

2012

# Equality Analysis Guidance and Form



## Brent Council Equality Analysis Form

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

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

<b>1. Roles and Responsibilities:</b> please refer to stage 1 of the guidance	
<b>Directorate:</b> <b>Regeneration &amp; Growth</b>  <b>Service Area:</b> Housing Needs	<b>Person Responsible:</b> Name: Laurence Coaker Title: Head of Housing Needs Contact No: 020 8937 2788 Signed:
<b>Name of policy:</b> <b>Projected Allocation of Social Housing 2014/15</b>	<b>Date analysis started: 01 July 2014</b> <b>Completion date: 29<sup>th</sup> July 2014</b> <b>Review date: 31<sup>st</sup> January 2015</b>
<b>Is the policy:</b>  New <input checked="" type="checkbox"/> Old <input type="checkbox"/>	<b>Auditing Details:</b> Name: Elizabeth Bryan Title: Equalities Officer Date: 30 <sup>th</sup> July 2014 Contact No: 020 8937 1190 Signed:
<b>Signing Off Manager:</b> responsible for review and monitoring Name: Laurence Coaker Title: Head of Housing Needs Date: 29 July 2014 Contact No: 020 8937 2788 Signed:	<b>Decision Maker:</b> Name individual /group/meeting/ committee: <b>Cabinet</b> Date: 26 <sup>th</sup> August 2014

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

Please refer to stage 2 of the guidance.

The projected number of social properties to lets in 2014/15 is 673. The proposed policy increases the percentage of the total of social lets to homeless households from 60% (as agreed in 2013)) up to a maximum of 80% between 1 April 2014 and 31 March 2015. More social housing will therefore be let to homeless households for 2014/15, and a smaller proportion will be let to households who are already in social homes (transfers) or are 'homeseekers' (households not currently in a social home) but not homeless.

Lettings to social housing stock in Brent have decreased year on year and social lettings are now a very limited resource. The number of lets is made up from re-letting units within the current stock, and delivery of new stock from development programmes.

Social lettings need to be targeted for vulnerable households in our communities, but also to address the Council's ongoing financial commitments for the provision of Temporary Accommodation (TA). The increased proportion of lets is proposed for three reasons:

- 1 Households accepted as homeless are vulnerable applicants, and the Council has accepted a duty to provide sustainable accommodation for those households. A very large number (3,400) of households remain not rehoused since their acceptance as homeless and this figure is growing. This means that currently, a large number of vulnerable households are accommodated in temporary accommodation.
- 2 The provision of TA is an expensive service (2014/15 budget £7.1million). Since the introduction of the Overall Benefit Cap to workless families, the cost of providing TA has increased due to reduced Housing Benefit received for some homeless families, and the risk is that this cost will escalate further in 2015/16. This policy is aimed at reducing the number of households in TA overall so that future costs to the Council are minimised as much as possible.
- 3 In 2013/14 Brent updated the Allocation Scheme and Band D applicants, (applicants with no priority for housing) can no longer bid for or be allocated social homes on the Choice Based Lettings system. Homeless households now make up 80% of the applicants on the register. Homeseekers (not homeless) and Transfer applicants make up the remaining 20% of the waiting list. This proposal means the proportion of housing supply going to homeless is representative of the size of the demand from this cohort of applicants.

These projected lettings are dependent on the households on the waiting list participating in Choice Based lettings – ie, bidding and accepting properties.

This proposal addresses the lettings plan for 2014/15. The lettings projections for 2015/16 will be submitted in Q1 of next year.

<b>Projection 14/15 if homeless lets = 60%</b>	<b>%</b>	<b>Bedsit</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed +</b>	<b>Total</b>
<b>Homeless Lets 14/15</b>	<b>60</b>	14	125	171	76	17	404
<b>Housing register Not homeless 14/15</b>	<b>15</b>	3	31	43	19	4	101
<b>Transfers 14/15</b>	<b>25</b>	6	52	71	32	7	168
<b>Total 14/15</b>	<b>100</b>	23	209	285	127	29	673
<b>Projection 14/15 if homeless lets = 80%</b>	<b>%</b>	<b>Bedsit</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed +</b>	<b>Total</b>
<b>Homeless Lets 14/15</b>	<b>80</b>	0	167	228	102	23	520
<b>Housing Register (not homeless) 14/15</b>	<b>7</b>	19	15	20	9	2	65
<b>Transfers 14/15</b>	<b>13</b>	3	27	37	17	4	87
<b>Total 14/15</b>	<b>100</b>	23	209	285	127	29	673

The projected lettings will result in 153 social lets available for allocation to Homeseeker (not homeless) and transfer applicants. These lets will continue to be allocated in accordance with the Allocation Scheme, prioritising by band and waiting time. This lettings projection does not change how properties are allocated within the respective groups (Homeseeker, Transfer).

The 153 lets are anticipated to be split between homeseeker (not homeless) and transfer, Band A and Band B in the following way, using the current number of applicants as a guide:

	Homeseeker (not homeless)	Transfer	Total
Band A	3	53	56
Band B	58	39	97
<b>Total</b>	<b>61</b>	<b>92</b>	<b>153</b>

Note that the numbers are accurate at the time of analysis (18 July 2014). During the year there will be movement in these figures due to changes in circumstances. In addition, validating older applications may result in that application being closed without the need to provide housing and new cases will arise during the year. However, analysis of the current waiting list will provide a level of understanding of the demand as a starting point.

Impact of the projected lettings – a breakdown of the band reasons is provided in Appendix 1:

Band A [Emergency Housing Need] – no negative impact. These applicants are in the highest priority to be housed and the projected lettings plan anticipates meeting this demand.

**Band B [Urgent Housing Need]**

The current demand from the following groups is anticipated to be met:

Leaving Care

Move-On

Management Transfers

Statutory Overcrowding

Medical (Transfer)

Armed Forces

Band B medical (homeseeker, not homeless): Current demand needs to be validated to ascertain true demand. Following this, we anticipate meeting the needs of this group.

There will be a slight negative impact is seen on the number of lets that will be received by Overcrowding Homeseekers (not Homeless) and Overcrowding (Transfers).

Band C [In housing need]: A positive impact on Homeless accepted applicants, but projections show that there may be no allocations to Band C (not homeless) applicants which is consistent with previous years so this proposal does not negatively impact these applicants. (There are no transfer applicants in Band C).

Note that projected lets to homeless will be up to 80%, but that in this proposal we maintain the flexibility to address the needs of vulnerable cases as presented if necessary. New applicants to Band A and Band B will be rehoused according to their band and band reason, eg, if a new applicant with a disability is awarded Band A (Medical) then that applicant is likely to be rehoused within 6 months, and a new applicant with a disability awarded Band B (Medical) will be likely to be rehoused within 1 year in accordance with the allocation scheme.

During the year, if additional units over and above the projected supply become available, then it is most likely that they will be made available to Band B Overcrowded Transfer and Band B Overcrowded Homeseeker (not Homeless) applicants.

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

Housing management systems currently do 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.

The impact of the lettings projections is two-fold and these need to be dealt with separately:

- 1 Increased lets to homeless households,
- 2 Decreased lets to homeseeker (not-homeless) and transfer applicants.

- 1 Increased lets to homeless households

The policy will have a positive impact on homeless households. There is no change to the way households are prioritised for homes, that is that all homeless households will be allowed to bid for the homes, and those waiting the longest will be offered the properties in accordance with the allocation scheme. This means that the households that will benefit from the additional social lets will directly reflect households accepted as homeless historically, and this will be dependent on the required bedrooms.

Disability: there is 1 homeless applicant with a Band A (medical) and 7 homeless applicants with a Band B medical that are most likely to be positively impacted by the increased lets going to homeless applicants because of their high priority band. There are 13 accepted homeless cases in Band C with a disability, and those that have been waiting longest are likely to benefit from the increased lets.

The allocations team provide housing and make sure that it is appropriate for the applicants based on the District Medical Officer's (DMO) recommendations. This is often limited to a mobility category award:

M1 – suitable for a wheelchair user, indoors and outdoors (it will have a wet room, ramps etc)

M2 – Suitable for people who cannot manage steps or stairs, and may use a wheelchair some of the day

M3 – Suitable for people only able to manage 1 or 2 steps or stairs.

In addition to that, where a medical condition can affect a persons ability of handle numerous stairs, the DMO will make a recommendation about the number of flights of stairs the applicant can handle in a building without a lift.

If there is a mental impairment, we ensure that there is support in place, particularly if the applicant is alone in being housed. Eg, a mental impairment in a youngster will be known to the Children with Disabilities team, a solo adult with an impairment will be referred to support provision if they are not already receiving support.

There are currently zero applicants in need of mobility categories 1 in Band C Homeless. There are 5 applicants with a Mobility level 2 award, and 68 with a Mobility Level 3 award. Households waiting longest are most likely to benefit from the additional allocations to homeless households, and if they do have a DMO

recommendation, then they will be housed when the appropriate units come available.

Age Group – Applications appear to be fairly spread across age-groups between 26 and 50 years old, with fewer applicants aged under 25 or over 50 years. However, allocation of properties will go to the longest waiting applicants and we expect these to be fairly distributed across applicants of all ages. A review of allocations by age at a later stage will provide this information, but the reporting tool does not currently allow us to analyse this.

Count of Age group	
Age group	Total
18-25	6.31%
26-30	13.16%
31-35	16.92%
36-40	16.82%
41-45	17.82%
46-50	13.88%
51-55	8.16%
56-60	3.64%
61-65	1.38%
66-70	0.63%
71-75	0.87%
76-80	0.34%
81-85	0.02%
86-90	0.05%
(blank)	0.00%
Grand Total	100.00%

Race: BAME groups are over represented among the homeless households in Brent, the following table shows the breakdown of ethnicity of applicants. Therefore, BAME applicants are positively impacted by this proposal, receiving a higher allocation of properties.

Ethnic Origin - General	Total
Asian	19.90%
Black	39.99%
MIXED	3.39%
No Data	12.60%
Other	8.43%
White	15.66%
WOC	0.02%
Grand Total	100.00%

Gender – application by the women of the household is actively encouraged when applying as homeless and applicant statistics reflect this (72% female). The data available does not allow us to distinguish between female only and couple or male only applicants. However, national statistics show that the biggest demand group is female lone parents [ref: Statutory Homeless report, DCLG].

Pregnancy – 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 members is very much chance rather than discrimination. This is similar to maternity - there are 140 children under 1 year old, and theory suggests that half would be born within the last 6 months, so 70 children under the age of 6 months. Pregnancy and Maternity are temporary states within a household, and difficult to project the impact of this proposal.

In summary – this proposal has a positive impact on BAME and female lone parent homeless households. These vulnerable households will receive a greater number of social lets in 2014/15.

## 2 Allocations to households who are not homeless.

### 2.1 Band B Medical (Homeseeker)

All applicants that have been awarded a Band B Medical award are likely to have a disability and we anticipate meeting the needs of this group of applicants with the provision of more suitable housing. Some applicants have been waiting over 5 years and others considerably longer, and it is very likely that there has been a change in circumstances since their application. Therefore a validation exercise will be carried on all current applicants to confirm their medical needs and ascertain true demand for this group, to be completed by December 2014.

Medical priority is given where the current housing conditions exacerbate a medical condition, and for some of the 42 applicants there may be an alternative solution within the Private Rented Sector ie provision of more suitable private housing that does not exacerbate a medical condition.

#### Applicant Profile

- 51% female and 49% male applicants,
- 32% 65 or over, with an additional 9% aged 55 – 65.
- Ethnicity – 21 % white, but 52% unknown. This could suggest an over representation of White applicants. The last 3 years of applicants appears to be a mix of ethnicities more reflective of Brent's population.
- Religion – 17% Christianity, 4% Muslim, and 79% unknown
- Sexual Orientation – 19% confirmed Heterosexual, 2% lesbian, and 79% unknown
- Disability – not currently known although likely to be a high proportion of applicants that will be considered to be disabled. Data will be collected and reviewed following the validation exercise.
- No pregnancies at the time of analysis

In summary, a neutral impact on this cohort based on the limited data available, and the validation exercise will reveal how disability is represented within this band of applicants.



## 2.2 Overcrowding (Transfer)

### Proposed lettings to Overcrowding (Transfer) – 0 (Zero)

We recognise that as the landlord we have a duty to provide suitable housing to Households in Brent Stock that are overcrowded, and in the case of severe overcrowding, there are 124 households that require a larger property. However there is not enough supply of large homes to meet the demand from this cohort. Larger properties that are available will be allocated to other demand groups that have been deemed more urgent, eg resulting from a medical condition or fear of violence.

While there are no allocations proposed to this group, if there are changes to the demand or letting numbers of Management transfers, Medical needs, Support needs, or any other Band A or B band reason, then this group is most likely to benefit from the additional supply of properties. Validation of applicants in Band A and Band B is required, particularly longer waiting households, and any movement in the waiting list will decrease demand (rather than increase). The results of which will increase supply that will be made available to Overcrowded households for transfer.

#### Profile of applicants

- 76% of applicants are female, 24% are male. The majority of tenants are female because landlords generally advise the woman (of a heterosexual couple) to become the tenant.
- The majority of applicants are under 45 years (51%), (no further detail available on current data)
- Ethnicity – 45% Black, 36% Other, 11 % White, and 6% Asian
- Religion - 9% Christian, 34% Muslim, 57% unknown
- Sexual Orientation - 22% of applicants have confirmed that they are heterosexual, 68% are unknown.
- No pregnant applicants.
- 4 children under 6 months
- No members of the 132 households listed with a medical need. (Households with a disabled member would be given awarded a priority band reflective of the housing needs of that household).

In summary, there is a negative impact of the proposal on this cohort of applicants, who are predominantly BAME, female headed households. No other protected characteristics stand out. However, with regard to the fact that homeless applicants will benefit from this proposal for the next 12 months, it is considered the negative impacts overall will be balanced out by the positive impacts of the proposal.

#### Mitigation steps

- While the BAME community may lose out on the number of lets in this cohort,

an increased number of lets will be made to this ethnic cohort via the Homelessness lets (at 80%), and so no additional mitigating actions need be taken. Homeless applicants are 63% BAME.

- Female headed families lose out here, but an equal portion of applicants gaining lets through the homeless allocation is also predominantly female headed, so the overall impact will be neutral
- If any families experience an increase in vulnerability then a change of circumstance, and or medical form can be submitted for assessment and a change of banding awarded where necessary.

### 2.3 Overcrowding Homeseeker (not homeless)

#### **Proposed lettings to Homeseeker Overcrowded: 0 (zero)**

There are fewer and fewer large properties available in our social stock (includes all stock that Brent have nomination rights to) each year and this presents a challenge to address the demand for larger accommodation. A total of 6 properties will be made available to Transfers and Homeseekers (not homeless) that require a property larger than a 3-bed, and we have prioritised management transfer cases and medical cases over Overcrowding where we can.

The lettings plan projects that there will be a negative resulting impact on this cohort:

- Some applications are very old, and a lot existed before we started collecting data on much of the protected characteristics. (Appendix 4, Table 1 shows 221 out of 505 applicants applied over 5 years ago). Validation of older applications may also see a reduction in demand as children have grown and moved on. Because these applicants are predominantly in the Private Rented Sector, we expect that there have been changes in circumstances that the applicants have not necessarily updated on the application.
- 60% female headed, 40 % male applicant
- Ethnicity – indicative from the last two years of applicants: 36% black, 23% Asian, 23% white
- 63% are under 45 years of age.
- Religion – 13% Christian, 1% Hindu, 10% Muslim, and 76% unknown. There is better data provided if analysis looks at the last two years of applicants only: 34% Christian, 4% Hindu, 36% Muslim, and 26% unknown.
- Sexual Orientation – 25% of all applicants are heterosexual, 75% unknown. The last two years of applications show 74% heterosexual (44 applicants).
- Pregnancy or maternity in applicants within the last 18 months:
  - o 1 person currently pregnant
  - o 8 children under the age of 6 months (estimated on the basis that there are 16 children under the age of 1)

In summary, although there is a resulting negative impact on this cohort, this

proposal is only temporary for a 12 month period and those persons with similar protected characteristics in the cohort of homeless persons will benefit from this proposal in the next 12 months. However, in anticipating that zero lets will be made to overcrowded applicants (homeseeker not homeless), it is worth considering the options that will be made available to these homeseekers by way of mitigating the adverse impact for the 12 month period.

Mitigating measures:

- The housing market has led to a lot of Privately Rented Sector (PRS) properties now unaffordable for low income families, and reforms to Local Housing Allowance (LHA) and the Overall Benefit Cap have led to challenges in finding available privately rented accommodation, however, we propose to assist as many households as possible into the PRS utilising a New Start Payment from the Discretionary Housing Payment (DHP) fund. In short, if there a need for urgent rehousing for a household, then the Housing Options prevention team will work with them to identify alternative PRS housing rather than a social let. In many situations, alternative affordable Private Rented Accommodation will be out of borough, and likely to be out of London and this is a further negative impact of the proposal.
- While the BAME community may lose out on the number of lets in this cohort, an increased number of lets will be made to this ethnic cohort via the Homelessness lets (63% BAME), and so no additional mitigating actions need be taken
- If any families experience an increase in vulnerability then a change of circumstance, and or medical form can be submitted for assessment and a change of banding where necessary.

**Please give details of the evidence you have used:**

- 1 **Locata Reports**
- 2 **Northgate reports**
- 3 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/205221/Statutory Homelessness Q1 2013 and 2012-13.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/205221/Statutory_Homelessness_Q1_2013_and_2012-13.pdf)
- 4 <https://www.gov.uk/government/publications/statutory-homelessness-in-england-january-to-march-2014>

**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 Allocations Policy is agreed in consultation with Brent's residents, the Council, Voluntary Sector, and Partners in providing housing services and aims to ensure the widest possible access to housing and prevent discrimination on the grounds of age, race, religion, gender, gender reassignment, marital status, sexual orientation or disability. It does this by setting out clear priorities, making consistently fair and transparent decisions, and closely monitoring the outcomes of policy decisions, and providing specialist support and advice where needed.

This proposal is for a 12 month period only, and where negative impacts have been identified for some groups and protected characteristics, this is mitigated by the positive impact on those same protected characteristics with an increase in lets to Homeless applicants.

**(b) Advance equality of opportunity;**

For households with a disabled member in the family, there are a number of measures in place to ensure equal access to housing within the community:

- Where necessary households are referred to support workers to assist them into a social home and during their tenancy
- Households with limited access to the internet or limited abilities with respect to the internet are assisted with proxy bids placed on their behalf, or local internet facilities
- Properties adapted to meet the needs of some disabled household members are ring-fenced for households requiring such adaptations, and where necessary, adaptations will be made to meet requirements.

Interpretation services are employed for all families identified as non English speaking and will continue to do so to minimise any disadvantage to non English speaking.

**(c) Foster good relations**

Transparency: data for resulting lets for any property is shared with applicants once let to show the band and priority date, and transfer/homeseeker status of any successful applicants.

Consultation with department groups and external partners – the proposal has been raised with different groups and there are continuing concerns related to the lack on supply of social lets year after year. The on-going balance between supply and demand is a regular discussion with partners.

**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?**

Welfare Reform Network Group – a communications and feedback group bringing together members from the Voluntary Sector and partners working for communities across the borough specifically considers households affected by Welfare Reforms  
Two main Registered Providers (social landlords) that provide current accommodation for homeless households  
Desktop analysis of applications on the public website.  
Working With Families (WWF) - Operational group update

**ii. What methods did you use?**

Meetings dates:

Welfare Reform Network – 11<sup>th</sup> July 2014

HA providers – meeting 3<sup>rd</sup> June 2014

Working With Families Operational Group – 17 July 2014

**iii. What did you find out?**

We have consulted with a range of departments who have demonstrated a high level of need attached to their client groups and that this will be reflected in the strategic approach and how we balance priorities.

From the desktop analysis, it has become apparent that some historic applications need further investigation to validate their claim.

**How have you used the information gathered?**

While the projections for 2014/15 show a decreased number of lets going to overcrowded households, it is important to note that this represents a delay to the lets and is likely to be rectified in subsequent letting years (depending on new demand). Activity in 2014/15 needs to target and address the back log in some of the higher priority cases.

Further actions on the Rehousing Support team regarding the Band B medical (homeseeker) applicants to validate applications and ensure that applicants who are recognised as high priority and vulnerable are monitored closely.

**iv. How has it affected your policy?**

With a limited number of social lets available, there is a strategy to prioritise vulnerable homeless households over households with an overcrowded home within both the social stock and the private rented sector.

**6. Have you identified a negative impact on any protected group, or identified any unmet needs/requirements that affect specific protected groups? If so, explain what actions you have undertaken, including**

**consideration of any alternative proposals, to lessen or mitigate against this impact.**

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

Slight negative impact of BAME social tenants requesting a transfer into a larger property, but the policy has a positive impact on BAME applicants who are homeless and will gain a social housing let under this proposal, so we consider the positive benefits to outweigh the negative impacts in this case.

There is anticipated to be a negative impact on severely Overcrowded homeseekers in Brent, and slightly higher for BAME because LB Brent has a diverse ethnic population. Again, the increased lets to accepted homeless households neutralise this impact as BAME households are over-represented in the homeless population.

Alternative housing options exist for Overcrowded households, but larger affordable properties are scarce within Brent (smaller households applying from overcrowded situations might be able to source locally available private rented properties). Options to move out of Brent and out of London can be offered to large families but it is likely that households will chose to remain overcrowded in Brent than be appropriately housed further away from Brent.

**Please give details of the evidence you have used:**

Locata and Northgate reports on the protected characteristics for applicants in each of the cohorts affected.

**7. Analysis summary**

Please tick boxes to summarise the findings of your analysis.

<b>Protected Group</b>	<b>Positive impact</b>	<b>Adverse impact</b>	<b>Neutral</b>
<b>Age</b>			√
<b>Disability</b>	√		√

Gender re-assignment			√
Marriage and civil partnership			√
Pregnancy and maternity	√		√
Race	√	√	
Religion or belief			√
Sex	√		
Sexual orientation			√

### 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.*

**In summary, there are negative impacts to this proposal, particularly on overcrowded households within the social sector and the Private Rented sector where applicants are predominantly from BAME origins and female headed applications. However, this negative impact is balanced by the positive impact that will be seen on this same protected groups through the increased lettings made to homeless applicants**

**The evidence outlined in the main document gives no reason to suggest that the policy is unlawful or discriminatory.**

**Adjust the policy**

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

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

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

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

**Continue the policy**

*This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not amount to 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:*

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

**Stop and remove the policy**

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

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

**9. Monitoring and review**

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



- Monthly monitoring of allocations
- Data collection at time of allocation
- Safety net – analysis of the presentations to the Allocations Panel to assist vulnerable clients that are missing out on allocations will alert us to needs not met.

Each year a supply and demand report is presented to Cabinet that proposes the lettings plan for the year. Reverting back to a lesser proportion of lets allocated to Homeless households is easily agreed. This proposal is only for a 12 month period.

## 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
Validating older applications	Dec 2014	Lavdrim Krashi	Confirmed demand by priority groups		
Further monitoring of lettings	March 2015	Lavdrim Krashi	Improved knowledge of allocations for protected characteristics		

**Please forward to the Corporate Diversity Team for auditing.**

## Introduction

The aim of this guidance is to support the Equality Analysis (EA) process and to ensure that Brent Council meets its legal obligations under the Equality Act 2010. Before undertaking the analysis there are three key things to remember:

- It is very important to keep detailed records of every aspect of the process. In particular you must be able to show a clear link between all of your decisions and recommendations and the evidence you have gathered.
- There are other people in the council and in your own department who have done this before and can offer help and support.
- The Diversity and Consultation teams are there to advise you.

## ***The Equality Act 2010***

As a Public Authority, Brent Council is required to comply with the Public Sector Equality Duty (PSED) contained in the Equality Act 2010. These duties require Brent Council to have 'due regard' to the need to

- Eliminate discrimination, be it direct or indirect discrimination
- Advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it; and
- Foster good relations between people who share a protected characteristic and those who do not share it

The equality duty covers:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Marriage and civil partnership (direct discrimination only)
- Race
- Religion or belief
- Sex (formally known as gender)
- Sexual orientation

### ***What is equality analysis?***

Equality Analysis is core to policy development and decision making and is an essential tool in providing good services. Its purpose is to allow the decision maker to answer two main questions.

- Could the policy have a negative impact on one or more protected groups and therefore create or increase existing inequalities?
- Could the policy have a positive impact on one or more protected groups by reducing or eliminating existing or anticipated inequalities?

### ***What should be analysed?***

Due consideration of the need for an Equality Analysis should be addressed in relation to all policies, practices, projects, activities and decisions, existing and new. There will be some which have no equalities considerations, but many will. Where an EA is undertaken, some policies are considered a higher risk than others and will require more time and resources because of their significance. This would include:

- Policies affecting a vulnerable group such as young people, the elderly and people with a disability
- Policies related to elective services such as Sports Centres or Libraries
- High profile services
- Policies involving the withdrawal of services
- Policies involving significant reductions in funding or services
- Policies that affect large groups of people

- Policies that relate to politically sensitive issues

It can sometimes be difficult to identify which policies are more sensitive. If you are in doubt seek advice from a more senior officer or the Diversity Team.

#### *When should equality analysis be done?*

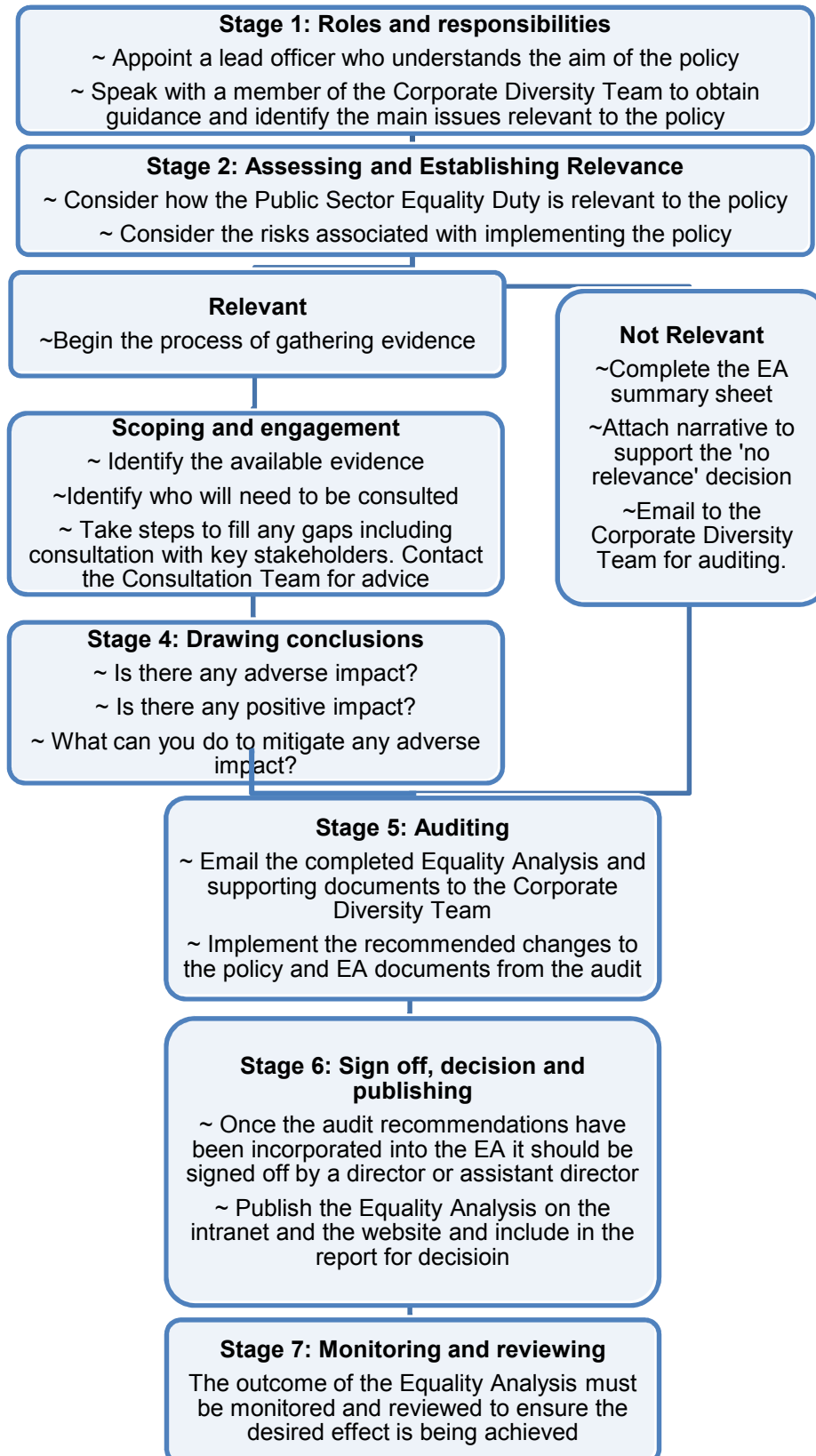
The EA must be completed before the policy is sent to the decision maker but should be carried out at the earliest possible stage. The advantage of starting early is that the equalities data informs and shapes the policy as it develops and progresses and this allows more time to address issues of inequality. You should also bear in mind that several changes may be happening at the same time. This would mean ensuring that there is sufficient relevant information to understand the cumulative effect of all of these decisions.

#### **Positive action**

Not all policies can be expected to benefit all groups equally, particularly if they are targeted at addressing particular problems affecting one protected group. (An example would be a policy to improve the access of learning disabled women to cancer screening services.) Policies like this, that are specifically designed to advance equality, will, however, also need to be analysed for their effect on equality across all the protected groups.

## Brent Council's Equality Analysis Process

This flow chart sets out the process for carrying out an EA. Details on each stage of the process follow. Please note that it may be necessary to consult the Corporate Diversity team at each stage and that Legal may also need to be involved. This should be factored in to the time scale.



## Stage 1: Roles and Responsibilities

The first stage in the process is to allocate the following roles.

Role	Responsibilities and tasks
Decision maker - the person or group making the policy decision (e.g. CMT/Executive/Chief Officer).	<ul style="list-style-type: none"> <li>• Check that the analysis has been carried out thoroughly:</li> <li>• Read and be familiar with the EA and any issues arising from it and know, understand and apply the PSED. (The evidence on which recommendations are based must be available to this person.)</li> <li>• Take account of any countervailing factors e.g. budgetary and practical constraints</li> </ul>
The officer undertaking the EA	<ul style="list-style-type: none"> <li>• Contact the Corporate Diversity and Consultation teams for support and advice</li> <li>• Develop an action plan for the analysis</li> <li>• Carry out research, consultation and engagement if required</li> <li>• Develop recommendations based on the analysis</li> <li>• Submit the EA form to the Diversity team for audit with the evidence and any other relevant documents including the report the EA will be attached to</li> <li>• Incorporate the recommendations of the audit</li> <li>• Include the Equalities Analysis in papers for decision-makers</li> </ul>
The Corporate Diversity Team. Usually an individual officer will be assigned at the start of the process	<ul style="list-style-type: none"> <li>• Provide support and advice to the responsible officer</li> <li>• Carry out the audit of the EA to monitor quality standards and ensure it is sufficiently rigorous to meet the general and public sector duties.</li> <li>• Return the analysis to the responsible officer for further work if it fails to meet the necessary standard</li> <li>• Consult Legal if necessary (this stage of the process will take at least 5 days)</li> </ul>
The council officer responsible for signing off the EA. Usually a senior manager within the relevant directorate	<p>Ensure:</p> <ul style="list-style-type: none"> <li>• That the EA form is completed</li> <li>• That any issues raised as part of the auditing process have been fully dealt with</li> <li>• That the EA, the evidence used and any issues arising from the analysis are brought to the attention of the decision maker</li> <li>• Ensure that the findings are used to inform service planning and wider policy development.</li> </ul>

## **Stage 2: Assessing and Establishing Relevance**

We need to ensure that all of our policies and key decisions, both current and proposed, have given appropriate consideration to equality. Consideration of the need for an EA needs to be given to all new policies, all revised policies, all key decisions and changes to service delivery need an EA. Those that are more relevant will require more resources and data.

The following questions can help you to determine the degree of relevance, but this is not an exhaustive list:

### ***Key Questions:***

- Does the policy have a significant effect in terms of equality on service users, employees or the wider community? Remember that relevance of a policy will depend not only on the number of those affected but also by the significance of the effect on them.
- Is it a major policy, significantly affecting how functions are delivered in terms of equality?
- Will it have a significant effect on how other organisations operate in terms of equality?
- Does the policy relate to functions that previous engagement has identified as being important to particular protected groups?
- Does or could the policy affect different protected groups differently?
- Does it relate to an area with known inequalities (for example, access to public transport for disabled people, racist/homophobic bullying in schools)?
- Does it relate to an area where equality objectives have been set by Brent Council?

If the answer to any of the above is “yes”, you will need to carry out an Equalities Analysis.

### ***“Not relevant”***

If you decide that a policy does not impact on any of the equality needs contained in the public sector equality duty, you will need to:

- Document your decision, including the reasons and the information that you used to reach this conclusion. **A simple statement of no relevance to equality without any supporting information is not sufficient, nor is a statement that no information is available.** This could leave you vulnerable to legal challenge so obtaining early advice from the Corporate Diversity team would be helpful.
- Complete the EA Form and send it to the Corporate Diversity Team for auditing. If the Corporate Diversity Team advises that policy is relevant then you will need to continue the EA process (See flowchart). If the Corporate Diversity Team advises that the policy is not relevant then you will need to have it signed off, publish it and put in place monitoring arrangements for the policy.

## **Stage 3: Scoping**

Scoping establishes the focus for the EA and involves carrying out the following steps:

- Identify how the aims of the policy relate to equality and which aspects have particular importance to equality.
- Identify which protected groups and which parts of the general equality duty the policy will, or is likely to, affect.
- Identify what evidence is available for the analysis, what the information gaps are, and establish which stakeholders can usefully be engaged to support the analysis.

Think about:

- The purpose of the policy, and any changes from any existing policy
- The reason for the policy
- The context
- The beneficiaries
- The intended results

At this early stage you should start to think about potential effects on protected groups. This could mean that you decide to change your overall policy aims or particular aspects of the policy in order to take better account of equality considerations. It is often easier to do this at an earlier stage rather than having to reconsider later on in the process.

### ***Sources of information***

It is important to have as much up-to-date and reliable information as possible about the different groups likely to be affected by the existing or proposed policy. The information needed will depend on the nature of the existing or proposed policy, but it will probably include many of the items listed below:

- The Brent Borough profile for demographic data and other statistics
- Census findings; the 2011 census data will be available during 2012
- Equality monitoring data for staff and/or service users
- Reports and recommendations from inspections or audits conducted on service areas
- Previous reports that have been produced either on a similar topic or relating to the same service user group
- Responses to public enquiries on similar topics e.g. Freedom of Information requests
- Comparisons with similar policies in other departments or authorities to help you identify relevant equality issues.
- Analysis of enquiries or complaints from the public to help you understand the needs or experiences of different groups.
- Recent research from a range of national, regional and local sources to help you identify relevant equality issues.
- Results of engagement activities or surveys to help you understand the needs or experiences of different groups.

- Local press and other media. This will tell you whether there is public concern about possible equalities implications and help you to highlight issues for engagement

Many of these sources will be consulted as a matter of course when reviewing or developing a policy. Equalities considerations are one part of the policy process, not an extra.

### ***Service user information***

The type of information you need will depend on the nature of the policy. However, information relating to service users is usually essential. Consider:

- The full range of information that you already have about the user group e.g. information contained within service reviews, audit reports, performance reviews, consultation reports
- Who actually uses the service?
- When do they use it?
- How do they use it and what are their experiences?
- Are there alternative sources of provision that could be accessed?
- Who will be using the service in the future?
- Information from groups or agencies who deliver similar services to your target group e.g. survey results from voluntary and community organisations.

### ***Identify your information gaps***

If you do not have equality information relating to a particular policy or about some protected groups, you will need to take steps to fill in your information gaps. This could mean doing further research, undertaking a short study, conducting a one off survey or consultation exercise, holding a focus group etc.

### ***Engagement***

The Consultation team are available to advise on all aspects of engagement. You may wish to carry out engagement, which can help you to:

- Gather the views, experiences and ideas of those who are, or will be, affected by your decisions.
- Base your policy on evidence rather than on assumptions
- Check out your ideas
- Find solutions to problems and develop ways to overcome barriers faced by particular groups.
- Design more appropriate services,
- Monitor and evaluate the success of your policies and understand where improvements may be necessary.
- Avoid the costs of remedying and adapting services after their implementation
- Pre-empt complaints, which can be costly and time-consuming.

But remember you don't always have to consult or embark upon engagement if you already have enough information to assess the likely impact of the policy change on the equality needs, and if there is no other legal duty to consult. This engagement



can form part of the broader consultation being carried out around service changes. You can also use recent engagement and research activities as a starting point, for example on a related policy or strategy and you can use documentation resulting from other equality analysis that Brent Council (or others) have undertaken.

For your engagement to be effective you will need to:

- Think carefully about who you should engage with. You will need to prioritise those who are most likely to be affected by the policy and those who will experience the greatest impact in terms of equality and good relations.
- In regard to people with a disability, as good practice it is recommended that they should be actively involved in engagement activity which directly affects them or the services that they receive.
- Make sure that the level of engagement is appropriate to the significance of the policy and its impact on equality
- Consider what questions you will need to ask, in order to understand the effect of the policy on equality. If you find it difficult to frame suitable questions you may take advice from the Corporate Diversity and Consultation teams
- Link into existing forums or community groups or to speak with representatives to help you reach less visible groups or those you have not engaged with before.
- Create opportunities for people to participate in supportive and safe environments where they feel their privacy will be protected, or via technology such as the internet
- Think of strategies that address barriers to engagement. Other people in the council have experience of this and can advise, as can the Corporate Diversity team and the Consultation team.

#### **Stage 4: Drawing conclusions**

You will need to review all of the information you have gathered in order to make a judgement about what the likely effect of the policy will be on equality, and whether you need to make any changes to the policy.

You may find it useful to ask yourself “What does the evidence (data, consultation outcomes etc.) tell me about the following questions”:

- Could the policy outcomes differ between protected groups? If so, is that consistent with the policy aims?
- Is there different take-up of services by different groups?
- Could the policy affect different groups disproportionately?
- Does the policy miss opportunities to advance equality and foster good relations, including, for example, participation in public life?
- Could the policy disadvantage people from a particular group?
- Could any part of the policy discriminate unlawfully?
- Are there other policies that need to change to support the effectiveness of the policy under consideration?

If the answer to any of the above is "yes", you should consider what you can do to mitigate any harmful effects. Advice from the Diversity team will be particularly helpful at this stage.

You will also want to identify positive aspects of the policy by asking yourself:

- Does the policy deliver practical benefits for protected groups?
- Does the policy enable positive action to take place?
- Does the policy help to foster good relations between groups

Having considered the potential or actual effect of your policy on equality, you should be in a position to make an informed judgement about what should be done with your policy.

There are four main steps that you can take:

- **No major change**
- **Adjust the policy**
- **Continue the policy**
- **Stop and remove the policy**

(please see EA form for detailed descriptions of each decision)

Decisions may involve careful balancing between different interests, based on your evidence and engagement. For example, if the analysis suggests the needs of two groups are in conflict, you will need to find an appropriate balance for these groups and for the policy in question. The key point is to make sure the conclusions you reach can be explained and justified. Speak to the Diversity team if you are unsure. As a result of your analysis you may need to develop new equality objectives and targets. These should be documented on the EA form.

### **Stage 5: Auditing**

Once you have completed the EA you will need to complete the EA Form and send it to the Corporate Diversity Team for auditing. It is important to ensure that the EA Form is completed as fully as possible. Documenting all of your analysis is important to ensure that you can show how the general and specific duties are being met. This aspect of the analysis has been subject to legal challenge so you need to be able to show how you reached your conclusions. The audit process involves the Corporate Diversity Team reviewing the completed form, the information and evidence. Sometimes this may require advice from Legal. You need to bear in mind that this will take at least five days. The team will send you back a feedback form with comments and recommendations which you will need to action prior to the sign off of the form.

### **Stage 6: Sign Off, Decision and Publishing**

Once the EA Form is completed, the document must be signed off and the completed document must be sent to the Corporate Diversity Team to be published on the council website.

## ***Decision-making***

In order to have due regard to the aims of the public sector equality duty, decision-making must be based on a clear understanding of the effects on equality. This means that Directors, CMT and others who ultimately decide on the policy are fully aware of the findings of the EA and have due regard to them in making decisions. They are also entitled to take into account countervailing factors such as budgetary and practical constraints.

## **Stage 7: Monitoring and Reviewing**

Your EA, and any engagement associated with it, will have helped you to anticipate and address the policy's likely effects on different groups. However, the actual effect of the policy will only be known once it has been introduced. You may find that you need to revise the policy if, for instance:

- Negative effects do occur
- Area demographics change, leading to different needs,
- Alternative provision becomes available
- New options to reduce an adverse effect become apparent

You will need to identify a date when the policy will be reviewed to check whether or not it is having its intended effects. This does not mean repeating the EA, but using the experience gained through implementation to check the findings and to make any necessary adjustments. Consider:

- How you will measure the effects of the policy?
- When the policy will be reviewed (usually after a year) and what could trigger an early revision (see above)?
- Who will be responsible for monitoring and review?
- What type of information is needed for monitoring and how often it will be analysed?
- How to engage stakeholders in implementation, monitoring and review?

### Section 3: Glossary

**Civil partnership:** Legal recognition of a same-sex couple's relationship. Civil partners must be treated the same as married couples on a range of legal matters.

**Direct discrimination:** This refers to less favourable treatment of one individual, if, because of that person's protected characteristic, that person is treated less favourably than another. Direct discrimination cannot be justified unless it is discrimination on the grounds of age.

**Disability:** A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

**Equality information:** The information that you have (or that you will collect) about people with protected characteristics that will help you to show compliance with the equality duty. This may include the findings of engagement with protected groups and others and evidence about the effect of your policies on protected groups. It includes both qualitative and quantitative information, as well as evidence of analysis you have undertaken.

**Gender reassignment:** This is the process of transitioning from one sex to another. See also trans, transgender, transsexual.

**Harassment:** Unwanted conduct related to a protected characteristic that has the purpose or effect of violating a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may also involve unwanted conduct of a sexual nature or be related to gender reassignment or sex.

**Indirect discrimination:** This is when a neutral provision, criterion or practice is applied to everyone, but which is applied in a way that creates disproportionate disadvantage for persons with a protected characteristic as compared to those who do not share that characteristic, and cannot be shown as being a proportionate means of achieving a legitimate aim.

**Mitigation:** This is when measures are put in place that lessen the negative effects of a policy or policies on protected groups.

**Objective justification:** Your provision may indirectly discriminate against a particular group if:

- It is a proportionate means to achieve a legitimate end
- The discrimination is significantly outweighed by the benefits
- There is no reasonable alternative to achieve the legitimate end

For example, some employers have policies that link pay and benefits to an employee's length of service, such as additional holiday entitlement for long-serving employees. This may indirectly discriminate against younger people who are less likely to have been employed for that length of time, but in most circumstances it is seen as being a proportionate way of encouraging staff loyalty.

Direct discrimination on the grounds of age can also be objectively justified (no other direct discrimination can be).

**Positive action:** Lawful actions that seeks to overcome or minimise disadvantages that people who share a protected characteristic have experienced, or to meet their different needs (for example, providing mentoring to encourage staff from under-represented groups to apply for promotion).

**Pregnancy and Maternity:** Pregnancy is the condition of being pregnant. Maternity is the period after giving birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

**Proportionality:** The weight given to equality should be proportionate to its relevance to a particular function. This may mean giving greater consideration and resources to functions or policies that have the most effect on the public or on employees.

**Race:** This refers to a group of people defined by their colour, nationality (including citizenship), ethnic or national origins.

**Reasonable adjustment:** Public authorities making adjustments to the way in which they carry out their functions so that disabled people are not disadvantaged by the way in which those functions are carried out. This is with regard to policies, practices or procedures, premises, and the provision of auxiliary aids or services.

**Relevance:** How far a function or policy affects people, as members of the public, and as employees of the authority. Some functions may be more relevant to some protected groups than to others, and to one or more of the three elements of the general equality duty. The function or policy may still be relevant if the numbers affected by it are very small.

**Religion or belief:** Religion means any religion, including a reference to a lack of religion. Belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect your life choices or the way you live for it to be included.

**Sexual orientation:** This is whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

**Trans:** The terms 'trans people' and 'transgender people' are both often used as umbrella terms for people whose gender identity and/or gender expression differs from their birth sex, including transsexual people (those who propose to undergo, are undergoing or have undergone a process of gender reassignment to live permanently in their acquired gender), transvestite/cross-dressing people (those who wear clothing traditionally associated with the other gender either occasionally or more regularly), androgyne/polygender people (those who have non-binary gender identities and do not identify as male or female), and others who define as gender variant.

**Transgender:** An umbrella term for people whose gender identity and/or gender expression differs from their birth sex. They may or may not seek to undergo gender reassignment hormonal treatment/surgery. Often used interchangeably with trans.

**Transsexual:** A person who intends to undergo, is undergoing or has undergone gender reassignment (which may or may not involve hormone therapy or surgery). Transsexual people feel the deep conviction to present themselves in the appearance of the opposite sex. They may change their name and identity to live in the preferred gender. Some take hormones and have cosmetic treatments to alter their appearance and physical characteristics. Some undergo surgery to change their bodies to approximate more closely to their preferred gender. Transsexual people have the protected characteristic of gender reassignment under the Equality Act 2010. Under the Act, gender reassignment is a personal process rather than a medical one and it does not require someone to undergo medical treatment in order to be protected.

**Victimisation:** Subjecting a person to a detriment because they have made a complaint of discrimination, or are thought to have done so; or because they have supported someone else who has made a complaint of discrimination. Victimisation is unlawful under the Equality Act 2010.

## Appendix 1

### **A Summary of the Equality Act 2010**

The Equality Act 2010 replaces the existing anti-discrimination laws with a single Act. The legislation covers:

- Employment and work
- Goods and services
- The exercise of public functions
- Premises
- Associations
- Transport
- Education

The act prohibits:

- Direct discrimination
- Indirect discrimination
- Discrimination by association
- Discrimination by perception
- Discrimination arising from disability
- Victimisation
- Harassment

The new legislation no longer refers to 'diversity strands' instead it introduces the concept of 'protected characteristics or groups, the protected characteristics are:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation
- Marriage and civil partnership
- Pregnancy and maternity

### **The Public Sector Equality Duty**

The public sector equality duty requires that the council must, in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

These are generally referred to as the three arms of the duty. In relation to 'fostering' there is a duty to have due regard to the need to tackle prejudice and promote understanding.

Equality of opportunity is expanded by placing a duty on the Council to have due regard to the need to:

- Remove or minimize disadvantages connected to a characteristic of a protected group.
- Take steps to meet the needs of protected groups.
- Encourage participation of protected groups in public life where participation is proportionately low.

There is also a specific requirement that councils must take steps to take account of a person's disability and there is a duty to make reasonable adjustments to remove barriers for disabled people. The duty is 'anticipatory'. For example, Brent Council cannot wait until a disabled person wants to use its services, but must think in advance (and on an ongoing basis) about what people with a range of impairments might reasonably need



## Appendix 1: Priority Bands

When you register for a transfer or for re-housing as a home seeker, your application will be assessed by your landlord or Council. You will be placed in one of the priority bands described below.

If you disagree with your priority band you can ask the landlord or Council, which holds your registration details, to review your banding.

When bids are considered for advertised properties, priority will be given to bids from people in the highest priority band. If people from the same priority band bid for the same property the person with the earliest priority date will be considered first.

If your priority band is increased at any stage, your priority date will be the date you went in to the higher priority band. If you move back to a lower band, your priority date will revert to the date that applied when you were previously in that lower band or any earlier date when you were in a higher band (usually your original registration date).

Below is a general guide to the Priority Bands. However, this does not represent a definitive list of categories and you should speak to your housing department or housing office with whom you have registered if you would like precise information about how the scheme applies to you.

### Band A – Emergency Need to move

- Brent Council tenants where the property is imminently required (within 9 months) because of lease expiry or for essential work (e.g. Redevelopment scheme). Brent Council tenants who need to be moved to allow major repairs or full scale rehabilitation/conversion work to be carried out
- When the applicant/tenant or member of their household has a life threatening condition, which is seriously affected by their current housing.
- Private sector tenants where the Council's Private Housing Services has determined that the property poses a Category 1 Hazard and a Closing Order has been issued
- Housing have agreed to a Social Services recommendation to provide permanent accommodation to enable fostering or adoption.
- Council and housing association tenants downsizing to another social home with fewer bedrooms.
- Urgent need to move for medical or welfare reasons, where current housing conditions are having a major adverse effect.
- Private tenants living in conditions that pose a serious risk to health and safety which cannot be resolved by the landlord within 6 months.
- Council and housing association tenants in adapted properties they no longer need.
- Successors and tenants with a flexible tenancy approved by the council for a move to more appropriate accommodation.
- Ex-service tenants where there is a contractual re-housing obligation.

### Band B – Urgent Need to move

- where the current housing of an applicant or a member of the applicant's household is having a major adverse effect on their medical condition. It will not apply where the effect of housing conditions on health is comparatively moderate, slight or variable.
- Where a Brent Council tenant has been assessed as being statutorily overcrowded in accordance with Part X of the Housing Act 1985
- Where an applicant is severely overcrowded, lacking 2 or more bedrooms based on their household composition
- Older people moving to sheltered housing (this is generally for people aged 60 or over)
- Ex-member of Armed Forces in accordance with regulations
- Clients that have been accepted under move on quota such as leaving care, social services, probation services, Adult social care

### Band C – Reasonable preference

- Accepted homeless applicants living in temporary accommodation provided by the Council regardless of the type of accommodation they are living in (B&B, Hostel, AST etc). Please note that clients that are living in TA where the lease of their property is due to end will be band C. They need to contact TA Support team when they receive their lease end from their Landlord/Housing Association.
- Where a Brent resident is living in poor accommodation and this has been assessed and accepted by the Private Housing Services.

### No Priority for Housing

If you register for social housing in Brent, but do not qualify for band A,B or C, you will not be able to bid for properties through Locata.