



**Equalities Committee**  
20 February 2017

**Report from the Director of  
Performance, Policy &  
Partnerships**

For information

Wards affected:  
WARDS

**European Union Referendum and the Impact of  
Uncertainty on Brent Residents**

**1.0 Summary**

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

**2.0 Recommendations**

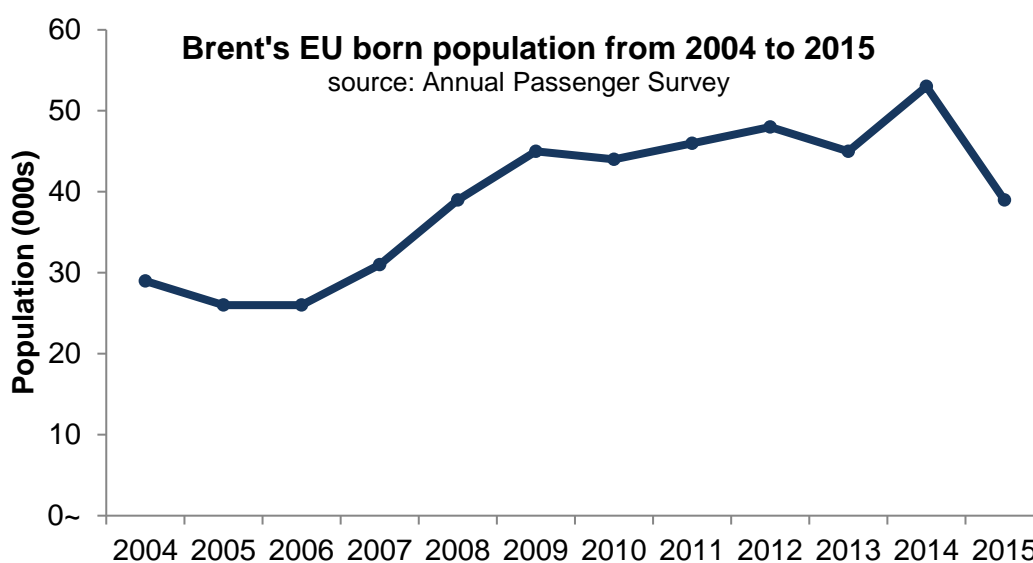
- 2.1. The Equalities Committee is asked to note the findings of this report

### 3.0 Detail

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

### 4.0 Community

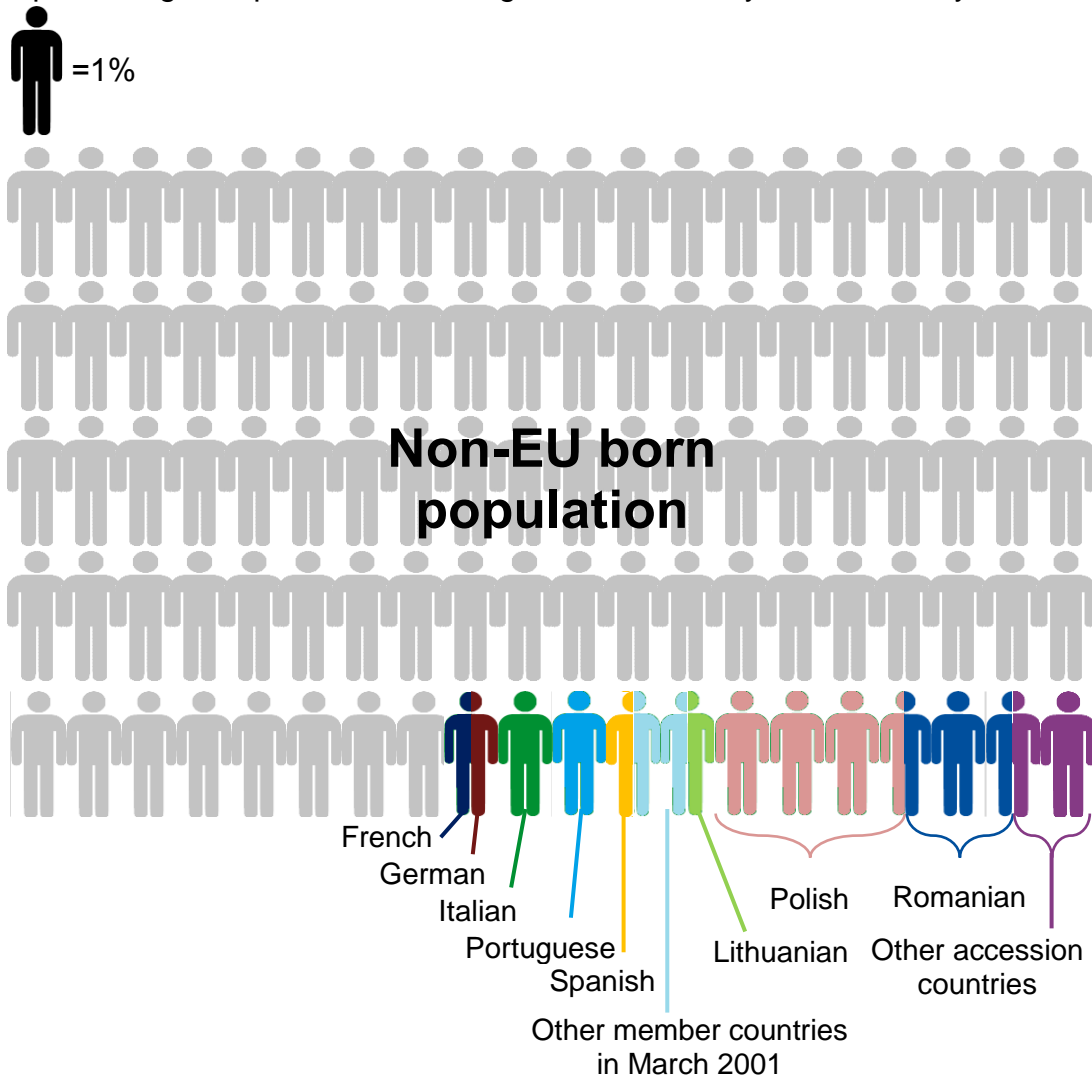
- 4.1. In 2015, 39,000 residents, 12% of Brent's population, were born in Europe. In 2014, 53,000 (18%) of Brent residents were born in Europe. The confidence intervals for these data sets are large, at 16,000 in 2014 and 10,000 in 2015, so there is the possibility that the number of Brent residents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



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

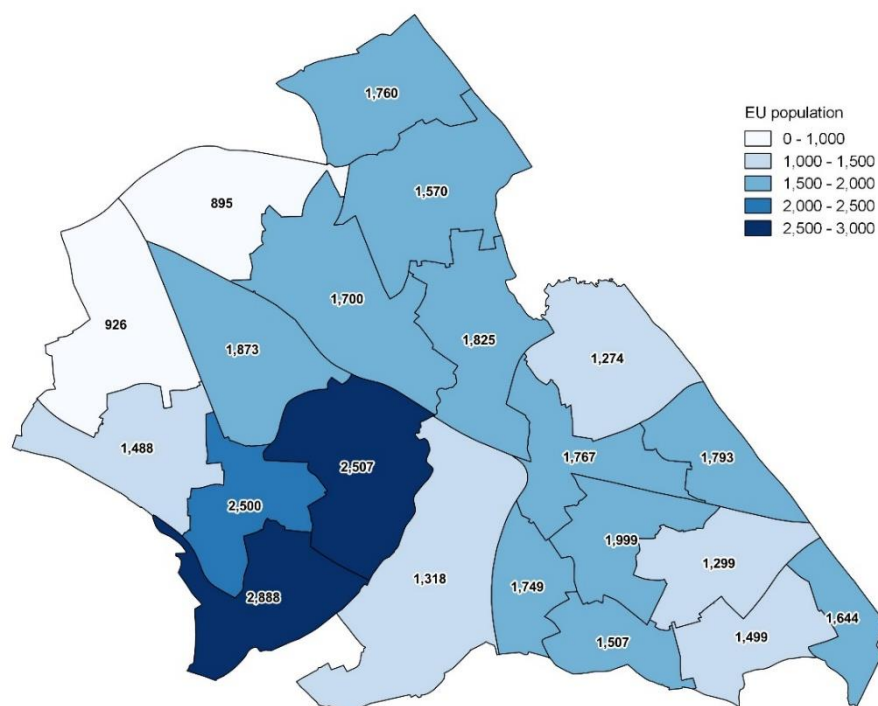
- 4.4. In 2011, there were 35,649 people born in Europe living in Brent, making up 11.5% of the population. They lived all across Brent, with higher numbers in the south of the borough, specifically in Dudden Hill and Willesden Green.

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



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

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



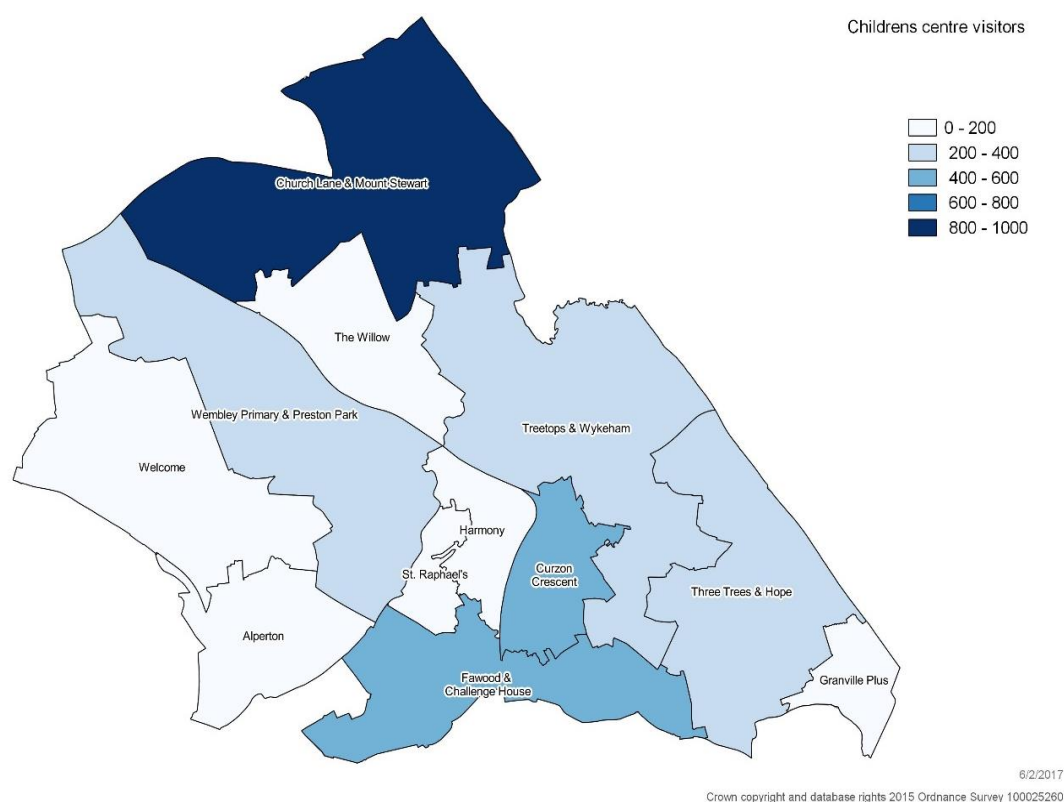
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- 4.6. There are ten community groups on the Council's community directory which are specifically supporting European communities, and one for Portuguese speakers, which will service both the Portuguese and Brazilian communities. Of the ten groups,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

## 5.0 Children and young people

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

## Map showing attendances by Europeans at Children's Centres



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

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

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

## **6.0 Adults**

- 6.1. In 2017, there are 35,781 EU nationals registered to vote in Brent; this does not include Irish nationals, or people from Gibraltar or Malta. Cross referencing the electoral role with the housing and council tax benefits register showed that 6,021 (5.7%) people registered on housing benefit claims in 4,242 households, were European (not including Irish, Gibraltarians, or Maltese). In these households there were 3,331 claimants, with 1,870 partners, 4,516 dependants, and 1,575 other household members. There are likely to be more European housing benefit claimants who are not registered on the electoral role.
- 6.2. There is a slightly smaller proportion of European adult social care users; of those with known nationality, 3% (114) are European; this decreases to 2% of all adult social care users when including the unknowns. There are 489 (8.5%) adult social care users of white other ethnicity, 127 speak European languages, but for 130, language is unknown. There are 168 adult social care users who speak European languages as a main language.
- 6.3. Translation services provide face to face interpreting, telephone translating, and interpreting of documents. Last year, the service provided 5,221 face to face interpreting sessions, 1,407 (27%) for European languages; 3,666 telephone interpreting sessions, 1,327 (36%) for European languages; and 287 document translations, 126 for European languages. Overall, just under a third (31%) of our translation services are for European languages.
- 6.4. There is a known issue with a small proportion of Brazilian people obtaining fake Portuguese passports and using them in the UK to access services. A small proportion of Russians and people from Ukraine are using a similar scheme but with passports from countries such as Romania and Hungary. It should be noted, however, that these are very small numbers within the above communities and the issue is being examined by authorities.
- 6.5. Brent has a statutory duty to provide education services for school age children who have lived in the borough for longer than four weeks. The NHS provides primary care services for free at the point of contact, this includes GP and A&E services. Other NHS services, (secondary, tertiary, and community care) are not free, and since April 2015 non EU migrants who are here for longer than six months are asked to pay a surcharge for NHS services (currently £200 a year).

## **7.0 Substance misuse services**

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

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

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

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

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

## **8.0 Hate crime**

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

## **10.0 Changes in employment law for EU migrants**

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

## **11.0 Employment in Brent**

- 11.1. Over the last five years, there have been 73,523 applications for National Insurance numbers from addresses in Brent, by Europeans. This is on average 15,500 a year. In 2011, EU citizens made up 55% of all National Insurance Number applications in Brent. This has increased reaching a high of 85% in 2014, with 20,631 applications, and has since gradually declined to 80% in 2016 (three quarters).
- 11.2. In 2011, there were 35,624<sup>1</sup> adults (aged 16 and over) in Brent with European passports. In the 16 to 49 age group, one in five employed residents held a European passport; this includes those employed full-time, part-time, and self-employed. Of those who were self-employed, one in three held a European passport. These proportions declined in the 50 and over age group, where around one in ten in employment held a European passport. Across both age groups, 1,819 people held European passports and were unemployed. This is 13% of the total unemployed. A higher proportion of European passport holders were economically active with 22% economically inactive compared to 34% overall.
- 11.3. Brent Works is a joint venture between Brent Council, Quintain Estates, and the College of North West London. It helps local residents to secure and sustain employment, created by regeneration projects in the borough. Brent works has

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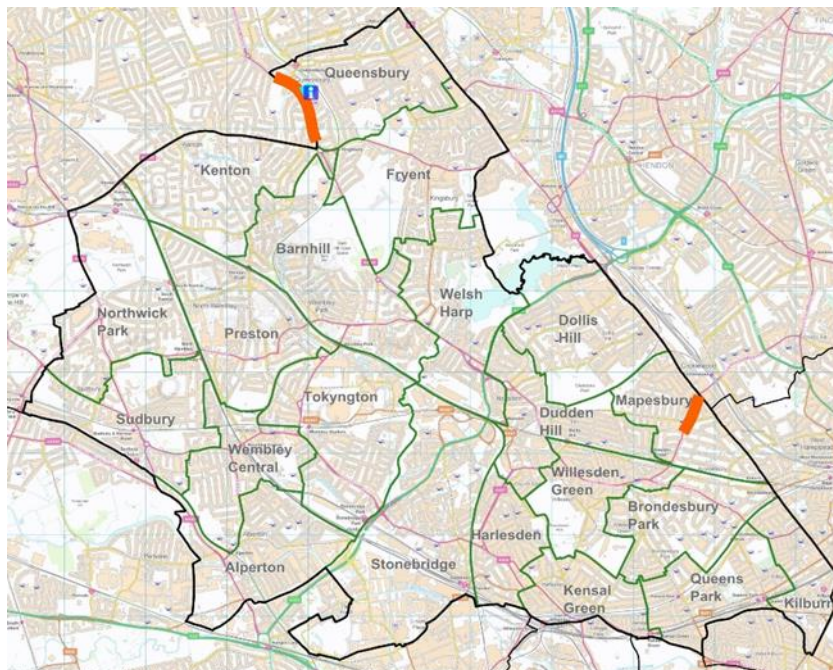
<sup>1</sup> 2011 Census, not including Irish passport holders



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

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

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



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

## 12.0 Rough sleepers

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

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

### **13.0 Brent's workforce**

- 13.1. Brent Council does not collect nationality data of its employees so white Other is used as a proxy. Of the current 2,200 direct Council employees 1,315 disclosed their ethnicity. Of those, 134 (10%) are white other employees. The proportion varies by department: from 8% of Community Wellbeing to 13.4% in Children and Young People where employees are known to be from white other backgrounds.
- 13.2. Information collected about school staff does not include nationality or ethnicity.
- 13.3. There are two hospitals in Brent, Northwick Park and Central Middlesex Hospital. In the NHS in North West London, 7% of all staff are European. This ranges from less than 1% of qualified ambulance staff, to 10% of doctors (including locums). London North West Healthcare NHS Trust comprises of Northwick Park, and Central Middlesex Hospital, as well as two other hospitals outside the borough, have 832 European staff members, of which 119 are doctors, and 341 nurses or health visitors. Central and North West London NHS Foundation Trust currently provide mental health services within the borough. They have 398 European staff members, of which 42 are doctors, and 110 nurses or health visitors. London Ambulance Service provides ambulance services for the whole of London and has 133 European staff members.
- 13.4. There are approximately 25 EU nationals working across the agencies in the drug and alcohol sector, which equates to just under a third of the workforce. It is difficult to find prescribing nurses, and many prescribing nurses in Brent are European. It would significantly affect the service and its users if these nurses left. A key theme that came out of the discussion with service providers was the impact on commissioned services EU staff who are feeling vulnerable and ways of supporting them.
- 13.5. The numbers of EU students applying to study in Further and Higher education settings in the UK had fluctuated over the last five years, increasing steadily from 48,240 in 2013, to a high of 59,960 in 2016, and decreasing to 55,240 in 2017. Applications for almost all subjects increased in 2016, and dropped slightly in 2017. Recently the media reported a large drop of EU applications for nursing courses. Between 2013 and 2017 the numbers of EU applicants for nursing courses has declined fairly steadily from 1,680 to 1,100 in 2017, although the decrease between 2016 and 2017 was sharper. The number of applicants for nursing from all backgrounds has dropped, although the decline of EU applicants seems large, they currently make up 2.5% of all applications, compared to 3.1% in 2013.
- 13.6. The MET police does not publish nationality information about its workforce and although it publishes ethnicity statistics, it does not differentiate white other from white.

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

## **14.0 Financial Implications**

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

## **15.0 Legal Implications**

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

### **Free movement of workers**

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

## **Employment law**

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

## **Human rights**

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

## **16.0 Equality Implications**

- 16.1. The equalities implications following the results of the referendum to leave the European Union are far reaching as this report highlights. It is not possible at this time to fully identify and assess the equalities implications of the referendum.
- 16.2. All of the EU directives which have progressively extended the protection against discrimination to more groups and in respect of more areas of life are now in the Equality Act 2010. However the 2010 Act goes further than these directives require in that:
- Non-discrimination in employment on grounds of race, sex and disability existed in UK law before the relevant EU directives were made.
  - The public sector equality duty (PSED) comes from UK legislation and requires public authorities to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. This duty initially arose from [Macpherson's report](#) (1999) on the death of Stephen Lawrence. This led to the race equality duty in 2000, and has since been extended to all protected characteristics, except marriage and civil partnership.
- 16.3. It is argued by some that the Equality Act goes further than EU law as Non-discrimination in the provision of goods and services in EU law only applies on grounds of race and sex. However, such protections already existed in UK law when they came into force. Also there is no similar provision in EU law for the other protected characteristics (disability, age, sexual orientation, religion or belief), but they are covered in the Equality Act 2010.
- 16.4. As EU equality directives are part of British law, the Equality Act 2010 will remain after Brexit because it is primary legislation unless it is repealed, irrespective of its origin. Some opinions suggest that it seems unlikely that the UK Government would roll back any protections as a result of Brexit, whereas others are concerned that protections could be weakened in future.

## **17.0 Staffing/Accommodation Implications (if appropriate)**

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

### **Background Papers**

Appendix One: Sources

### **Contact Officers**

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## **Appendix one: Sources**

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

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

Published sources:

**Brent:**

[Community directory](#)

[Migrants and refugees JSNA](#)

**ONS:**

[2011 Census](#)

[Annual population survey](#)

[Birth statistics](#)

**Other:**

[DWP: National insurance number registrations](#)

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

[NHS Digital: Nationality of workforce](#)

[www.gov.uk](#)

[UCAS](#)