



Equalities Committee
19 February 2018

**Report from the Strategic Director
of Community Wellbeing**

Homelessness Reduction Act: Equality Impact Analysis

Wards Affected:	All
Key or Non-Key Decision:	Non-Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Two: <ul style="list-style-type: none">• Single Homelessness Prevention Service (SHPS) Outcome Report• Show Homelessness the Door Infographic Pack
Background Papers:	None
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1.0 Purpose of the Report

- 1.1 The Homelessness Reduction Act received Royal Assent in April 2017 and will commence in April 2018. The Act will transform the way Local Authorities tackle homelessness and the way services are delivered. The Act itself will have a significant impact on the current Housing Needs organisational structure as well as the way it conducts its services. It was therefore appropriate to consider the implications and challenges that the Housing Needs service and its service users with protected characteristics may face in the context of the legislative changes.

2.0 Recommendation

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

3.0 Detail

- 3.1 The Homelessness Reduction Act imposes two main duties on Local Authorities. These duties are 'blind' to the question of whether the person might be in priority need, intentionally homeless or whether they have a local connection. This is a change to the way that services are currently delivered whereby applicants who are not in priority need are not owed a statutory

housing duty. This is also the case with applicants who are intentionally homeless. The new duties are as follows:

- Duty to take steps to **prevent** homelessness: Local Authorities will have to help people at risk of losing suitable accommodation as soon as they are threatened with homelessness within 56 days. Councils must take reasonable steps to help eligible applicants avoid becoming homeless. This includes all singles and family households. If the Council are satisfied that the applicant is eligible and homeless then there is a duty to assess every eligible applicant's case and agree a Personal Housing Plan (PHP).
- Duty to take steps to **relieve** homelessness: Once the 56 days of prevention duty expires, Councils will have to help all those who are homeless to secure suitable accommodation, regardless of whether they are 'intentionally homeless' or in priority need. Applicants who are homeless rather than threatened with homelessness enter the relief stage automatically. Once triggered, the relief duty will continue for 56 days unless it is brought to an end by one of the prescribed conditions. Applicants have a right to request a review of a decision to end this duty.

3.2 The consequences of an applicant deliberately and unreasonably refusing to cooperate with the council include the ending of the prevention or relief duties and in cases where the applicant would normally be owed the full housing duty(section 193), this duty would be limited to ensuring that accommodation is made available for their occupation for a temporary period of time until, for example, the applicant ceases to be eligible for assistance or becomes homeless intentionally from accommodation made available for their occupation.

3.3 The Act also requires public authorities and agencies to refer/notify the housing authorities if they are working with someone who is facing homelessness.

3.4 It is predicted that the legislative change may result in an increase of applicants who are approaching the Council for housing assistance. There is an expectancy that the approaches from single applicants will increase. Feedback from trailblazer authorities have reported that the footfall from family households has increased by 30% and by 40% from single households, respectively. Therefore, it is expected that there will be an increased demand for procured properties to be available for prevention. It is also important to consider the impact from welfare reforms such as Universal Credit, the Overall Benefit Cap and the freezing Local Housing Allowance rates which will cause limitations for applicants to find affordable housing in the private rented sector. The new Act introduces several new points of review which will increase the administrative burden.

3.5 In light of the new Homelessness Reduction Act (HRA), Brent Council has implemented the Single Homelessness Service and the Single Homelessness Prevention Service (SHPS) to support vulnerable adults in housing need. Appendix A contains the SHPS Outcome Report which has been presented at the SHPS Project Board meeting on 11 January 2018.

3.6 The Council's objectives include:

- Recruiting further officers to provide the new service
- Implement new policies and procedures

- Implement a new IT software for the HRA
- Update job descriptions for all staff delivering the HRA
- Single Homelessness Service to go live
- Creating Personal Housing Plans for all customers
- New HRA leaflets produced and prevention materials
- New web site designed for the HRA
- Provide full training across all staff on the HRA
- Update of the homelessness strategy
- New procurement strategy

3.7 The following stakeholders are likely to be affected by the Act:

- Vulnerable single applicants – this will be a positive change for single vulnerable clients who were not previously in priority need
- Large family households
- Private sector landlords
- Employees – there will be a change in the scope of current Officer's and Team Leader's job descriptions, there is also likely to be an increase of staffing to match demands of the new service. Any proposed changes affecting Council employees will be subject to a separate Equality Analysis.
- The voluntary sector

4.0 Impact in relation to protected groups

4.1 Evidence suggest that individuals and groups of one or more of the below protected characteristics are more likely to be at risk of homelessness or to be over-represented in the Housing Needs cases.

4.2 When looking at Brent's diversity profile, it is notable that:

Disability

- 1 in 7 (14.5%) Brent residents considered that their health had a limiting impact on their day to day activities.
- In February 2014, 0.8% (1,650 people) Brent residents of working age - aged 16 to 64 - were claiming disability benefits.

Ethnicity

- Brent was the first Local Authority in the UK to have a majority black, Asian and minority ethnic (BAME) population. In the 2011 Census, 63.7% of the population were BAME. By contrast, 14% of people in England and Wales and 40% of people in London were BAME.
- The largest ethnic groups in Brent were Asian: Indian or British Indian people (18.6% of Brent's population) and White: English/ Welsh/ Scottish/ Northern Irish/ British people (18.0%).
- In 2011 Brent had a higher proportion of the following ethnic groups than London and nationally: Black African people (7.8%), Black Caribbean people (7.6%), White Irish people (4%), Arab people (3.7%), White Polish people (2.9%) and White: Other Eastern European people (2.1%).
- 0.1% of Brent's population were White: Gypsy or Irish Traveller which was on par with London and national figures.

Religion and belief

- Less people in Brent had no religion than in London and nationally: 1 in 10 Brent residents stated they had no religion, compared to 1 in 5 people in London and 1 in 4 people in England and Wales.
- The largest religious groups in Brent were: Christian (41% compared to 48.4% in London), Muslim (18.6% compared to 12.4% in London) and Hindu (17.8% compared to 5.5% in London).
- The biggest changes to religious groups in Brent were: 79% increase to the proportion of Muslim people, 72% increase to the proportion of Buddhist people and a 32% decrease to the proportion of Jewish people.

4.3 Whilst the Homelessness Reduction Act aims to increase the help offered to those who approach the Council as homeless, due to affordability issues within Brent, the outcome of the help offered will be different for different family types. Therefore, there are certain groups that may be affected disproportionately by the outcomes of the changes to legislation.

- **Income** - 31% of residents living in Brent are low paid (below the London Living Wage), the second highest of any London borough and ten percentage points higher than average. ONS data at the end of 2015 showed that the median salary of a Brent resident is £25,203.
- **Housing conditions** - A 2013 study by the Race Equality Foundation found that overcrowding is most common among Black African and Bangladeshi groups, with over a third of households overcrowded. Bangladeshi households are 63% and Black African households 75% more likely than White British households to suffer 'housing deprivation' (an indicator in the Index of Multiple Deprivation including overcrowding and other measures).
- **Age** – Under the legislation any applicant aged 18 years old and above may approach the Council for housing assistance. The Local Housing Allowance (LHA) for young single applicants under the age of 35 is only a room rate. This amount falls below the market rent and many young adults struggle to find affordable accommodation in line with their LHA rate entitlement. Universal Credit also affects young people aged between 18- 25 in which under this reform are not entitled to receive a housing element. The legislation highlights vulnerable single applicants, and within this cohort falls the elderly.
- **Gender** – Single males are the most affected by homelessness and the HRA has a positive effect on them. As previously stated, the HRA is blind to priority need, therefore single homeless males can access housing assistance and be owed a prevention duty.
- **Socio-economic groups** – While this is not a protected characteristic, it can be argued that any legislation related to homelessness has a direct effect on socio-economic groups who are likely to face housing deprivation and overcrowding due to affordability issues

5.0 Socio-economic impact

5.1 Affordability issues related to housing can largely affect the following groups of people: large families, single people receiving Universal Credit, people with low

incomes and those that are affected by the Welfare Cap as a result of being unemployed. Evidence suggests that women, disabled people and BAME groups, particularly residents of working age are more likely to experience socio-economic disadvantage due to two or more protected characteristics and/or other vulnerability. Recent evidence also shows that single BAME, including White Other men of working age are also experiencing high levels of disadvantage and housing related affordability issues.

- 5.2 If the Council cannot provide adequate support or accommodation due to excessively high demand, certain individuals and households are likely to be advised to look for accommodation out of Brent or even out of London.
- 5.3 The Homelessness Reduction Act gives the authority for other agencies to refer applicants to the Council directly for assistance with housing. This change in legislation will benefit vulnerable people who would potentially not have approached the service themselves under the current housing legislation.
- 5.4 The current legislation does not assist a substantial proportion of those seeking accommodation who are homeless. Currently the legislation owes a housing duty to those in priority need i.e. applicants with dependent children, applicants who are vulnerable as a result of medical/mental health issues, being in the armed forces, leaving institutional prison and who are elderly. The Homelessness Reduction Act lifts the priority need limitation to homeless applicants and opens the prevention duty to all members of the public who are eligible and threatened with homelessness. It is therefore anticipated that this change will have a **positive or neutral impact** on service users across all age group, particularly the single working age homeless group.
- 5.5 It is acknowledged that when implementing the preferred option, due consideration must be given to ensure that the work and good practice around financial inclusion, accessible communication and engagement with vulnerable groups (including people with disabilities, BAME groups and older people) is retained and further improved.

6.0 Brent's equality objectives

6.1 Brent has five equality objectives:

1. To know and understand all of our communities
2. To involve our communities effectively
3. To demonstrate leadership in equalities and human rights, both within the Council and amongst partners, and organisational commitment to excellence
4. To ensure that local public services are responsive to different needs and treat users with dignity and respect
5. To develop and sustain a skilled and committed workforce able to meet the needs of all local people.

6.2 The changes that the Homelessness Reduction Act propose relate particularly to number 4 and 5 of Brent's equality objectives as they put a duty on local services to respond effectively to the diverse needs of services users and provide them with tailored advice and assistance. It also puts a duty on case workers to come to an agreement with their service users and commit to assisting them in various ways to prevent their homelessness

7.0 Summary of any research or engagement initiatives that have been carried out to formulate this analysis

- 7.1 The Council has set up an internal Project Team to plan the implementation of the HRA project. The project team was formed in August 2017 which includes a Senior Transformation Officer, two Project Support Officers and one Business Analyst. The team has formulated eight work streams which include reviewing the current data, service impact, the processes, IT systems, resources, internal and external communications, training/development and procurement.
- 7.2 The Project Team have met with different teams within the Housing Needs Service and has mapped out each of their end-to-end processes highlighting what the demand, supply and timings are to carry out their functions. The purpose of this was to determine whether the current processes are fit for purpose based on the new incoming legislation.
- 7.3 The project's Business Analyst has retrieved historical data uncovering the number of homeless approaches the Council has received and the number of accepted and rejected applications. The data collated on specific groups will be used to determine how this may change after the new legislation is implemented and how to ensure a good performance management framework.
- 7.4 The project aims to intervene with the communication between internal departments as well information sharing. The team has begun to create resources and material regarding the Homelessness Reduction Act and the Personal Housing Plans are currently being finalised.
- 7.5 The analysis will be updated on a regular basis to ensure any identified potential/likely negative impacts are monitored and mitigated where possible.

8.0 Next steps for mitigating negative impacts and enhancing potential positive effects

- 8.1 The internal Homeless Reduction Act Project that is currently in place will continue to research and ensure that when the legislation comes in, a pre-made plan is being followed and communication continues smoothly with other teams and departments.
- 8.2 The Homeless Reduction Act focuses on prevention, therefore the homelessness duty will likely end in the private rented sector. Applicants will be informed that their homeless application *may* not end in social housing. This is likely to be perceived as a negative impact to applicants approaching the Council for housing assistance, however due to the short housing supply the waiting list for social housing is a minimum of 10 years and this is not an immediate solution to homelessness.
- 8.3 Taking welfare reforms into consideration, offers made to applicants will be based on their affordability and due to high market rents in the borough of Brent, low income families will be most affected by their offers of private rented accommodation and offers may be made outside Brent and in an area which is affordable according to the family's financial position. The Council will only end

its housing duty to homeless applicants with an offer of accommodation that is suitable and affordable.

8.4 All applicants will be issued with a Personal Housing Plan, which will take into account the applicant's current financial situation, support needs and housing needs. The applicant will be given bespoke advice by the Officer and together they will form an action plan that includes actions that must be carried out by the applicant and the officer based on their circumstances. This is a signed agreement by both parties which must be updated regularly. This will be the main tool which will assist with managing the client's expectations and used to help reduce the potential negative impacts that have been identified such as welfare reform, affordability, employment and private rented offers.

8.5 It is acknowledged that when implementing the preferred option, due consideration must be given to ensure that the work and good practice around financial inclusion, accessible communication and engagement with vulnerable groups (including people with disabilities, BAME groups and older people) is retained and further improved.

9.0 Financial Implications

9.1 There are no specific financial implications other than to note that government has provided £500k in new burdens funding for 2017/18 to fund the implementation of the Homelessness Reduction Act.

10.0 Legal Implications

10.1 Covered in the main body of the report.

11.0 Equality Implications

11.1 Covered in the main body of the report.

Report sign off:

PHIL PORTER

Strategic Director of Community Wellbeing