

APPENDIX 3

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Transfer of Network Homes Temporary Accommodation Portfolio
DEPARTMENT:	Community Wellbeing
TEAM:	Housing Needs Service
LEAD OFFICER:	Saleema Nuraney
DATE:	15-03-2020

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

In November 2019, Network Homes Housing Association formally contacted the Council to advise that their Board had determined to exit the Temporary Accommodation (TA) market, and invited the Council to take over their TA portfolio.

This equalities analysis is on the proposed transfer of Network Homes Housing Association's Temporary Accommodation (TA) portfolio.

This change is designed to retain and increase the stock of more settled leased temporary accommodation to help meet demand from homeless households. This will prevent the council having to use poorer quality, more expensive nightly paid temporary accommodation and to enable households to continue to live in Brent.

At the end of January 2020 there were 375 TA units in use managed by Network Homes Housing Association. Out of the 375 units, 258 are under the Housing Association Leasing (HAL) Scheme and the remaining 117 are in other Private Sector Leasing Schemes with the Council.

The Council has a statutory duty to provide suitable temporary accommodation to homeless persons who are eligible, unintentionally homeless and have a priority need for accommodation under Part VII of the Housing Act 1996 (as amended). The duty to provide temporary accommodation usually comes to an end, by arranging a settled housing solution with an offer of accommodation either in the public or private housing sector.

With demand from homeless households increasing since the implementation of the Homelessness Reduction Act 2017, the pressure to retain and acquire good quality and affordable TA has also increased. The Housing Needs service working with Housing Supply and Partnerships have a plan to reduce the need for Temporary

Accommodation by delivering 1000 units of affordable housing a year, including 1000 new council houses over the next 5 years. However, there will always be a need for some good quality Temporary Accommodation, and while this will be in the medium term be delivered through council provision, there continues to be a need for TA and this procurement will help retain the existing stock of leased accommodation, and stop families having to go into nightly paid Annexes and Bed and Breakfast accommodation.

As Network Homes has advised the Council that they are exiting the Temporary Accommodation market, this presents an opportunity for the Council to take over the management of their entire TA portfolio, significantly increasing the in-house leasing scheme – Brent Direct Leasing (BDL). This will give the Council more control of the portfolio, especially in negotiating lease renewals. When the lease ends under the Network scheme, the property will be converted onto a Brent lease, and so will still be temporary accommodation.

The Council enters into leases with the property owners, generally for a 3 year term. The tenants enter into a non-secure tenancy agreement the Council and pay rent (generally via Housing Benefit paid to homeless families). The Council provides housing management services and pays the landlord a weekly rent amount based on the TA subsidy rates. There are minimum property standards and furniture standards specified by the Council.

If the Council decide not to take over the management of these properties, Network can start to give 1 months' notice to the owners of the properties, to bring the lease to an end, and hand the property back.

The Council still owes the main rehousing duty to the households living in these properties. If the properties are handed back to the owners, then the Council will have a statutory duty to find alternative accommodation for them. Due to the difficulties of securing alternative accommodation, this will most likely result in a move to emergency B&B or hotel annex accommodation which may not be in Brent.

2. Who may be affected by this policy or proposal?

The policy will directly benefit homeless families currently residing in TA to whom the Council still owes the main rehousing duty. The families are from various ethnic backgrounds and include those who may not have English as their first language as well as those who do.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

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

The tenant will still remain in the property once the proposed transfer to Brent has taken place. Once the Network lease comes to an end, the property will be converted to a Brent lease and the tenant will enter into an agreement directly with the Council. The property would initially have been allocated in line with Brent's TA Placement Policy to ensure that everyone's housing need is met in a fair, consistent and non-discriminatory manner.

BDL properties will meet the "minimum property standard" to ensure they are suitable and habitable. The Council will also ensure (amongst other things) that all safety certificates are valid for the property, that the property has buildings insurance that the property adheres to current fire regulations.

Advice and assistance will be provided by the Council in the event of any queries or complaints with regards to Landlord conduct.

All clients are allocated a Housing Resolutions Officer (HRO). The HRO acts as the client's caseworker and assists with undertaking reviews on the suitability of the TA offer (should the client feel the accommodation is not suitable, the Reviews would investigate the merits of the suitability review), fear of violence investigations and works with accommodation providers and other agencies to resolve complaints and tenancy support issues including claims of harassment or discrimination.

The Council will deal with housing management issues e.g. dealing with complaints of anti-social behaviour (including discrimination, victimisation and harassment) and take action to resolve the situation or to mitigate the impact on the client. The Council also has a complaints procedure to prevent unlawful discrimination and to promote equal opportunities for everyone;

The Council is committed to equality and diversity and will ensure that their services are accessible to all users and take into account service user's individual needs. This includes using sign language or translation services, using large print or Braille, ensuring we have hearing loops for hearing impaired customers and ensuring our offices are accessible to wheelchair users.

The Council also has a complaints procedure to prevent unlawful discrimination and to promote equal opportunities for everyone.

Advance equality of opportunity;

Clients with learning disabilities, mental health issues, sensory or physical impairment are also able to access floating support either through a self-referral or through a referral from the Council.

Support is also provided by Families Floating Support Service who provide support to families with housing related needs. They are able to arrange interpreters where necessary and help clients liaise with various services e.g. mental health services, hospitals, GP, social services and schools. They work closely with other agencies such as Look Ahead who deal with people with physical or learning difficulties, Elders Voice who deal with elderly applicants, Sanctuary who deal with victims of domestic abuse, Thames Reach who provide floating support for applicants with mental health issues. Whilst this list is not exhaustive, access to these services ensures a sensitive and responsive approach is taken with regard to meeting their housing needs and ensure equal access.

The Council will ensure there is a consistent approach to complaints and that the housing need is being provided with a caring and responsive approach with regards to complaints of harassment, discrimination or victimisation.

The Service will facilitate better monitoring of families who are housed through this scheme by ensuring that protected characteristics are captured by all staff via the current monitoring mechanisms currently in place.

4. Please indicate with an “X” the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age		X	
Sex		X	
Race	x		
Disability		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity	x		

Marriage		X	
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Please see Section B- Impact Analysis for further details of the potential impacts on groups with each protected characteristic.

5. Please complete **each row** of the checklist with an "X".

SCREENING CHECKLIST		
	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council's public sector equality duty?	x	
Does the policy or proposal relate to an area with known inequalities?	x	
Would the policy or proposal change or remove services used by vulnerable groups of people?	x	
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	x	
<p>If you have answered YES to ANY of the above, then proceed to section B. If you have answered NO to ALL of the above, then proceed straight to section D.</p>		

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

The information used for this analysis is taken from the Housing Northgate database as at March 2020.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

AGE	
Details of impacts identified	Households will not be discriminated against because of their age. Analysis indicates that there will be a positive impact on clients aged 30-52 as they currently make up 72% of households in TA. This is the most significant group of people who are positively impacted in relation to families with children.
DISABILITY	
Details of impacts identified	<p>Households will not be discriminated against because of their disability. The provision of accommodation is based on client need. Due to the shortage of adapted properties, preference is given to households who require properties that have been adapted or developed for people with a disability.</p> <p>Analysis indicates there have been 0 households who have been accommodated in adapted properties by Network Homes. Applicants who have an illness or disability are required to complete a medical form and include as much detail as possible to enable an accurate assessment. Medical priority is awarded following an assessment and recommendation from the Council’s District Medical Officer (DMO).</p> <p>The DMOs recommendations are always taken into consideration before an offer of TA is made to the applicant. If the DMO has made a recommendation for a specific type of property e.g. ground floor or single level access accommodation but where none is available, accommodation with downstairs facilities are sought to meet the applicant’s housing need. This flexible approach is adopted largely due to the difficulties in procuring adapted properties to meet the needs of disabled applicants.</p>

	<p>Clients with learning disabilities, mental health issues, sensory or physical impairment are also able to access floating support either through a self-referral or through a referral from the Council. All referrals are submitted to Thames Reach who would identify their support needs and assist directly or refer to relevant organisation.</p> <p>Support is also provided by Families Floating Support Service who provide support to families with housing related needs. The types of support offered are :</p> <ol style="list-style-type: none"> 1. helping families to access appropriate welfare benefits 2. helping people into education, training and employment 3. support with finding debt-cancelling agencies where applicable 4. support with finding appropriate agencies for physical and mental health needs 5. helping families to keep tenancies and prevent repeated homelessness 6. helping families reintegrate into the community 7. supporting people experiencing domestic violence 8. supporting families with social/cultural issues <p>They are also able to arrange interpreters where necessary and help clients liaise with various service e.g. mental health services, hospitals, GP, social services and schools to name a few.</p>
RACE	
Details of impacts identified	<p>A sensitive and flexible approach to meeting clients' housing need is taken to ensure adequate and suitable provision is made. People from black and minority ethnic communities are also more likely to be impacted because they are over-represented among homeless acceptances (compared to the general population).</p> <p>The majority of households who access TA are from BAME households and are therefore positively impacted (specifically the Black African community). There are 42% of households in TA from the Black community (African, Caribbean, Somalian, Other), 20% are from the White community (Irish, UK, European, Other) and 38% are from the Asian community (Indian, Pakistani, Chinese, Other).</p>
SEX	

Details of impacts identified	The provision of accommodation will have a positive impact on both men and women, although it can be noted that 70% of households in TA are headed by women.
SEXUAL ORIENTATION	
Details of impacts identified	Unfortunately there is insufficient data on this protected characteristic due to a lack of responses by clients.
PREGANCY AND MATERNITY	
Details of impacts identified	There will be a positive impact on households with children or pregnant mothers as only eligible families with children can access this service. Pregnancy is also classified as a priority need when determining if a household is eligible for assistance under the Housing Act 96 (as amended).
RELIGION OR BELIEF	
Details of impacts identified	There is insufficient data to undertake an effective analysis. Households will not be discriminated against this characteristic.
GENDER REASSIGNMENT	
Details of impacts identified	There is insufficient data to undertake an effective. Households will not be discriminated against this characteristic.
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	This service is accessible to families with children and households will not be discriminated against this characteristic. Analysis indicates there are currently 36% of households in HALS accommodation who are married.

3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

No

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

N/A

5. Please detail any areas identified as requiring further data or detailed analysis.

N/A

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

N/A

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

There will be on-going performance monitoring via quarterly contract meetings held with the relevant Council officers.

The number of complaints will also be used as a monitoring mechanism to ensure customers have been treated fairly and have not experienced discrimination on the basis of any of the protected characteristics.

Regular performance monitoring will ensure that the scheme does not operate in a manner that disadvantages or discriminates against any particular group.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

Overall the policy is intended to retain the stock of more settled leased temporary accommodation to help meet demand from homeless households. This will prevent the council having to use poorer quality, more expensive nightly paid temporary accommodation and to enable households to continue to live in Brent.

The policy is also intended to provide more certain and sustainable outcomes for homeless households and enable them to remain within Brent. The proposed transfer will allow them to remain in their settled accommodation and neighbourhood as well as continue to engage with local services.

No negative impacts have been identified. The positive equality impacts which have been identified will remain due to the eligibility criteria of the households who can access the service.

Brent Council will be responsive, accessible and sensitive to the needs of all applicants, will not tolerate prejudice and discrimination and will actively promote equality.

The contract terms will ensure applicants receive the best possible service in accordance with their individual needs and requirements and there is a clear understanding of the relationship between the Council and the Landlord.

The Council will ensure properties meet rigorous standards, including adhering to the Minimum Property Standard.

Brent Council is committed to the principle of equal opportunities in the delivery of all of its services to ensure it is delivered in a manner that is fair to all sections of the community regardless of their protected characteristic.

SECTION D – RESULT

<i>Please select one of the following options. Mark with an "X".</i>		
A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	X
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date