to use auto-bidding for any household.

Since auto-bidding will ensure that households are able to move on into appropriate permanent accommodation the impact is expected to be positive for all groups. However, it may be that some households will take the view that their right to exercise choice has been curtailed and it is likely that these households will fall into the protected groups noted earlier. In the majority of such cases, it is considered likely that households will have refrained from bidding either because they are settled in their temporary accommodation or because they have very specific ambitions for the type of property they wish to move to. Since any property identified through auto-bidding will be suitable for the household's needs, it is not considered that these are acceptable reasons for a household to elect to remain in temporary accommodation. It should also be noted that a review of applications from households who have been waiting longest will be carried out, since it is anticipated that in a number of cases their circumstances will have changed significantly or they may no longer wish to pursue their application.

Consultation indicated strong support for this proposal, with a number of respondents expressing frustration that some households are failing to bid.

Age

Given the age profile of the Housing Register, which has a relatively low number of older applicants, who will often be seeking smaller homes or specialised accommodation such as Extra Care sheltered housing, the number of older people affected is likely to be very small. Similar factors apply to the impact on young people. Figures in the table below and other tables in this section refer to the 404 households identified above.

Age	1 bed	2 bed	3 bed	4 bed	5 bed	Unknown	Total
Under 45	34	105	52	9	1	14	215 (53%)
Between 45 and 49	7	29	18	11		6	71 (18%)
Between 50 and 54	5	19	14	6	3	1	48 (12%)
Between 55 and 59	5	6	6	2	1	1	21 (5%)
Between 60 and 64	7	6	6	1	1	1	22 (5%)
65 and over	13	7	4	2	1		27 (7%)
Grand Total	71	172	100	31	7	23	404

No negative impact has been identified in connection with age specifically.

Disability

Households with a disability are generally awarded a higher Band where it is recognised that their current housing is unsuitable or has a detrimental effect. As noted above, where a disability is a barrier to bidding, assistance is available. In cases where disability is a factor in priority or in the type of housing required – for example wheelchair accessible housing – analysis suggests that few if any households in this group would be affected by the proposal although it should be noted that it is not known whether any households have a claim for disability benefits

and further work will be needed to clarify this.

One indication of disability is a need for property suitable for individuals with various levels of restricted mobility. Properties are graded as follows:

- Mobility Group 1 - Suitable for wheelchair user indoors and outdoors
- Mobility Group 2 - Suitable for people who cannot manage steps or stairs and may use a wheelchair some of the day
- Mobility Group 3 - Suitable for people only able to manage 1 or 2 steps or stairs

There are 85 relevant applications, as detailed below:

Level 1	5
Level 2	3
Level 3	77
Total	85

No negative impact has been identified at this stage. Because auto-bidding will require validation of relevant applications, it is anticipated that this may lead to more accurate identification of need in relation to disability, which should have a positive impact.

Gender Reassignment

Current data is not sufficient to assess any particular impact for this group. Future monitoring arrangements will provide better information and it is worth noting that, among those responding to the consultation overall, nine households indicated that their gender is not the one assigned to them at birth. This represents 2.8% of respondents; a higher figure for gender reassignment than in the general population although it is probably unwise to draw conclusions from a relatively small sample and some allowance needs to be made for error in completing the equalities part of the questionnaire.

Marriage and Civil Partnership

No specific impacts have been identified in relation to this group. Note that, in relation to gender, 69% of households have a female head. This does not mean that these households are all single parents, but it may be inferred that a significant proportion of them may be. Further work is needed to clarify the position.

Pregnancy and Maternity

No specific impacts have been identified in relation to this group beyond the points noted in relation to gender and race. The number of households who have indicated either pregnancy or a child under one is very low and, as noted earlier, this is only a snapshot of the current position, which will alter over time. The value of the data here may be in providing some indication of the general trend or average levels of pregnancy and maternity that might be expected for this group.

Is a member of the household pregnant?	1 bed	2 bed	3 bed	4 bed	5 bed	Unknown	Total
No	2	6	2				10
No response	69	166	98	31	7	23	394
Total	71	172	100	31	7	23	404

Number of children under 1	2 bed	3 bed	Unknown	Total
0	1		1	2
1		2		2
Total	1	2	1	4

Race

As noted above, Black African and Black Caribbean households and households with a female head are over-represented among homeless households, who make up the majority of the Housing Register. However, the impact of the proposal is considered to be positive, other than with regard to the potential for negative perceptions around the question of choice noted above. The high level of support for the proposal suggests that this is not considered to be a significant issue by the majority of housing applicants.

Ethnicity	1 bed	2 bed	3 bed	4 bed	5 bed	Unknown	Total
A White - British	3	7	12	3		1	26 (6.44%)
B White - Irish	1		2				3 (0.74%)
C White - other	1	15	6	5		2	29 (7.18%)
D Mixed - White and Black Caribbean	2	1					3 (0.74%)
E Mixed - White and Black African		1	1				2 (0.50%)
G Mixed - other		1					1 (0.25%)
H Asian or Asian British - Indian		11	3	3		1	17 (4.21%)
J Asian or Asian British - Pakistani	1	6	3	1	1		12 (2.97%)
K Asian or Asian British - Bangladeshi		1	1				2 (0.50%)
L Asian or Asian British - Other	2	11	11	5	1	2	32 (7.92%)
M Black or Black British - Caribbean	9	34	9	1		2	55 (13.6%)
N Black or Black British - African	5	33	24	12	4	4	82 (20.3%)
P Black or Black British - other	4	9	7		1		21 (5.20%)
R Chinese		1					1 (0.25%)
S Other	43	39	21	2		11	116 (28.7%)
(blank)		2					2 (0.50%)
Total	71	172	100	31	7	23	404 (100%)

Information held on these households is incomplete and further work will be undertaken to clarify the position. The ethnic breakdown of the non-bidding population broadly represents the breakdown on the homeless population, with no group disproportionately affected, without knowing more detail about the 28% categorised as 'Other'.

Religion or Belief

Current data is not sufficient to assess any impact for this group beyond the general positive impacts noted above. In part this reflects the fact that this data was not collected at the time the household applied. Future monitoring arrangements will provide better information about this group and it is worth noting that most of those responding to the questionnaire provided information about their faith, indicating that an improved picture of this factor should be obtainable in future.

Religion	1 bed	2 bed	3 bed	4 bed	5 bed	Unknown	Total
Christian	3	2					5 (1%)
Muslim	2	2	3				7 (2%)
No Religion		1					1 (0%)
Not stated		2					2 (0%)
(blank)	66	165	97	31	7	23	389 (96%)
Grand Total	71	172	100	31	7	23	404

Sex

As noted above, households with a female head are over-represented among homeless households, who make up the majority of the Housing Register but the impact of the proposal is considered to be positive since it will result in an offer of suitable accommodation. Having said this, the number of male applicants in this group is higher than in the overall homeless population. It has not been possible to establish any clear reason for this.

Sex	1 bed	2 bed	3 bed	4 bed	5 bed	Unknown	Total
Female	27	126	78	25	7	16	279 (69%)
Male	44	46	22	6		4	122 (30%)
(blank)						3	3 (1%)
Grand Total	71	172	100	31	7	23	404

Sexual Orientation

Current data is not sufficient to assess any impact for this group. Again, this is partly due to the fact that this data was not collected at the time the household applied. Analysis of responses to consultation indicates a lower number of gay and lesbian households that might have been anticipated, although the relatively small sample size compared to the total on the Register requires that this data should be interpreted with caution.

Sexual Orientation	1 bed	2 bed	3 bed	4 bed	5 bed	Unknown	Total
Bisexual	1						1 (0%)
Heterosexual	4	6	3				13 (3%)
Not stated		1					1 (0%)
(blank)	66	165	97	31	7	23	389 (96%)
Grand Total	71	172	100	31	7	23	404

3.3 BAND C PRIORITY FOR HOUSEHOLDS ACCEPTING A QUALIFYING OFFER

A Qualifying Offer may be accepted by any household with an application date before 09 Nov 2012 and the profile should therefore reflect the overall profile of homeless households. 38 households have accepted a Qualifying Offer to date and are not affected by this proposal as the rules applying at the time allowed them to retain their priority as noted in the report. The change will impact on applications during the current and future financial years and initial analysis suggests that the number of households affected will be small (20 p.a.) and is likely to reflect the wider profile of homeless households in terms of protected characteristics.

This proposal corrects an omission from the current Scheme and restores the additional priority granted to affected households under the previous Scheme. The impact is therefore positive for the small number affected and no negative impacts have been identified for any protected group.

Consultation indicated strong support for this change.

Age

Age	Total
Under 45	77%
45-49	9%
50-54	7%
55- 59	2%
60-64	1%
65+	3%
Total	100%

The age profile is predominantly younger, as would be expected.

Disability

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required. Therefore we are unable to determine whether there is a positive or negative impact. However, it should be stressed that the option to accept a Qualifying Offer is voluntary and officers would ensure that any property was suitable for the household's needs

Gender Reassignment

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required. Therefore we are unable to determine whether there is a positive or

negative impact.

Marriage and Civil Partnership

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

Pregnancy and Maternity

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

Race

The chart below details ethnicity for the 38 households who have already accepted a Qualifying Offer and indicates that the mix is broadly in line with the profile of homeless households, suggesting that the option is useful to the full range of households. Obviously, there is a need for caution in drawing conclusions from a relatively small total. It is anticipated that future take-up will reflect a similar profile, although it is intended that better information and publicity around the option may increase take-up, which will be monitored to assess any divergence from the pattern established so far.

Ethnicity	%
Asian British	1%
Asian Chinese	0%
Asian Indian	2%
Asian Other	7%
Asian Pakistani	3%
Black African	12%
Black African Ghanaian	1%
Black African Nigerian	1%
Black African Other	1%
Black African Somali	12%
Black Asian	1%
Black British	3%
Black Caribbean	12%
Black Other	1%
Mixed Other Background	1%
Mixed White and Black African	1%
Mixed White and Black Caribbean	1%
Other	2%
Other Afghan	2%
Other Arab	2%
Other Iraqi	1%
Unknown	0%
White Irish	1%
White Other	4%
White Other European	2%
White Other Polish	1%
White Other Portuguese	1%

White UK	6%
(blank)	20%
Total	100%

Religion or Belief

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

Sex

The table below (based on the sample referred to above) indicates that take-up has reflected the gender balance among households, subject to the same considerations noted for ethnicity.

Sex	Total
FEMALE	71%
MALE	29%
Total	100%

Sexual Orientation

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

3.4 DIRECT OFFERS

Again, initial analysis indicates that the profile of households affected by this proposal will be similar to the profile identified above, with disproportionate numbers of female heads of household and households from Black African and Black Caribbean groups. The proposal is targeted specifically at households who are or will become subject to the overall benefit cap and would therefore be unable to afford to remain in temporary accommodation without significant financial support. Since the proposal will lead to offers of appropriate, affordable social accommodation, usually more quickly than might otherwise be expected and with the effect of mitigating the impact of the cap for the households, the impact is positive for all groups.

Consultation indicated strong support for this proposal.

There are 61 households in TA that are still capped and losing over £100/week, with an acceptance date before 09 Nov 2012. It is this group that would be most likely to be considered for a direct offer (although waiting time will also play a role).

The table below shows family size and confirms that the impact is likely to be greatest for larger households with dependents and is less likely to affect larger households with non-dependents. Households with children are therefore more likely to benefit from the change:

Bed size	Dependents		Non-dependents	
	Count	%	Count	%
0	5	8.20%	47	77%
1-2	22	36.07%	11	18%

3-4	30	49.18%	2	3%
5+	4	6.56%	1	2%
Total	61	100.00%	61	100%

Age

The table below indicates the age range for those affected by the cap. These are predominantly households where the main applicant is between 25 and 54, as would be expected since the main impact is on households with children.

Age	Count	%
18-24	4	7%
25-34	20	33%
35-44	19	31%
45-54	16	26%
55-60	2	3%
Grand Total	61	100%

Disability

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required. Therefore we are unable to determine whether there is a positive or negative impact. As noted earlier, households with a disability are likely to be in a higher band and are also likely to require property that is specifically suited to their situation, based on assessment of their mobility needs. Where a direct offer might assist, each case would be assessed individually.

Gender Reassignment

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

Marriage and Civil Partnership

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

Pregnancy and Maternity

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

Race

For the 61 households noted, the breakdown by ethnicity is set out below. Note that the small size of the potentially impacted group means that analysis is provided for broad groups rather than a higher level of detail. Therefore we are unable to determine whether there is a positive or negative impact.

Asian households appear to be disproportionately affected, representing 30% of the household identified as likely to receive a Direct Offer (compared to 20% of the homeless population), and Black households might be slightly under-represented (33%, compared to 40% of the total homeless population).

Ethnicity	Count	%
Asian	18	30%
Black	20	33%
Mixed	4	7%
Other	5	8%
Unknown	2	3%
White	12	20%
Grand Total	61	100.00%

Religion or Belief

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required. Therefore we are unable to determine whether there is a positive or negative impact.

Sex

Applicants within this group are more likely to be female than in the overall profile.

Gender	Count	%
Female	53	87%
Male	8	13%
Total	61	100%

Sexual Orientation

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

3.5 BEDROOM ALLOCATION

There are two elements to this proposal and each is dealt with separately below in terms of the impact for ethnicity and age, while the impacts for other characteristics are considered jointly.

To provide context, the table below gives an overview of demand by bedroom size. It shows that there is extremely high demand for two bedroom properties and a demand for almost 700 properties with four or more bedrooms.

Year of Application	0	1	2	3	4	5	6	7	8	9	Total
1994			1	2	1	1					5
1995				2	2		1				5

1996				3	3	1	1	1			9
1997	2		4	10	10	2					28
1998	1	1	1	18	17	4	2	1			45
1999	1	3	6	20	13	7	1				51
2000		2	7	43	27	14	1	2			96
2001	4	3	16	52	41	19	3	1			139
2002	1	2	25	96	41	19	2	1			187
2003	6	2	40	67	25	5	6		1		152
2004	5	5	49	81	23	8	5	1	1		178
2005		9	57	75	33	7	2			1	184
2006	7	12	86	85	34	16	2	1			243
2007	6	11	129	103	16	8	5	1			279
2008	4	12	92	76	20	8	1				213
2009	2	12	78	40	9	2					143
2010	2	19	114	46	19	5	2				207
2011	4	34	211	89	22	8	1		1		370
2012	4	56	287	120	47	13	3	1		1	532
2013	7	84	263	115	40	15	5	2			531
2014	5	40	112	43	19	3	1				223
Total	61	307	1578	1186	462	165	44	12	3	2	3820

3.5.1 Adult Children

Analysis of households with adult children by ethnicity indicates that two broad groups are over-represented: Asian (including Asian Indian and Asian Pakistani) households and Black African households. The significant shortage of larger homes and the consequent long waits for suitable homes to become available requires a change in approach but it is acknowledged that negative impacts could arise where adults are required to share bedrooms.

Consultation indicated significant opposition to this proposal from households responding to the questionnaire but providers – Brent Housing Partnership and housing associations – were strongly in favour. To some extent, this will reflect the views of those likely to be affected directly but it is clear that disagreement was not limited to this relatively small group. Consideration will need to be given to measures to mitigate this impact, which needs to be balanced against the desirability of households moving to secure and permanent accommodation.

Although the reasons for adult children remaining within households will vary according to individual circumstances, in general terms the evidence suggests that children are remaining with their parents or other family much longer because of the barriers they face in securing independent accommodation. The most significant of these are housing costs, the impact of welfare reform and in particular the single room rate for those under 35 and difficulty in securing employment that would support independence. This is an issue affecting households across the spectrum of tenure and incomes and will impact on all protected groups but there may be additional cultural factors that add to the likelihood that adult children will remain with their families. In addition, there may be particular issues with regard to adult children acting as carers for older or disabled parents or family members.

Mitigation will focus on provision of advice and support to assist adult children to secure independent accommodation, including advice and support around employment and skills. It is anticipated that the establishment of the Brent Housing Partnership Letting Agency could provide one route into private rented housing for these individuals, while proposals set out in the draft Employment, Skills and Enterprise Strategy are designed to increase employment and training opportunities. It should be stressed that where circumstances suggest a different approach – for example in the case of disabled households with carers – the council would retain discretion over the application of the policy.

Ethnicity	Total	%
Asian Bangladeshi	3	1%
Asian Chinese	1	0%
Asian Indian	16	5%
Asian Other	47	14%
Asian Pakistani	16	5%
Black African	93	28%
Black African Ghanaian	1	0%
Black African Somali	7	2%
Black British	2	1%
Black Caribbean	25	8%
Black Other	11	3%
Ethnicity not specified	40	12%
Mixed Other Background	2	1%
Mixed White and Asian	1	0%
Mixed White and Black African	1	0%
Other	26	8%
Other Afghan	1	0%
Other Arab	1	0%
Other Iraqi	2	1%
White Irish	3	1%
White Other	15	5%
White Other Albanian	1	0%
White Other European	3	1%
White Other Portuguese	1	0%
White UK	13	4%
Grand Total	332	100%

The table below shows the percentage of each age group by bedroom required. Overall need and need for larger homes in particular is concentrated in the group below 50 years of age.

Age	0	1	2	3	4	5	6	7	8	9	Total
Under 45	1%	4%	33%	20%	6%	1%	0%	0%	0%	0%	65%
45 - 49	0%	1%	4%	6%	3%	1%	0%	0%	0%	0%	14%
50 - 54	0%	1%	2%	3%	2%	1%	0%	0%	0%	0%	9%
55 - 59	0%	1%	1%	1%	1%	1%	0%	0%	0%	0%	5%
60 - 64	0%	0%	0%	1%	0%	0%	0%	0%	0%	0%	2%
65+	0%	1%	1%	1%	0%	0%	0%	0%	0%	0%	4%
Total	2%	8%	41%	31%	12%	4%	1%	0%	0%	0%	100%

3.5.2 Offer of One bed Properties to Households with One Child

Analysis indicates that around 541 applications are from lone parent households, which are more likely to be headed by a woman, and adding couples with one child residing with them would bring the total up to around 1000. Around 209 one-bed lettings are expected although not all would be made to this group and it is difficult at this stage to assess potential demand, although a number of households have requested a move on this basis.

Since the change is based on applicant choice, it is anticipated that households electing to move will not perceive any adverse impact but will regard the option as providing the advantage of a move out of temporary accommodation into social housing, which will provide greater stability and certainty. Further mitigation is provided by the retention of Band C priority, based on the original application date.

Race

Households with a 2-bedroom need and 2 persons in the household

Ethnicity	Number of applicants	
A White - British	13	2%
B White - Irish	1	0%
C White - other	18	3%
D Mixed - White and Black Carribean	5	1%
E Mixed - White and Black African	3	1%
G Mixed - other	2	0%
H Asian or Asian British - Indian	13	2%
J Asian or Asian British - Pakistani	4	1%
K Asian or Asian British - Bangladeshi	1	0%
L Asian or Asian British - Other	9	2%
M Black or Black British - Caribbean	70	13%
N Black or Black British - African	51	9%
P Black or Black British - other	16	3%
R Chinese	1	0%
S Other	331	61%
Z Not Stated	1	0%
(blank)	2	0%
Total	541	100%

Note that "other" is significantly high in this table. The reason for this is that the data has not been collected at a sufficiently granular level for historic applications. Work to rectify this lack of data has been identified in the action plan.

Age

The table below sets out the bedrooms required by applicants within different age cohorts and it is unlikely that many older people will be affected by this proposal with 33% of all applicants requiring a two-bed property under 45.

Age	0	1	2	3	4	5	6	7	8	9	Total
Under 45	1%	4%	33%	20%	6%	1%	0%	0%	0%	0%	65%
45 - 49	0%	1%	4%	6%	3%	1%	0%	0%	0%	0%	14%
50 - 54	0%	1%	2%	3%	2%	1%	0%	0%	0%	0%	9%
55 - 59	0%	1%	1%	1%	1%	1%	0%	0%	0%	0%	5%
60 - 64	0%	0%	0%	1%	0%	0%	0%	0%	0%	0%	2%
65+	0%	1%	1%	1%	0%	0%	0%	0%	0%	0%	4%
Total	2%	8%	41%	31%	12%	4%	1%	0%	0%	0%	100%

Pregnancy and Maternity

The proposal is unlikely to impact on pregnant women or parents with a child under 1 year old because it is still likely to take 3 years to receive an offer of a 1-bed social home.

Pregnancy by bedsize required

Pregnant household member	0	1	2	3	4	5	6	7	8	9	Total
No	1	5	63	52	19	8	2	2		1	153
Yes		2	11		3						16
(blank)	60	300	1504	1134	440	157	42	10	3	1	3651
otal	61	307	1578	1186	462	165	44	12	3	2	3820

3.5.3 Characteristics similar for both proposals

Disability

Mobility Level		1	2	3	4	5	6	7	8	9	Total
1	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
2	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
3	0%	1%	1%	2%	1%	0%	0%	0%	0%	0%	5%
(blank)	1%	7%	40%	29%	11%	4%	1%	0%	0%	0%	95%
Total	2%	8%	41%	31%	12%	4%	1%	0%	0%	0%	100%

No specific impacts have been identified. The majority of applicants have not given any indication of mobility needs although there are small numbers spread over the 1 to 4 bedroom group. As noted above, cases involving disability will be assessed individually to determine bedroom requirements.

Gender Reassignment

No specific impacts have been identified beyond those noted above and there is insufficient data to allow for further analysis at this stage. Therefore we are unable to determine whether there is a positive or negative impact.

Marriage and Civil Partnership

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required. Therefore we are unable to determine whether there is a positive or negative impact.

Religion or Belief

Table 7: Religion by bedsize required

Religion	0	1	2	3	4	5	6	7	8	9	Total
Christian	0%	0%	1%	1%	0%	0%	0%	0%	0%	0%	2%
Hindu	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Muslim	0%	0%	0%	1%	1%	0%	0%	0%	0%	0%	2%
No Religion	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Religion Not Stated	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%
Sikh	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
(blank)	2%	8%	39%	29%	11%	4%	1%	0%	0%	0%	94%
Grand Total	2%	8%	41%	31%	12%	4%	1%	0%	0%	0%	100%

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required. Therefore we are unable to determine whether there is a positive or negative impact.

Sex

Gender	0	1	2	3	4	5	6	7	8	9	Total
Female	1%	3%	33%	23%	9%	3%	1%	0%	0%	0%	72%
Male	0%	5%	9%	8%	3%	2%	1%	0%	0%	0%	28%
(blank)	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Grand Total	2%	8%	41%	31%	12%	4%	1%	0%	0%	0%	100%

No specific impacts have been identified beyond those noted above but the profile for this group matches the overall profile.

Sexual Orientation

Sexuality	0	1	2	3	4	5	6	7	8	9	Total
Bisexual	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Gay man	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Heterosexual	0%	0%	2%	1%	1%	0%	0%	0%	0%	0%	5%
Not stated	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%
(blank)	2%	8%	39%	29%	11%	4%	1%	0%	0%	0%	94%
Grand Total	2%	8%	41%	31%	12%	4%	1%	0%	0%	0%	100%

No specific impacts have been identified beyond those noted above and there is

insufficient data to allow for further analysis at this stage.

3.6 UNDER OCCUPATION

There are 114 live applications from under-occupiers within Council Stock (700 tenants are known to be affected by the bedroom tax introduced in 2013). There may be other households who are seeking a transfer to smaller homes but tenants of housing associations will make an application to their own landlord and therefore do not feature in this analysis. Taking this into account, the number of applications is still lower than expected and suggests that tenants are not motivated to downsize to a smaller property.

White British and Black Caribbean households are over-represented compared to the overall list, due the fact that under-occupiers will usually have been in occupation for many years and the profile will reflect prevailing demographics at the time they were housed.

Of the live applications, only 18 are for more than 1-bedroom. Although no formal analysis has been undertaken to date, anecdotal reports suggest that current policy, which does not allow adult children to be included in applications, is deterring tenants from seeking downsizing moves. This may also mean that current applications may not reflect true demand levels.

Overall, analysis indicates that under-occupiers are predominantly older, white, female applicants with either no child remaining at home or fewer than appropriate to the number of bedrooms. Of the eighteen applications to which this proposal would apply, most are between 45 and 60, probably reflecting the impact of the bedroom tax, while there is a broadly equal split between White, Black and Asian applicants. Overall the information suggests that there is a real disincentive to apply at present.

This proposal aims to encourage under-occupiers to move by offering a more generous bedroom allocation and including household members who are currently not considered. The impact will therefore be positive and will release larger homes for letting to those who need them, as noted above. The current lettings policy is seeking to achieve 80% of lets to Homeless households, so the positive impact will be reflected in a higher number of lets to Black African and Black Caribbean female headed households with children that currently make up our homeless applicants.

Age

The proposal is expected to have a positive impact for older households where a tenant would like to move to smaller accommodation but is reluctant to do so if an adult child is not included in the application. The table below provides a breakdown by age, confirming that the majority of applicants are older households, of which 50% are between 50 and 60, the group most likely to be impacted by the Bedroom Tax.

Age	Number	%
Under 45	13	11%
Between 45 and 49	4	4%
Between 50 and 54	25	22%
Between 55 and 59	23	20%
Between 60 and 64	13	11%
65 and over	36	32%

Total	114	100%
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Disability

Of current applications, 12 people have indicated that they have a disability. The change will have a positive impact in particular for tenants who currently receive any level of care and support from an adult family member.

Disability	Count	%
Yes	12	11%
(blank)	102	89%
Grand Total	114	100%

Gender Reassignment

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact.

Marriage and Civil Partnership

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact.

Pregnancy and Maternity

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact. It is considered very unlikely that households containing a pregnant woman or very young child would be affected given the overall age profile noted above.

Race

The table below provides a breakdown of applications by ethnicity. White British and Black Caribbean households are over-represented, for the reasons noted above.

Ethnicity	Number	%
A White - British	24	21.05%
B White - Irish	10	8.77%
C White - other	1	0.88%
D Mixed - White and Black Caribbean	3	2.63%
E Mixed - White and Black African	1	0.88%
G Mixed - other	1	0.88%
H Asian or Asian British - Indian	5	4.39%
J Asian or Asian British - Pakistani	3	2.63%
K Asian or Asian British - Bangladeshi	1	0.88%
L Asian or Asian British - Other	2	1.75%
M Black or Black British - Caribbean	20	17.54%
N Black or Black British - African	11	9.65%
P Black or Black British - other	4	3.51%
S Other	18	15.79%
Z Not Stated	9	7.89%

(blank)	1	0.88%
Grand Total	114	100.00%

Religion or Belief

Religion	Count	%
Christian	36	32%
Hindu	3	3%
Muslim	13	11%
No Religion	12	11%
Religion Not Stated	16	14%
(blank)	34	30%
Grand Total	114	100%

No specific impacts have been identified in relation to religion or belief, although it is worth noting that that proportions may reflect similar patterns to those noted for age, reflecting prevailing demographics at the time these households were first housed.

Sex

Gender	Count	%
Female	87	76%
Male	26	23%
(blank)	1	1%
Total	114	100%

As noted above, more women than men appear in this group and the impact is expected to be positive.

Sexual Orientation

Sexuality	Count	%
Heterosexual	66	58%
Lesbian	1	1%
Not stated	13	11%
(blank)	34	30%
Total	114	100%

No specific impacts have been identified but limited data is currently available.

3.7 INCENTIVE AND REWARD FOR EMPLOYMENT

The Tenancy Strategy and the Allocation Scheme set out to encourage employment through the award of additional waiting time but at present this incentive is not available to homeless households. There are currently 4509 applications in Band A-C, of which 3443 (76%) are homeless households in temporary accommodation. Typically, employment figures are low for homeless households although with the implementation of the Overall Benefit Cap the numbers in employment have increased. It would still be difficult to estimate how many applicants would qualify for the additional waiting time as data on employment has not been routinely collected for these households as it has no impact on priority and would only be considered as

part of the assessment of the suitability of accommodation at the point an offer is made. In future, this information will need to be collected for all households on the register, both at the point of application and in relation to any change of circumstances.

Currently there are 11,900 people in Brent who are unemployed and seeking employment, of which 6,098 are claiming Job Seekers Allowance (JSA). In June 2014, the rate of all working age people claiming JSA is 3.2% and is higher than the London average of 2.6% and the UK average of 2.5%. As noted above, rates tend to be higher for homeless households.

The percentage of the working age population claiming job seekers allowance over the last ten years has been consistently higher in Brent than in London and the UK, but follows the same trend. Although there has been an increase in the number of working age adults within the borough, many of these people are successfully finding employment.

Black African and Black Caribbean households headed by women are over-represented among homeless households as noted earlier. Evidence also indicates that the same groups face additional barriers to employment. However, the impact for those who do find work will be positive and work underway or planned through the emerging Employment, Skills and Enterprise Strategy is intended to improve opportunities for all Brent residents and for hard-to-reach groups in particular.

This proposal aims to put households who secure employment after their application on the same footing as those who are employed at the time of their application, correcting an apparent anomaly in the existing Scheme. The impact for those qualifying will therefore be positive.

Until recently, data on the employment status of households on the Register was not collected as it was not a relevant factor in considering priority and has remained so with regard to homeless households. Data is only available for those who applied since changes to the Allocation Scheme were implemented in late 2013 and early 2014, or for anyone who has submitted a change of circumstances form relating to their employment status. Since this has not been a relevant consideration for homeless households, data for this cohort is particularly lacking. It is therefore not possible to provide any meaningful analysis at this stage, other than to make inferences from the general improvement in employment levels.

Age

No specific impacts have been identified beyond those noted above. Although people over pensionable age are less likely to benefit, they are also more likely to be seeking smaller homes or specialised accommodation.

Disability

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact. Therefore we are unable to determine whether there is a positive or negative impact.

Gender Reassignment

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact. Therefore we are unable to determine whether there

is a positive or negative impact.

Marriage and Civil Partnership

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact. Therefore we are unable to determine whether there is a positive or negative impact.

Pregnancy and Maternity

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact. Therefore we are unable to determine whether there is a positive or negative impact.

Race

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact. Therefore we are unable to determine whether there is a positive or negative impact.

Religion or Belief

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact. Therefore we are unable to determine whether there is a positive or negative impact.

Sex

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact. Therefore we are unable to determine whether there is a positive or negative impact.

Sexual Orientation

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact. Therefore we are unable to determine whether there is a positive or negative impact.

3.8 APPLYING THE RESIDENCY CRITERIA TO ACCEPTED HOMELESS CASES

Data on the numbers affected is limited, as is data on protected characteristics. However, it may be assumed that the profile will broadly match that indicated for other proposals discussed above with the additional likelihood that new migrants to the borough (both in-country and international) may be particularly affected. In the absence of reliable data to confirm the numbers impacted, best estimates indicate that no more than 150 households would be affected.

The proposal puts homeless households on the same footing as other applicants in terms of residence qualification but it is acknowledged that the impact on those affected may be perceived as negative.

In general terms, it is anticipated that this proposal will assist in countering negative and unfair perceptions of homeless households as “queue jumpers” (an attitude reflected quite strongly in consultation responses) since it ensures that they are

treated in the same way as other applicants. In practice, the majority of homeless households have at least some local connection with Brent and, usually, this will be based on settled residence, often beyond the five-year minimum. Alignment with average waiting times will also assist in mitigation. Since homeless households are, in accordance with homelessness duties, entitled to suitable temporary accommodation in the interim, no other mitigation measures have been identified at this stage.

The table below gives an overview of the Register by priority date and bedroom requirement. Two key points should be noted. First, all those with a priority date five years or more in the past have already met the residence criteria. Second, where a homeless application was accepted after 9th November 2012, the Tenancy Strategy states that the duty will be discharged in the private rented sector in the majority of cases. The group affected by this proposal is therefore applicants with a priority date less than five years ago but before 9th November 2012. There are around 900 households in total in this group but the majority of these will also meet the residence criteria due to their previous residence in Brent prior to their application date.

Priority Date	0	1	2	3	4	5	6	7	8	9	Total
1994			1	2	1	1					5
1995				2	2		1				5
1996				3	3	1	1	1			9
1997	2		4	10	10	2					28
1998	1	1	1	18	17	4	2	1			45
1999	1	3	6	20	13	7	1				51
2000		2	7	43	27	14	1	2			96
2001	4	3	16	52	41	19	3	1			139
2002	1	2	25	96	41	19	2	1			187
2003	6	2	40	67	25	5	6		1		152
2004	5	5	49	81	23	8	5	1	1		178
2005		9	57	75	33	7	2			1	184
2006	7	12	86	85	34	16	2	1			243
2007	6	11	129	103	16	8	5	1			279
2008	4	12	92	76	20	8	1				213
2009	2	12	78	40	9	2					143
2010	2	19	114	46	19	5	2				207
2011	4	34	211	89	22	8	1		1		370
2012	4	56	287	120	47	13	3	1		1	532
2013	7	84	263	115	40	15	5	2			531
2014	5	40	112	43	19	3	1				223
Total	61	307	1578	1186	462	165	44	12	3	2	3820

Age

No specific impacts have been identified beyond those noted above.

Disability

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be

required. It should be noted that the Allocations Panel will be able to consider cases where disability or health issues suggests that the residency criteria could lead to a negative impact, for example where deterioration in a health condition or mobility renders existing accommodation unsuitable.

Gender Reassignment

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

Marriage and Civil Partnership

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

Pregnancy and Maternity

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

Race

Possible negative impact as noted and mitigation issues are discussed above.

Religion or Belief

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

Sex

Possible negative impact as noted above.

Sexual Orientation

No specific impacts have been identified in relation to this group but there is insufficient data to undertake an effective analysis and further investigation will be required.

Therefore for all of the protected groups we are unable to determine whether there is a positive or negative impact.

3.9 OVERCROWDING

Initial analysis indicates that Black African households and households headed by women are over-represented (see below). In principle, there is the potential for negative impact since lower priority would be awarded but in practice, as noted above, the award of higher priority has little meaning where demand outstrips supply so markedly and the intention is that the change will place homeless and overcrowded households on the same footing, reflecting more accurately the relative priority intended to be given to each group. Consultation indicated broad support for this change.

Mitigation will include advice and support to secure alternative accommodation in the private sector.

Age

Age	Count	%
Under 45	187	69%
45 - 49	44	16%
50 - 54	22	8%
55 - 59	12	4%
60 - 64	4	1%
65 and over	2	1%
Total	271	100%

The age profile indicates that the overwhelming majority are under 50. This is to be expected, since overcrowding will usually affect families with children. No specific impacts relating to age have been identified beyond the general impact of perceived loss of priority, which affects all groups, as noted earlier.

Disability

Mobility Level	Count	%
3	2	1%
No restrictions:	269	99%
Total	271	100%

No specific impacts have been identified and the overwhelming majority have not indicated any mobility issues. Those with a disability are more likely to be awarded Band A or B priority on medical grounds and would therefore be unaffected by this change in those circumstances.

Gender Reassignment

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact.

Marriage and Civil Partnership

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact.

Pregnancy and Maternity

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact.

Race

Ethnicity	Count	%
A White - British	9	3%

B White - Irish	1	0%
C White - other	19	7%
D Mixed - White and Black Carribbean	1	0%
E Mixed - White and Black African	2	1%
F Mixed - White and Asian	1	0%
G Mixed - other	2	1%
H Asian or Asian British - Indian	17	6%
J Asian or Asian British - Pakistani	10	4%
L Asian or Asian British - Other	15	6%
M Black or Black British - Caribbean	18	7%
N Black or Black British - African	54	20%
P Black or Black British - other	6	2%
Q Gypsy /Romany / Traveller	1	0%
R Chinese	1	0%
S Other	103	38%
Z Not Stated	11	4%
Total	271	100%

While data is incomplete, the largest single group is Black African, consistent with the findings for the other proposals in this report. Further work needs to be undertaken to clarify the position and provide a basis for future monitoring. Therefore we are unable to determine whether there is a positive or negative impact.

Religion or Belief

Religion	Count	%
Christian	38	14%
Hindu	6	2%
Muslim	45	17%
No Religion	3	1%
Not Stated	11	4%
Sikh	1	0%
(blank)	167	62%
Total	271	100%

Data is incomplete, reflecting the relatively recent implementation of monitoring for this area and numbers are too small to provide any reliable indications. Therefore we are unable to determine whether there is a positive or negative impact.

Sex

Gender	Count	%
Female	166	61%
Male	105	39%
Total	271	100%

The proportion of male applicants is higher than expected relative to the general

profile. The reasons for this are unclear and require further research.

Sexual Orientation

Sexuality	Count	%
Heterosexual	87	32%
Lesbian	1	0%
Not stated	16	6%
(blank)	167	62%
Total	271	100%

Data is incomplete, with 62% not giving an indication or specifically opting not to state, but of those who have answered, the overwhelming majority are heterosexual.

3.10 VOLUNTARY SECTOR QUOTA

The following analysis is based on nominations received from voluntary sector agencies since February 2014. As noted in the report, the suspension of the quota has meant that these individuals have remained in supported housing longer than expected. Note that there is not a waiting list for this group, since nominations come from voluntary sector agencies and are dealt with outside the Allocation Scheme.

Applicants are all single people and their profile differs significantly from the profile in other areas of this report. The key factor for this group is their identified need for support before moving on to independent living. These needs are primarily health-based, with mental health issues the most common shared characteristic.

Age

Row Labels	Count	%
16-24	5	21%
25-34	3	13%
35-44	10	42%
44-55	1	4%
45-54	2	8%
55+	3	13%
Grand Total	24	100%

The majority of households are under 44 but there is a significant minority of older individuals. The impact of the change for all age groups will be positive in restoring the opportunity to move on from supported housing.

Disability

Row Labels	Count	%
No	17	71%
Yes	7	29%
Grand Total	24	100%

The percentage indicating that they have a disability is higher than in the overall population but not a high as might be expected given that the quota is intended to

meet the needs of vulnerable households requiring supported housing. It should be stressed that data is based on self-assessment and, at the point of receiving a referral for housing, sufficient support will have been provided to allow the household to self-assess that they no longer have a disability.

Gender Reassignment

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact.

Marriage and Civil Partnership

No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact. As the majority are single, this is unlikely to be a significant factor.

Pregnancy and Maternity

There were no pregnant households at the time the referrals were made. There are occasional pregnancies within this group but the wait for housing is such that it is highly unlikely to be a relevant factor at the point of referral.

Race

Row Labels	Count	%
Black African	5	21%
Black Caribbean	5	21%
Mixed - White and Caribbean	2	8%
Prefer not to state	1	4%
White - Other	1	4%
White - Other	4	17%
White British	3	13%
White Irish	3	13%
Grand Total	24	100%

Black African and Black Caribbean households make up the two largest groups, followed by White Other. The fact that the sample is small and represents a snapshot of households nominated over a relatively short period, suggests a need for caution in interpreting this and other data. However, it appears that demand for supported housing services is high among these groups and that they will therefore benefit from the reinstatement of the quota.

Religion or Belief

Row Labels	Count of sex	%
Christian	14	58%
Muslim	2	8%
No Religion	4	17%
Other Religion	1	4%
Prefer not to state	3	13%

Grand Total	24	100%
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As with other factors, the small sample size makes it difficult to draw general conclusions about the impact for faith, although it is notable that more households identify as Christian than in wither the general population or the Housing Register cohort.

Sex

Row Labels	Count of sex	%
F	10	42%
M	14	58%
Grand Total	24	100%

The gender split is fairly even in this group, in contract to the over-representation of female-headed households, particularly among homeless households. This reflects the different criteria on which applicants are admitted into supported housing, where key factors are a need for support to move towards independent living based on

Sexuality

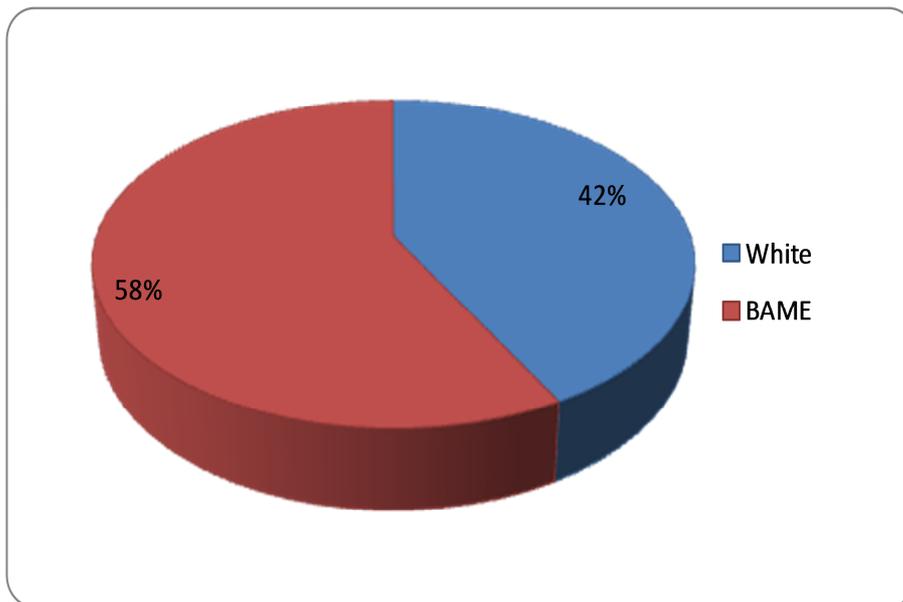
Row Labels	Count of sex	%
Heterosexual	19	79%
Prefer not to state	5	21%
Grand Total	24	100%

All households providing a response indicated that they were heterosexual, but a significant minority preferred not to give an answer. No specific impacts have been identified but there is insufficient data to make an accurate assessment of impact.

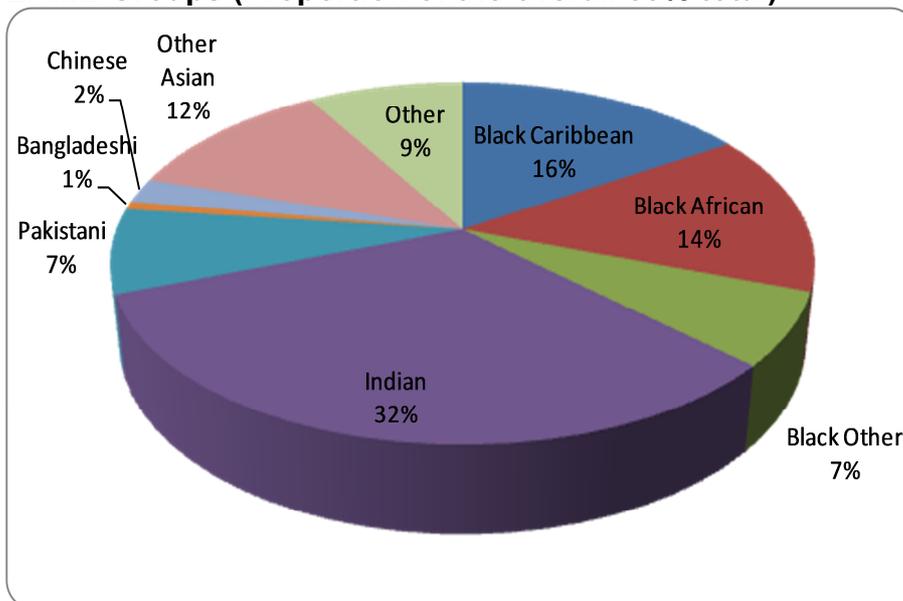
Please give details of the evidence you have used:

The first chart below summarises the overall population split between white British and BAME households, while the second provides a breakdown of the 58% who identified themselves as from a BAME group in the 2011 Census. These figures provide the basis for analysis of any divergence between the general population figures and other data with regard to ethnicity.

Brent: Overall Population (2011 Census)



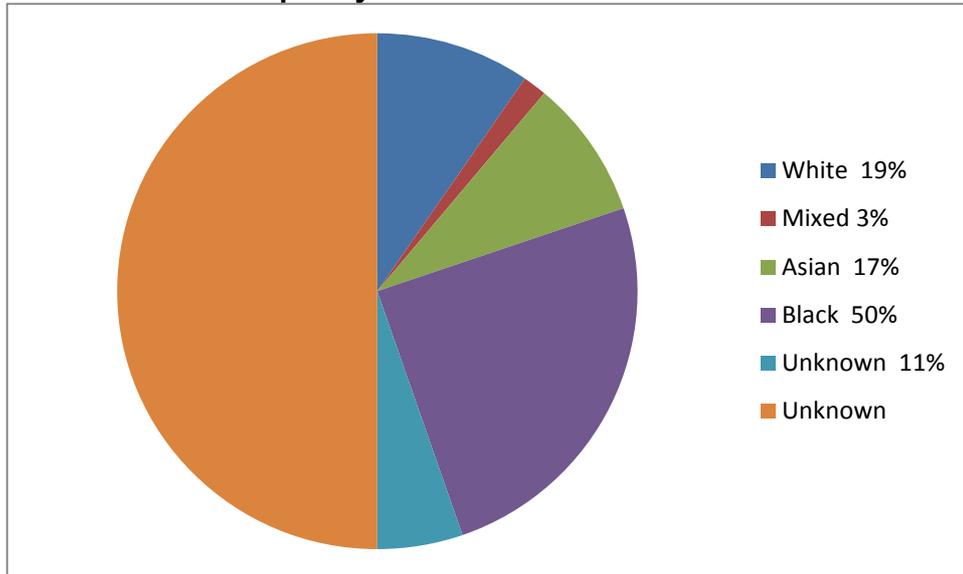
BAME Groups (Proportion of the overall 58% total)



Households from ethnic minority groups are disproportionately likely to become statutorily homeless, reflecting greater exposure to risk factors such as poverty, deprivation and overcrowding. Households with a White head (including both White British and other White ethnic groups) comprised 67% of all households in London in 2011, but just 38% of households accepted as statutorily homeless in 2012/13. Black or Black British households comprised 13% of all London households in 2011 but 37% of those accepted as homeless in 2012/13.

Brent's ethnic mix is both more diverse than London as a whole and includes a greater proportion of BAME households, but shows a similar pattern in the disproportionate numbers of BAME households experiencing housing problems.

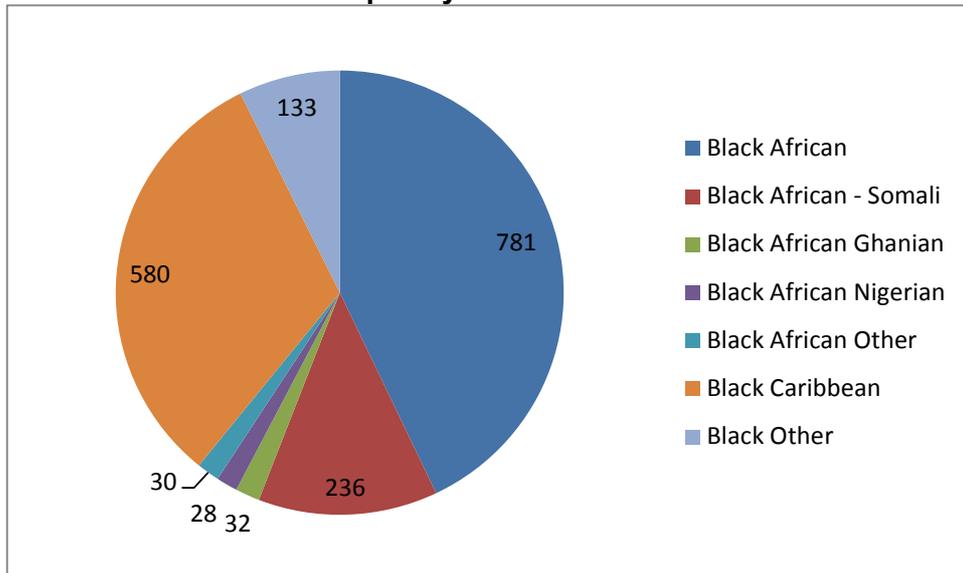
Households in Temporary Accommodation



The chart shows the broad ethnicity of household in temporary accommodation, where the Black group makes up 50% of the total but 37% of the overall population (note that all percentages have been rounded to the nearest whole number here and elsewhere in this section) and BAME groups as a whole make up 81% as opposed to 58% of the total in the general population.

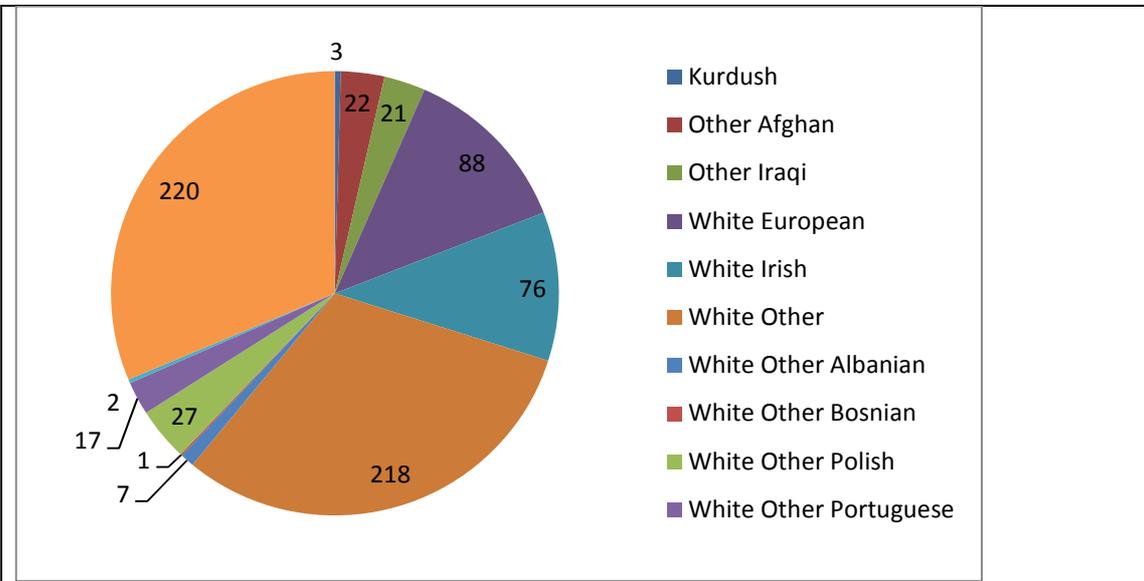
Breaking down the total above indicates that, among the broad Black category, Black African households are over-represented, with a particularly high number of Somali households

Black Households in Temporary Accommodation



It is also worth noting that, among the broad White category, White UK households make up a relatively small proportion of the total compared to the general population.

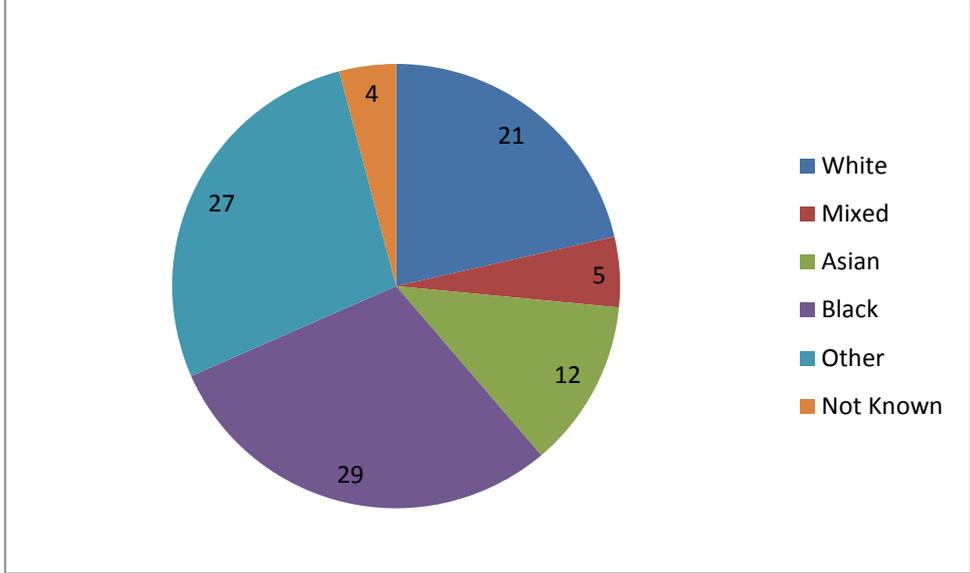
White Households in Temporary Accommodation



Although there has been much publicity concerning the impact of migration from eastern Europe, numbers of households from this group are small compared to their presence in the general population (although it should be noted that it is difficult to obtain accurate figures for the total number of such migrants).

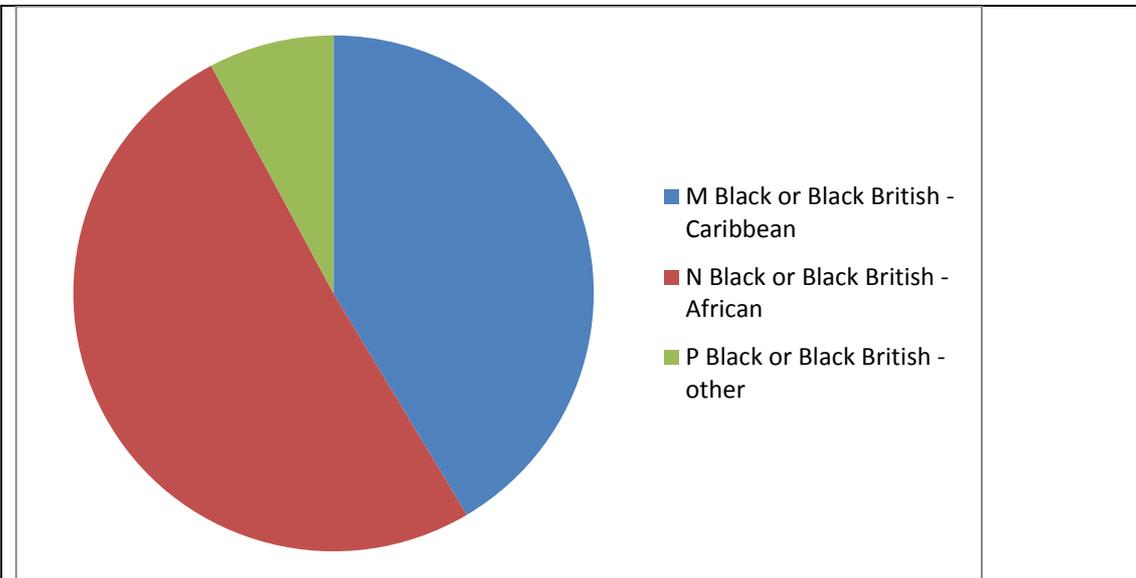
The Housing Needs Register shows a similar pattern, in which BAME groups are over-represented in comparison to the general population.

Housing Register by Ethnicity: %



Similarly, with the broad groupings, further analysis reveals over-and under-representation of certain groups. Within the Black category, the chart below demonstrates the relatively high numbers of Black Africans, who make up over half of the category.

Housing Register: Proportion of Black Ethnic Groups



Black or Black British African households make up around half of the total.

Social housing is allocated through a choice-based lettings system. Applicants are able to bid based on their assessed priority, identified by placement within a band, and on their date of application, meaning that those who have been on the register longest get the highest preference within each band. Allocations therefore reflect priority and, for protected groups, will be proportionate to the numbers of each group within each band.

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;**

The proposed changes will correct anomalies in the existing Allocation Scheme to ensure that applications are treated equally. The changes will also ensure that the operation of the Scheme is clearer and easier to understand. In particular, the changes will ensure that homeless households are treated in a similar way to other households on the register, countering perceptions of unfairness.

(b) Advance equality of opportunity;

As noted above, the changes seek to ensure that applications are placed on a similar footing, bearing in mind the statutory requirements for awarding priority set out in the Reasonable Preference Criteria and the flexibilities introduced by the Localism Act.

(c) Foster good relations

.As above.

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?

Consultation was carried out with:

- Registered Providers
- Housing Register applicants
- Members of Voluntary Sector organisations

ii. What methods did you use?

A consultation paper was posted on the council's website and sent to Registered Providers and all Housing Register applicants were notified and encouraged to respond through Locata. Officers met separately with Housing Management officers from the BHP, and again with representatives from registered providers.

384 electronic responses, the majority from households on the Housing Register, were received.

iii. What did you find out?

Overall, consultation responses indicated strong support for the proposed changes, with the exception of the proposals concerning bedroom allocation. The ways in which consultation has influenced final proposals is addressed in the report and at the appropriate points in this analysis and is summarised at points iv and v below. The remainder of this section sets out the main findings in relation to each of the consultation questions.

It should be stressed that responses are likely, particularly when additional comments are taken into account, to reflect the circumstances of individual applicants and whether they see the changes as helpful or otherwise to their own chances of securing housing. This is entirely understandable but suggests a need for caution in interpreting the responses.

1.1 To what extent do you agree that we should bid on behalf of accepted homeless applicants who are not maximising their bids?

Responses	Count	%
Strongly agree	93	24.7%
Agree	102	27.1%
Neither agree nor disagree	65	17.3%
Disagree	58	15.4%
Strongly disagree	58	15.4%
Total Responded to this question:	376	100.0%
No reply	8	
Total	384	

Responses indicate support for the proposed change and comments indicated strong feelings on the part of some applicants that failure to bid should be addressed. At the same time, concerns were raised over the need to ensure that the reasons for any failure to bid are considered and that vulnerable applicants should receive appropriate support. This will be taken into account in applying the change.

2.1 To what extent do you agree that households who have accepted a Qualifying Offer should retain their Band C award?

Responses	Count	%
Strongly agree	125	34.4%
Agree	105	28.9%
Neither agree nor disagree	67	18.5%
Disagree	39	10.7%
Strongly disagree	27	7.4%
Total Responded to this question:	363	100.0%
No reply	21	
Total	384	

Responses indicate strong support for the proposed change and relatively limited opposition. Objections focussed primarily on a view that if applicants have been rehoused in appropriate housing they should no longer require any priority.

2.2 Should there be a time limit to how long they retain Band C?

Responses	Count	%
None	189	52.6%
2 years:	126	35.1%
5 years:	28	7.8%
7 years:	16	4.5%
Total Responded to this question:	359	100.0%
No reply	25	

Total	384	
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A majority of responses favour no time limit, while there are mixed views among those who support a time limit.

3.1 To what extent do you agree that we should be allowed to make more direct offers so that we can rehouse a greater number of vulnerable applicants?

Responses	Count	%
Strongly agree	180	48.8%
Agree	120	32.5%
Neither agree nor disagree	43	11.7%
Disagree	14	3.8%
Strongly disagree	12	3.3%
Total Responded to this question:	369	100.0%
No reply	15	
Total	384	

Responses indicate strong support for the proposed change. Comments suggested that it was recognised that direct offers would provide a more effective solution than the bidding process in some cases.

4.1 To what extent do you agree that adult children share a room with siblings?

Responses	Count	%
Strongly agree	31	8.5%
Agree	56	15.4%
Neither agree nor disagree	45	12.4%
Disagree	97	26.7%
Strongly disagree	134	36.9%
Total Responded to this question:	363	100.0%
No reply	21	
Total	384	

Responses indicate strong opposition to the proposed change, although comments suggest that at least some of this was based on a misinterpretation of the proposal. Comments in support of the change tended to reflect a view that adult children should be seeking independent accommodation.

4.2 To what extent do you agree that households with 1-child should be offered a 1-bedroom property?

Responses	Count	%
Strongly agree	62	17.0%
Agree	66	18.1%
Neither agree nor disagree	32	8.8%
Disagree	86	23.6%

Strongly disagree	118	32.4%
Total Responded to this question:	364	100.0%
No reply	20	
Total	384	

Responses indicate opposition to the proposed change. As with the previous proposal, comments indicate some misunderstanding, including an assumption that parents would be asked to share a bedroom with a child.

4.3 Should we introduce an upper age limit for the child of households when we offer a 1-bed property?

Responses	Count	%
No	134	37.1%
2 years:	119	33.0%
5 years:	79	21.9%
7 years:	29	8.0%
Total Responded to this question:	361	100.0%
No reply	23	
Total	384	

Responses indicate support for a relatively low age limit. As noted in the report, no age limit is included in the revised proposal.

5.1 To what extent do you agree that we need to amend the allocation scheme to allow under-occupiers to be transferred with adult household members?

Responses	Count	%
Strongly agree	111	30.4%
Agree	119	32.6%
Neither agree nor disagree	100	27.4%
Disagree	20	5.5%
Strongly disagree	15	4.1%
Total Responded to this question:	365	100.0%
No reply	19	
Total	384	

Responses indicate strong support for the proposed change.

6.1 To what extent do you agree that if an applicant is employed, they should apply for the additional waiting time as soon as they qualify, irrespective of when their application for housing was made?

Responses	Count	%
Strongly agree	85	23.1%
Agree	99	26.9%
Neither agree nor disagree	86	23.4%

Disagree	40	10.9%
Strongly disagree	58	15.8%
Total Responded to this question:	368	100.0%
No reply	16	
Total	384	

Responses indicate support for the proposed change and comments suggested general support for the concept of rewarding employment.

7.1 To what extent do you agree that the residency criteria should apply to accepted homeless cases attempting to get rehoused?

Responses	Count	%
Strongly agree	126	35.0%
Agree	104	28.9%
Neither agree nor disagree	77	21.4%
Disagree	29	8.1%
Strongly disagree	24	6.7%
Total Responded to this question:	360	100.0%
No reply	24	

Responses indicate support for the proposed change. Comments welcomed the fact that this would place homeless households on the same footing as other applicants.

8.1 Do you think that overcrowding should be a higher, a lower, or the same priority as homeless households?

Responses	Count	%
Higher	108	29.6%
the same	161	44.1%
Lower	96	26.3%
Total Responded to this question:	365	100.0%
No reply	19	
Total	384	

Responses indicate support for the proposed change. As noted above, the mix of responses is likely to reflect the position on the register of individual applicants.

Please indicate your sex

Responses	Count	%
Male	90	23.9%
Female	271	72.1%
Prefer not to say	15	4.0%
Total Responded to this question:	376	100.0%

No Reply	8	
Total	384	

Is your gender identity the same as the gender you were assigned at birth?

Responses	Count	%
Yes	350	93.1%
No	9	2.4%
Prefer not to say	17	4.5%
Total Responded to this question:	376	100.0%
No Reply	8	
Total	384	

What is your age?

Responses	Count	%
16-24:	17	4.5%
25-34:	97	25.5%
35-44:	131	34.5%
45-54:	85	22.4%
55-64:	23	6.1%
65-74:	8	2.1%
75+:	0	0.0%
Prefer not to say	19	5.0%
Total Responded to this question:	380	100.0%
No Reply	4	
Total:	384	

Please state your ethnicity.

Responses	Count	%
White: British / English / Welsh / Scottish / Northern Irish	37	9.6%
White: Irish	7	1.8%
White: Traveller of Irish Heritage	0	0.0%
White: Gypsy Roma	0	0.0%
White: Other	44	11.5%
Black or Black British: African	62	16.1%
Black or Black British: Somali	27	7.0%
Black or Black British: Caribbean	61	15.9%

Black/Black British/Other Black Background	12	3.1%
Other Ethnic Groups: Afghan	1	0.3%
Other Ethnic Groups/Any other Groups	1	0.3%
Asian or Asian British: Pakistani	8	2.1%
Asian or Asian British: Bangladeshi	34	8.9%
Asian or Asian British: Indian	15	3.9%
Asian or Asian British: Chinese	1	0.3%
Asian/Asian British/Other Asian background	27	7.0%
Mixed/Dual Heritage: White & Black Caribbean	6	1.6%
Mixed/Dual Heritage: White & Black African	3	0.8%
Mixed/Dual Heritage: White & Asian	3	0.8%
Mixed/Dual Heritage: Any other mixed background	5	1.3%
Other Ethnic Groups: Eastern European	3	0.8%
Other Ethnic Groups: Turkish	2	0.5%
Prefer not to say	25	6.5%
Total Responded to this question:	384	100.0%
No Reply	0	

Do you consider yourself to have a disability?

Responses	Count	%
Yes	48	12.8%
No	301	80.3%
Prefer not to say	26	6.9%
Total Responded to this question:	375	100.0%
No Reply	9	
Total	384	

What is your sexual orientation?

Responses	Count	%
Bisexual (an attraction to both men and women)	19	5.4%

Gay man	1	0.3%
Gay woman / Lesbian	0	0.0%
Heterosexual/Straight	249	70.7%
Prefer not to say	83	23.6%
Total Responded to this question:	352	100.0%
No Reply	32	
Total:	384	

What is your religion/belief?

Responses	Count	%
Agnostic:	2	0.5%
Buddhist:	2	0.5%
Christian:	174	46.5%
Hindu:	13	3.5%
Humanist:	1	0.3%
Jewish:	1	0.3%
Muslim:	110	29.4%
Sikh:	1	0.3%
No religious belief:	19	5.1%
Prefer not to say:	51	13.4%
Total Responded to this question:	374	99.8%
No Reply	10	
Total:	384	

Your relationship status:

Responses	Count	%
Civil Partnership	3	0.8%
Co-habiting	6	1.6%
Single	188	50.4%
Married	148	39.7%
Prefer not to say:	28	7.5%
Total Responded to this question:	373	100.0%
No Reply	11	
Total:	384	

iv. How have you used the information gathered?

The information has been used to test proposals for change and assess the views of those most likely to be affected. In particular, consultation has sought to identify the practical impact of the proposed changes from the perspective of Housing Register

applicants and partner organisations managing affordable housing in the borough

v. How has it affected your policy?

The Cabinet report details the ways in which initial proposals have been altered to reflect the views expressed in consultation and changes are also summarised in section 8 below.

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 this impact.

Potential negative impacts have been identified and are addressed in Section 2 of this EIA. In summary the main risk of negative impact arises from the proposals concerned with bedroom allocation.

- Potential negative impact of automatic bidding for households where barriers to bidding exist, such as disability

Such cases will be considered individually and appropriate support will be provided.

- Potential negative impact if households perceive that choice has been restricted by auto-bidding

Cases will be considered by the Allocations Panel where appropriate and households will be fully advised of the reasons why auto-bidding is being applied and offered support where necessary. Households retain the ability to bid themselves in all cases.

- Potential negative impact arising from adult children required to share a bedroom.

Mitigation will focus on provision of advice and support to assist adult children to secure independent accommodation, including advice and support around employment and skills. It is anticipated that the establishment of the Brent Housing Partnership Letting Agency could provide one route into private rented housing for these individuals, while proposals set out in the draft Employment, Skills and Enterprise Strategy are designed to increase employment and training opportunities. It should be stressed that where circumstances suggest a different approach – for example in the case of disabled households with carers – the council would retain discretion over the application of the policy.

- Potential negative impact for households with one child offered one bedroom

homes

The original proposal has been altered so that the change is based on applicant choice. It is therefore anticipated that households electing to move will not perceive any adverse impact but will regard the option as providing the advantage of a move out of temporary accommodation into social housing, which will provide greater stability and certainty. Further mitigation of any possible negative impact is provided by the retention of Band C priority, based on the original application date.

- Potential negative impact of applying residency criteria to homeless households

Mitigation includes identification of specific exemptions through the Allocations Panel, flexibility in applying the criteria based on average waiting times and exemptions for urgent cases, for example those involving illness or disability.

- Potential negative impact of change in priority for overcrowding

Mitigation will include advice and support to secure alternative accommodation in the private sector.

- Negative impact of removal of Voluntary Sector Quota

The proposed change corrects an error in the current Allocation Scheme and is in itself intended as a mitigation measure that removes the cause of negative impact.

Please give details of the evidence you have used:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/339003/Statutory_Homelessness_1st_Quarter_Jan_-_March_2014_England_20140729.pdf

Locata

Northgate Housing

Northgate Revenues and Benefits

7. Analysis summary

Please tick boxes to summarise the findings of your analysis.

Protected Group	Positive impact	Adverse impact	Neutral
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

Your analysis demonstrates that:

- *The policy is lawful*
- *The evidence shows no potential for direct or indirect discrimination*
- *You have taken all appropriate opportunities to advance equality and foster good relations between groups.*

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

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.

The policy has been adjusted in several ways to reflect both consultation responses and the findings of this assessment. In summary, these are:

- Removal of proposal to introduce compulsory offers of one bed properties to households with one child
- Reinstatement of Voluntary Sector Quota

- Aligning residence criteria with average waiting times

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 unlawfully 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:

Implementation of the policy is necessary to:

- Ensure effective use of available housing stock
- Correct anomalies on the current Allocation Scheme
- Address supply and demand and financial pressures
- Ensure equal treatment of applications, having regard to the Reasonable Preference Criteria

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

The reasons for this conclusion and the supporting information are set out in the relevant sections above in this EIA.

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.

Homelessness applications and acceptances, housing register applications, temporary accommodation occupancy, allocations and out-of-borough placements are all monitored regularly and reported on annually, primarily through the Supply and Demand Report to Cabinet. Impact of the new Allocation Scheme and the further changes proposed in this report will form part of this regular monitoring and reporting.

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
Monitoring of Housing Register	June 2015	Laurence Coaker	Comprehensive monitoring across all protected groups, including those where current data is inadequate and those where more detailed analysis is required e.g. BAME groups		

			<p>Demonstrate positive impact of policy</p> <p>Identify actions to mitigate any negative impact</p>		
Monitoring of Homeless Applications and Acceptances	June 2015	Laurence Coaker	<p>Comprehensive monitoring across all protected groups, including those where current data is inadequate and those where more detailed analysis is required e.g. BAME groups</p> <p>Demonstrate positive impact of policy</p> <p>Identify actions to mitigate any negative impact</p>		
Monitoring of TA occupancy	June 2015	Laurence Coaker	<p>Comprehensive monitoring across all protected groups, including those where current data is inadequate and those where more detailed analysis is required e.g. BAME groups</p> <p>Demonstrate positive impact of policy</p> <p>Identify actions to mitigate any negative impact</p>		
Monitoring of Direct Offers	June 2015	Laurence Coaker	<p>Comprehensive monitoring across all protected groups, including those where current data is inadequate and those where more</p>		

			<p>detailed analysis is required e.g. BAME groups</p> <p>Demonstrate positive impact of policy</p> <p>Identify actions to mitigate any negative impact</p>		
Monitoring of Out-of-Borough Placements	June 2015	Laurence Coaker	<p>Comprehensive monitoring across all protected groups, including those where current data is inadequate and those where more detailed analysis is required e.g. BAME groups</p> <p>Demonstrate positive impact of policy</p> <p>Identify actions to mitigate any negative impact</p>		
Review impact of changes	June 2015	Laurence Coaker	<p>Policy reviewed in light of monitoring and assessment of impact. Any need for change identified and, if required, reported to Cabinet</p>		
Review data sources to ensure consistency where possible	March 2015	Laurence Coaker	<p>Alignment of data and reporting styles will allow for better reporting and more granular analysis</p>		

Appendix 2: Reasonable Preference and Direct Offers

Reasonable Preference

Section 166A (3) of the Housing Act 1996 outlines priorities to which the scheme must give reasonable preference. These categories are outlined in detail within the scheme, but in summary they are;

- Homeless households
- Homeless households in temporary accommodation
- People living in overcrowded or unsatisfactory housing
- People who need to move on medical or welfare grounds (including any ground relating to a disability)
- People who need to move to a particular locality within the district where to not move them would cause hardship (to themselves or others).

Additional preference may be given to any particular category where there is urgent housing need.

Direct Offers

Allocation Scheme, paragraph 6.10:

The following applicants may qualify for a direct offer of accommodation but only if approved by the Allocations Panel:

- Where an existing council tenant or partner housing association tenant in Brent has been approved by the Allocations Panel for an emergency management transfer because of harassment, domestic violence or hate crime.
- Where an applicant needs to move urgently because of an emergency medical or welfare need, including emergencies and situations where there are serious safeguarding implications.
- Where it is in the overriding interests of the Council to prioritise an allocation of housing to a particular household and/or it is necessary to comply with a Court Order and/or fulfil an urgent statutory or legal duty.
- Where a council tenant or housing association tenant in Brent is occupying a specially-adapted home or under-occupying a large family home and is willing to transfer to a home that is more appropriate to their needs.
- Where an applicant has been assessed by a Multi Agency Public Protection Panel (MAPPA) and it is decided by that Panel that the applicant should be offered social housing
- Where an applicant is being moved under a national witness mobility / protection scheme
- Where a specially adapted property has been built, acquired or adapted in order to meet the needs of a specific applicant

- Where a council tenant or housing association tenant in Brent requires extensive disabled facilities that can be provided more appropriately in alternative accommodation of a particular type
- Where a property is currently occupied by a homeless household (as temporary accommodation and on the basis of a non-secure tenancy) and that property is then offered to them as an introductory / starter tenancy or secure / assured tenancy
- Where an applicant is a former council tenant who has previously surrendered their tenancy (without the need for possession proceedings) on the understanding that, when they leave prison, hospital, rehabilitation or residential care, or have successfully completed a supported housing tenancy, they will be offered the tenancy of a bedsit or one-bedroom home
- Where any delay in providing the applicant with suitable accommodation is likely to prove costly to the Council.
- Homeless home seekers, who occupy temporary accommodation and have been identified by the Allocations Panel maybe made one direct offer in line with policy. If the offer is refused on unreasonable grounds, full housing duty will be discharged. Direct offers to approved homeless applicants are made in exceptional circumstances, where it is in the overriding interest of the Council to prioritise an allocation of housing to a particular household and/or it is necessary to comply