
REPORT FOR: CABINET

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| Date of Meeting: | 19 November 2015 |
| Subject: | Housing Needs' Strategies and Policies |
| Key Decision: | Yes |
| Responsible Officer: | Lynne Pennington, Divisional Director of Housing |
| Portfolio Holder: | Councillor Glen Hearnden, Portfolio Holder for Housing |
| Exempt: | No |
| Decision subject to Call-in: | Yes |
| Wards affected: | All |
| Enclosures: | Appendix 1: Review of Harrow Council's Housing Allocations Scheme Appendix 2: Temporary Accommodation Procurement Strategy Appendix 3: Temporary Accommodation Allocation Policy Appendix 4: Equality Impact Assessment - Oct 2015 |

Section 1 – Summary and Recommendations

This report sets out the proposed changes to the Housing Allocations Scheme and the introduction of a Temporary Accommodation Procurement Strategy

and a Temporary Accommodation Allocation Policy.

Recommendations:

Cabinet is requested to:

- Approve the amendments to the Housing Allocations Scheme 2013 (Appendix 1)
- Approve the new Temporary Accommodation Procurement Strategy (Appendix 2)
- Approve the new Temporary Accommodation Allocation Policy (Appendix 3).

Reason: (For recommendations)

There is a requirement to amend the Allocations Scheme following new interpretation of the law by the Court of Appeal

We have also identified some unforeseen consequences that the Allocations Scheme has created and we wish to amend the scheme in order to ensure that it is fair, and meets its aims and objectives.

It is now advisable to have a Temporary Accommodation Procurement Strategy and a Temporary Accommodation Allocation Policy as a result of the Supreme Court judgment in *Nzolameso v City of Westminster* [2015] UKSC 22.

Section 2 – Report

Introduction

This report concerns Housing Needs' Strategies and Policies.

When we introduced the new Housing Allocations Scheme 2013 we indicated that we would review how it was working once it had been in operation and bedded down.

We have identified some anomalies the scheme has created and there have been some new interpretations of relevant law by the courts so we are now proposing a number of changes to the scheme.

With recent proposals in the Planning and Housing Bill, we anticipate that the supply of social housing in Harrow is going to reduce even further over the next few years, so the policy needs to reflect the limited options that there are for offering social housing to home seekers.

We are introducing a Temporary Accommodation Procurement Strategy for obtaining accommodation for homeless households to whom we have a statutory duty to assist or accommodate once assessed. This is as a result of the Supreme Court judgment in *Nzolameso v City of Westminster* (see paragraphs 38-42 of the Judgment). We already procure temporary accommodation for homeless households but this document formalises our approach into a new

strategy document.

We are introducing a Temporary Accommodation Allocation Policy, which reflects the limited availability of local accommodation, and this will replace the guidance in the Appendix of the Homelessness Strategy (2013). This is also as a result of the Supreme Court judgement on *Nzolameso v City of Westminster* (again see paragraphs 38-42 of the Judgment). We already allocate temporary accommodation but this document formalises our approach into a new policy document.

These strategies and policies will help us focus our limited resources on those local families with the greatest housing need.

Options considered

Do Nothing

We considered making no change to the Allocations Scheme, but this would have left us more susceptible to legal challenge. It also would not allow us to make best use of the limited social rented housing that is available for those with the greatest housing need, and to assist in discharging our homelessness duties

We considered not developing a Procurement Strategy, and Temporary Accommodation Allocation Policy, but this would have made it far more difficult to justify placements we make to discharge our homelessness duties. The Supreme Court strongly indicated such policies or strategies should be developed so the local authority's actions were transparent. The Council would be extremely vulnerable in any homelessness appeal where an applicant was placed out of the area.

Implement changes to the Allocations Scheme and these policies

The option that this report recommends.

We considered what else we could put in the strategy and policy relating to temporary accommodation, but the lack of affordable local housing and impact of the on-going welfare reforms mean that some households will need to move out of Harrow and/or out of London. In the past this mainly affected larger families, but the most recent changes affect many smaller families and those not in settled employment.

The changes proposed in the strategy and policy are required in order to contain the increasing cost of the homelessness service. The Supreme Court accepted that councils are entitled to consider their available resources when framing policy.

Summary of Proposals

A) Changes to Housing Allocations Scheme (Appendix 1)

- i) Introduce a new preference band ("Initial Preference") for some applicants who have a Reasonable Preference but were excluded from our 2013 scheme as they were not resident for 5 years or had too high an income. The Court of Appeal in *Jakimaviciute v Hammersmith & Fulham* indicated that applicants who have a reasonable preference, such as homeless households, should not be excluded entirely from the Allocations Scheme because, for example, they have not met residency requirements. This new

Initial Preference Band meets that requirement whilst still reflecting members' wishes that local people should have a greater preference for social housing. Applicants who are determined to have a reasonable preference (as defined in Part VI Housing Act 1996) who have five years residency have a higher banding than those that don't, under this amendment.

- ii) Stop offering high priority to overcrowded families who are home seekers. This has resulted in families remaining in overcrowded accommodation for many years believing this will facilitate an offer of social housing. Families in this situation can resolve their housing need far more rapidly by obtaining suitable alternative accommodation in the private rented sector.
- iii) We are also extending transitional relief to families disadvantaged by the changes in 2013 that we have not yet managed to assist, until they are housed or their circumstances change. (See Appendix 1, Section 6 for more information)

It is proposed to implement these changes from 1st December 2015.

These changes affect less than 100 families on the housing register.

B) Temporary Accommodation Allocation Policy

As we are unable to obtain sufficient local accommodation, we are having to identify more families to be accommodated outside Harrow or London. Priority for local accommodation will be for those with the greatest need to remain locally. This policy sets out the criteria that the Council will consider when allocating temporary accommodation out of the area., and priority for who is offered local accommodation.

C) Temporary Accommodation Procurement Strategy.

This outlines the kinds of accommodation we plan to obtain for use to meet our homelessness duties. It identifies the amount we believe we will need for the next 12 months, and indicates how much of the accommodation we anticipate we can acquire in the local area. It authorises the Portfolio Holder for Housing to agree annual updates of this forecast and plan for procurement.

Legal Implications

Over the past year a number of significant homelessness and allocations decisions have been made by the higher courts, which affect local authorities, in particular the cases of *Nzolameso - v- City of Westminster* and *Jakimaviciute -v- LB Hammersmith and Fulham*.

Whilst Harrow Council is not legally required to have policies in respect of the allocation or procurement of temporary accommodation, in *Nzolameso*, the Supreme Court gave a very strong indication that local authorities should have such policies in place. It is therefore considered prudent to implement such policies with a view to making the Council less susceptible to challenge, particularly where a homeless applicant is placed out of the area.

Under Part V of the Housing Act 1996, local authorities are required to have a scheme to determine the allocation of accommodation.

In respect of the amendments to the allocations policy, the decision in *Jakimaviciute* gives rise to concerns that the Council's allocation scheme could be challenged and so the proposed amendments to the policy are made to strengthen it in order to reduce the possibility of challenge. The amendments meet the requirements of the Housing Act 1996 while preserving the five year residency requirement. It is sensible to make minor amendments to the scheme at the same time as making this more substantial amendment.

Financial Implications

The changes proposed in this report are intended to assist in containing the costs associated with managing homelessness.

It is not possible to quantify the potential financial impact of these changes with any degree of certainty due to the fact that the latest changes to welfare benefits are not yet in place, the effects of these are therefore unknown. In addition, the ability for any change in policy to produce genuine "cashable" reductions in cost is dependent on demand for the service overall remaining static, which is simply not the case in respect of the Housing Needs service. The proposals in this report will, however, contribute towards the efforts to control expenditure on homelessness, and should assist in reducing costs over time.

Consultation

The consultation on the proposed changes to the Allocations Scheme, the Temporary Accommodation Allocation Policy and Temporary Accommodation Procurement Strategy included:

- Consultation event 1 September 2015 - feedback from presentations, roundtable discussions and from individual delegates from Registered Providers, organisations who support and advise homeless people, the voluntary and community sector and residents groups) on each of the three Strategies and Policy.
- Consultation with the Harrow Federation of Tenants and Residents Associations (HFTRA) on 23 September 2015
- Consultation by email with stakeholders
- Consultation online on the Harrow website and Locata (also made available by post and in person)
- Information about the consultation sent to all Council tenants and leaseholders

On the basis of feedback, amendments have been made to the proposed changes to the Allocations Scheme:

- a) Clarifying when exclusions could apply, in the exclusions section due to fraud etc. (amendment 5 in Appendix 1)
- b) Keeping strategic aim f (amendment 10 in Appendix 1)
- c) Changing private sector homeseekers who are overcrowded to band C (the same as homeless households) instead of band C- (C minus) which was the original proposal. (section 3 in Appendix 1).

Although there were comments expressed in relation to Temporary Accommodation Allocation, they could not be taken forward as generally they indicated concerns about moving families away from the local area... Our aim to house everyone locally is already in the policy, but the

policy mainly addresses what we do when there is insufficient local accommodation to meet this aim.

There were no proposals on other sources of local Temporary Accommodation for the procurement strategy.

Equalities implications / Public Sector Equality Duty

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. (Section 149 of the Equalities Act 2010). This duty was fulfilled as follows:

A comprehensive Equality Impact Assessment (EqIA) was completed in March 2013 when the new Housing Allocations Scheme was introduced. The scheme affected a large number of applicants. The consultation involved a broad range of residents and stakeholders.

The 13 changes proposed affect a much smaller number of applicants.

Stakeholders such as other Council departments (Adults and Children's Services), Registered Providers, organisations who support and advise homeless people, the voluntary and community sector and residents groups have again been involved in consultation on these changes to the Allocations Scheme, as well as on the Temporary Accommodation Allocation Policy and Temporary Accommodation Procurement Strategy.

This initial Equality Impact Assessment did not identify any potential for unlawful conduct or disproportionate impact and all opportunities to advance equality of opportunity are being addressed. The EqIA was presented to the EqIA Quality Assurance group on 5 October 2015 and signed off by Hanif Islam. (Appendix 4)

Risk Management Implications

Failure to meet our statutory duty to Homeless Households within budget is in the Departmental Risk register. These changes form part of the identified control measures to reduce the risk.

Environmental Implications

There are no positive or negative impacts on the Environmental as a result of these policies & strategies.

Council Priorities

The proposals in this report aim to prioritise the limited amount of Social Housing we have and prioritise local temporary accommodation for those with the greatest need to remain in or near Harrow. This reflects the administration's priorities for:

- Making a difference for the vulnerable

- Making a difference for communities
- Making a difference for families.

Section 3 - Statutory Officer Clearance

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| Name: Dave Roberts | <input checked="" type="checkbox"/> | on behalf of the Chief Financial Officer |
| Date: 9 October 2015 | | |
| Name: Andrew Lucas | <input checked="" type="checkbox"/> | on behalf of the Monitoring Officer |
| Date: 30 October 2015 | | |

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| Ward Councillors notified: | NO, as it impacts on all Wards |
| EqIA carried out: | YES |
| EqIA cleared by: | EqIA QA Group and Hanif Islam |

Section 4 - Contact Details and Background Papers

Contact:

Jon Dalton.
 Head of Housing Needs
 020 8416 8647
Jon.Dalton@harrow.gov.uk

Background Papers:

- A. Housing Allocations Scheme 2013
- B. Nzolameso v City of Westminster

C. Jakimaviciute v LB Hammersmith and Fulham

D. Feedback from consultation

**Call-In Waived by the
Chairman of Overview and
Scrutiny Committee**

NOT APPLICABLE

[Call-in applies]

Appendix 1

Review of allocations scheme

Proposed Amendments

1. Removal of the 5 year residency rule for applicants who are assessed as having reasonable preference but have not been resident in the borough continuously for at least 5 years.

Applicants who are assessed as having a significant housing need (they fit into one of the reasonable preference categories described in section 8 of the allocations policy, such as being statutorily homeless) are living in the borough of Harrow, but have not been resident in the borough continuously for at least 5 years are currently not eligible to go on the housing register and bid for social housing on Locata. The legal challenge (Jakimaviciute v LB Hammersmith and Fulham, and a recent Judicial Review that affected Ealing's scheme) indicated that applicants who have a reasonable preference should not be excluded from the housing register. So we are changing our scheme to allow these applicants who are Harrow residents (and other Harrow residents with a reasonable preference) on to our housing register.

The proposal is to create a new Locata banding (lower than band C) and place these households onto the housing register in this band. This will enable them to place bids on Locata for social housing, but still meeting members wish to give more priority to local people.

This change will also include households who have sufficient financial resources to house themselves (appendix 10 of the Lettings & Transfer scheme explains how we determine this) but are in one of the reasonable preference categories. This is also to avoid a potential legal challenge

We are proposing that this band is called band C- (C minus), the Initial Preference Band.

Amend the following to:

7.1 – How to make an application -

Change (e.g. where the lowest band applies) to **(e.g. where the lowest bands apply)**

7.2 Validated Applications.

Add C-

Change A to A+*

7.4 Who can make an application

Add

People who are assessed as having a significant housing need – i.e. they fit into one of the priority categories described in section 8, are living in the borough of Harrow, but have not been resident in the borough continuously for at least 5 years. This does not include Group 20 – serving and former serving members of the armed forces who are exempt from local connection rulings.

7.10 Change of Circumstances

Change +add

All applicants who register for housing with Harrow have a responsibility to keep the council informed of any change in circumstances that might affect their priority for housing, **such as** the number of bedrooms they need, **if they have now lived continuously in Harrow for 5 years and qualify for additional priority** or the type of property needed. This ~~can~~ **must** be done online through Locata **through the completion of a “change of circumstances” form. If a person is unable to do this they will need to contact the housing options service directly for further advice and assistance.**

Page 99 – add new band and band reason

7.5 Exclusions

Remove

(6) they have not been continuously resident in the borough for 5 years

(7) they have sufficient resources to house themselves (see appendix 10 which explains how we determine this

6.1 Priority banding

Add

We assess those who apply for housing as belonging to one of five bands of housing need, from A+, A, B,C and C- (lowest) etc..... Only applicants banded A+, A, B, C and C- qualify for the housing register

Appendix 16

Add

Band reason. Initial Preference.

Band C- *those who are assessed as having a significant housing need – i.e. they fit into one of the priority categories described in section 8, are living in the borough of Harrow, but have not been resident in the borough continuously for at least 5 years.*

2. Change band A* to band A+

A* is the highest banding. Given that we are introducing a new banding (band C-) the proposal is to change the band name to A+ (A plus) to provide continuity within the bandings.

3. No longer give band A priority to households who are overcrowded by 2 bedrooms or more living in the private sector

All households who are overcrowded by 2 bedrooms or more are currently given band A on Locata. The proposal is to keep the existing policy unchanged for those living in permanent social housing but reduce banding to band C for those living in private sector accommodation, the same as homeless households. This is because those in private sector accommodation can meet their housing need by moving to alternative accommodation in the private rented sector, whereas those living in permanent social housing realistically do not have that option. The current scheme unfortunately leads to some families choosing to remain in overcrowded conditions when they could find alternative suitable private rented accommodation (or some adult family members could move out and establish their own household to alleviate the overcrowding).

Appendix 16 will need to be amended to

Under Band A section “Overcrowding and high priority hardship (group 3)” will need to be changed to “Overcrowding and high priority hardship (transfers only) (group 3)”

Under Band C section ““Overcrowding and high priority hardship (homeseekers only) (group 3)” will need to be added.

Section 8 Housing Priorities in Harrow

Group 3 the following will need to be added

Those living in public rented housing will qualify for band A. Those ...

4. To no longer give band B priority to accepted homeless and qualifying offer applicants living outside of the M25 area

Accepted homeless and qualifying offer applicants currently get additional priority on Locata (band B) if they moved to accommodation outside of the M25 area. The proposal is to no longer give this additional priority and applicants will be assessed as band C (or band C- for households who have not lived in Harrow continuously for the last 5 years), in line with other homeless households. This change is being proposed to reflect that the council can require some families to move outside M25 in furtherance of our homelessness duties. Also we can discharge duty to suitable accommodation outside of the M25 area We want to assist families to resettle in their new area, and this banding suggested that they may be able to get social housing back in Harrow in the near future. This is not the case, because of the lack of social housing, and so it is better that the allocation scheme is clear, so as to encourage the family to integrate in their new area. Currently as at the end of October, only 5 households have registered and received band B, but as more families are moved outside M25, this would increase.

The following amendment will need to be made to appendix 16

Band B

Accepted homeless not included in band A (group 4) living outside M25 - re-band as C

Previously accepted homeless "qualifying offer" applicants living outside M25 – re-band as C

Change wording on Homeless (band C) and Qualifying offer (band C) to reflect the changes above (remove "within M25")

5. Tightening up of exclusion section

It is felt that the current exclusion section of the allocations policy is too ambiguous and open to interpretation. After consultation with the anti-fraud team the following changes are being proposed.

Amend the following to (amendment in bold)

Section 7.5 exclusions

(d) knowingly **or intentionally provides** false or misleading information to **Harrow Council (including documentation)**, fails to disclose relevant information **that they are under a legal duty to disclose** or withholds information that is reasonably requested **in relation to their housing application, or**

Add the following exclusions:

- (f) has been convicted of a fraud offence in relation to Harrow Council or a housing matter; or there is sufficient evidence of an admission of fraud, or an alternative sanction to prosecution is/has been accepted by the applicant in relation to the provision of public sector/local authority services.

6. Extension of the transitional relief arrangements.

Band B, transitional relief was given to applicants who had been on the housing register for a substantial period of time and were close to being housed, and had a housing need (band C – medical or unsatisfactory housing) under our old policy or were accepted homeless (1 and 2 bedroom only). The new scheme removed or reduced their priority. So transitional relief was given for a period of 12 months after the introduction of the new allocations policy, to allow them to continue to bid or be made a direct offer of accommodation. The aim was to have housed these households within the 12 month period. As substantially fewer properties than anticipated became available through Locata during the initial 12 month period, we have only been able to house around 25% of those given transitional relief. The proposal is to extend the transitional relief period until the remaining 75% of households, who still qualify for transitional relief, are either housed or their circumstances change. We will write to all of these applicants to advise them of this decision.

No one whose priority is being reduced under the proposals in this report has had their current priority for very long. Transitional relief is not being proposed for these amendments

Amend the following to (amendment in bold)

Section 6.6 Transitional relief arrangements

*We propose to protect some categories of applicant who applied and were assessed under the old priority categories and who will no longer have priority under the new scheme. If they have a long waiting time in band C at the implementation date they will still be able to obtain public rented housing as band B applicants (the equivalent of the old band C) until **they are either offered suitable permanent social housing, are residing in accommodation that is considered suitable for their household's needs or their circumstances change.** The length of waiting time will vary with the size of property required, as shown in table 2 below, and was calculated from 22 October 2013, the date of implementation,*

7. Change to the debt and arrears policy

Applicants are currently allowed to be offered accommodation if they owe the council or a partner housing association money and have agreed to an arrangement to repay a debt and have kept to this arrangement for a minimum of 3 months. It is felt that 3 months is not long enough to demonstrate a commitment to pay off a debt and that this also does not properly reflect the amount of the debt that has been paid off. The proposal is to only allow applicants to be offered accommodation if they have kept to an arrangement for a minimum of 6 months and paid off at least 50% of the original debt.

Amend the following to (amendment in bold)

Appendix 12 – Debt and arrears policy

*No offer will be made to an applicant, even one who is owed a statutory reasonable preference, who owes the council or a partner housing association money (either rent, service charges, council tax or any other debt) and has refused to make, or has failed to keep for a minimum of ~~3~~**6** months, an agreed repayment arrangement to repay the debt **and has not paid off at least 50% of the original debt***

Accepted Homeless Households in temporary accommodation – also change from 3 to 6 months

8. Removal of the Low income criteria.

We currently give additional priority to working households on low income, in low paid full time employment, with at least one child of primary school age who live in the private sector or in temporary accommodation outside of the borough. Currently any household, who meets the afore mentioned criteria and whose Local Housing Allowance level rent for the number of bedrooms they need would cost more than 50% of their disposable income, would qualify for additional priority on the housing register. Currently, there are no applicants on the housing register who qualify for priority under this reason because it is almost impossible to meet the criteria. Given that this is giving applicants false expectations, the proposal is to remove priority for working households. Another option would be to relax the criteria. However, given the current pressures on social housing, we feel removal of this priority to be more appropriate at present, with a view to reviewing this in the future.

Remove the following:

Page 22 – Band A Group 8 (welfare preference) Low Paid full time employment etc

P77 - Appendix 8 – to be removed

P93 – Homeless and formerly homeless (QO) applicants who have at least 1 primary school age child etc

P97 - band B – working families (groups 8 & 9)etc

9. Increase banding to A+ (formerly A*) tenancy succession/unauthorised occupiers - approved for alternative social housing

We currently give band A to these applicants. However, as it is in the council's interests to move these households as quickly as possible (they may be under occupying or we have authorised a move from general needs accommodation to sheltered accommodation) the proposal is to increase the banding of this group to A* (our highest banding) to facilitate a quicker move.

Appendix 16 to be amended to reflect this change

~~10. Removal of strategic aim f in Appendix 2 – improving neighbourhoods~~

~~This aim is to ensure no one block or estate gets more than its fair share of people who are benefit dependent. However, given the current housing crisis, and having to use council stock as TA we are unable to meet this aim. The proposal is to remove this aim from the appendix~~

~~***Appendix 2 to be amended to reflect this change***~~

~~***[Proposed amendment removed following consultation]***~~

11. Increase the options for direct offers of public rented housing

This aim is to make better use of our housing stock or better exercise our homelessness duties through direct offers of public rented housing

Section 23 Direct Offers.

The following will be added:

23.9 In certain limited circumstances, we may use our discretion to allocate properties directly to make better use of our housing stock or to exercise our homelessness duty. Decisions on this will be made by one of following: Head of Housing Needs, Housing Needs Operations Manager, Senior Housing Needs Team Manager

12. Cases where there is an urgent need to move and the council are unable to provide a timely offer of suitable public rented housing

If there is significant risk to health/wellbeing and the household are unable (or it is unsafe) to wait a number of months for an allocation of public rented housing, the council would look to deal with this under homelessness rather than awarding priority on the housing register.

Appendix 16 to be amended to reflect this change

13. Cases where there has been a deliberate change of circumstances which has resulted in the worsening of a household's housing circumstances

If there has been a deliberate change of circumstances which has resulted in a worsening of a household's circumstances this will result in a reduction of banding to C-. For example deliberate overcrowding or intentional homelessness.

The following will be added:

7.10 If there has been a deliberate change of circumstances which has resulted in a worsening of a household's circumstances this will result in a reduction of banding to C-

Minor Amendments to the Allocations policy

Section 6.4 – Feedback on let properties

This needs to be amended to read (addition in bold)

*All properties let **under this policy** are listed on the Locata website.*

Section 7.4 – who can make an application

'homeless within the meaning of Part VII of the Housing Act 1996, and have been assisted by Harrow with out of borough accommodation and the homelessness duty has not ceased, as long as they continue to have a priority need'

This needs to be amended to read (amendment in bold)

*'homeless within the meaning of Part VII of the Housing Act 1996, and have been assisted by Harrow with out of borough **temporary** accommodation, as long as they continue to have a priority need'*

People whom the council (on the decision of a team leader in the housing needs team) considers should be qualifying persons on a case-by-case basis, because of exceptional circumstances or special needs or on hardship grounds; this may include older people needing to move to Harrow to be nearer to relatives who provide care and support or people who need to access specialised medical treatment or take up a particular employment, education or training opportunity, or victims of domestic violence who need to make a fresh start in a borough in which they do not have a local connection.

This needs to be amended to read (amendment in bold)

Exceptionally**, people whom the council (on the decision of a team leader in the housing needs team) considers should be qualifying persons on a case-by-case basis, because of exceptional circumstances or special needs or on hardship grounds; this may include older people needing to move to Harrow to be nearer to relatives who provide care and support or people who need to access specialised medical treatment or take up a particular employment, education or training opportunity, or victims of domestic violence who need to make a fresh start in a borough in which they do not have a local connection, **where other types of housing would not meet their housing need.

Section 22.4 – Unable to afford the rent

This needs to be amended to read (amendment in bold)

*In the event that an applicant is found to be unable to afford the rent they ~~will~~ **may** not be verified for an offer*

Section 23.5 Temporary decants

This needs to be amended to read (addition in bold)

*We will make one direct offer of a **reasonable** transit property to tenant who need to be temporarily moved out*

Section 23.6 permanent decants

This needs to be amended to read (amendment in bold)

*If the offer is refused we ~~will~~ **may** start possession proceedings*

Appendix 2

Temporary Accommodation Allocation Policy

1. Introduction

The purpose of the Temporary Accommodation Allocation Policy is to set out how the council will allocate temporary accommodation procured under the Temporary Accommodation Procurement Strategy.

This Temporary Accommodation Allocation Policy replaces the temporary accommodation allocation and Private Rented Sector Offer (PRSO) information in the Homelessness Strategy 2012.

The council is committed to securing and offering suitable temporary accommodation locally as far as is practically reasonable but this may not always be possible due to availability, size, affordability and priorities.

The lack of affordable housing and impact of the on-going welfare reforms mean that it is challenging to procure sufficient affordable temporary accommodation locally and some households will need to move out of Harrow or out of London. This is more likely to affect larger families and those not in settled employment.

2. Objectives

The objectives of the Temporary Accommodation Allocation Strategy are to:

- a) Ensure that temporary accommodation is allocated in a manner that takes into account the needs of each member of the household
- b) Ensure that the allocation of temporary accommodation safeguards the welfare of any children in the household
- c) Ensure that the allocation of temporary accommodation complies with the Housing Act 1996 and the Children Act 2004. Manage the expectations of applicants and the agencies supporting them and indicate to them what factors will be taken into account when decisions are made.

3. Responsibilities

The responsibility for the implementation of the Temporary Accommodation Allocation Policy is held by the Head of Housing Needs.

4. Regulatory/Legal framework

The creation of a Temporary Accommodation Allocation Policy and a Temporary Accommodation Procurement Strategy was strongly recommended by the Supreme Court in its judgement in *Nzolameso v City of Westminster* (2015).

The Temporary Accommodation Allocation Policy takes into account the council's statutory obligations under the Housing Act 1996 and the Children Act 2004
The council will aim to procure and allocate temporary accommodation that meets the standards set out in the Homelessness (Suitability of Accommodation) (England) Order 2012.

5. Policy

5.1 Allocation of temporary accommodation

When allocating temporary accommodation:

- a) only available accommodation can be offered
- b) a bespoke procurement exercise will not normally be undertaken for each applicant
- c) offers will be made from the available temporary accommodation supply that the council is generally able to procure
- d) accommodation offered may be limited by the council's resources for meeting homelessness and housing need and by the practical difficulties of procurement.

The council aims to house families locally. When this is not possible because of insufficient supply of affordable temporary accommodation locally priority will be given as follows:

- a) Families who have a child or children with particular educational needs that can only be met locally at their existing school or college, such as a child who is in key stages of education in years 11 or 13 and due to take exams; or who have a Statement of Special Educational Needs (SEN) or Education Healthcare Plan (EHC Plan) that cannot be transferred or similar services obtained elsewhere; or who have other exceptional educational needs;
- b) Families where one or more family members are in employment and similar employment is not available in another area where they could be accommodated or who could not commute within a reasonable time and at an affordable cost to their existing employment from another area where they could be accommodated;
- c) Families where one or more family members have exceptional medical needs and are in receipt of a significant care package or specialist healthcare that cannot be transferred elsewhere;
- d) Families who have other special reasons to stay locally and are unable to travel back to the area as reasonably needed, such as significant welfare or social needs that require the family to remain in the area.

In line with the Children Act 2004 the needs of the children are considered. Generally, suitably sized self-contained accommodation will meet the needs of a child better than small shared accommodation even if it is located in a different area.

Offers of available self-contained temporary accommodation or a Private Rented Sector Offer (PRSO under the Localism Act 2011) will be made to those who have waited longest in shared housing and/or have been approved longest, unless there is a compelling reason to prioritise a family.

Some assistance may also be given to families to secure accommodation they have found for themselves and that they can afford (subject to it being suitable and at a reasonable cost) in order to prevent homelessness or to move out of shared housing.

Private Rented Sector Offers (PRSO under the Localism Act 2011) will be made to some post 9th November 2012 homeless applicants, depending on what affordable accommodation is available. This ends the homelessness duty. Whilst there is such a low supply of social housing in Harrow it is likely that most post 9th November 2012 homeless applicants, to whom we owe a statutory homeless duty, will eventually have that duty ended by a PRSO.

Even if local accommodation is available on a particular day, a family who does not have a high priority to remain locally may be offered accommodation out of the district, if it is likely that another family with a more urgent need to remain is likely to need that accommodation in the very near future (for example within a few days).

5.2 Size of accommodation

The temporary accommodation offered may be occupied up to maximum capacity in line with Part X of the Housing Act 1985 and may not have a separate living room.

5.3 Offer of accommodation

Temporary Accommodation will normally be offered for immediate occupation, without an opportunity to view. Assistance will be provided with travel and resettlement, if needed.

5.4 Right to review

The suitability of temporary accommodation offered can be reviewed if the applicant believes it is unsuitable. The request must be made within 21 days of being offered the accommodation. It is always recommended that the applicant moves into the accommodation and asks for a review once they are occupying it.

If an applicant refuses to accept a property that has been offered under a homelessness duty, once they have been warned of the consequence, this will usually result in a decision to end the homelessness duty and the current accommodation will be terminated. If the property offered is determined upon review, or by a decision of the court, not to be suitable then the homeless duty will be reinstated. The decision to end the homelessness duty can also be reviewed, if requested within 21 days of the decision.

5.5 Exceptions to this policy

In exceptional circumstances accommodation may be offered outside of the Temporary Accommodation Allocation Policy so that the council does not fetter its discretion and to make best use of the affordable accommodation that is available. Decisions on this will be made by

one of following: Head of Housing Needs, Housing Needs Operations Manager, Senior Housing Needs Team Managers. The usual right to a review for decisions relating to homeless duties will apply.

6. Equality and diversity

The EqIA for the Temporary Accommodation Allocation Policy was presented to and approved by the EqIA Quality Assurance group on 5 October 2015.

7. Staff training

The responsibility for training staff on the Temporary Accommodation Allocation Policy is held by the Head of Housing Needs.

8. Publicity

The Temporary Accommodation Allocation Policy will be made available publicly.

9. Review

A review of this policy will take place in 5 years, or earlier should there be a significant change to the homelessness pressures in Harrow.

| | |
|------------------------|-----------------------------------|
| Signed off by | |
| Policy/procedure owner | Jon Dalton, Head of Housing Needs |
| Sign off date | |
| Implementation date | |
| Revision date | |
| Revision details | |
| Review date | |
| Version | 1.0 |
| Author | |
| Storage | |
| Date | October 2015 |

Appendix 3

Temporary Accommodation Procurement Strategy

10. Introduction

The purpose of the Temporary Accommodation Procurement Strategy is to set out how the council will procure sufficient units of temporary accommodation to meet the anticipated demand annually.

In the financial year 2014/2015 around 410 units of accommodation were obtained, of which 69% were in/near Harrow, 16% were in other areas of London and 15% were outside of London and/or the M25.

Procurement dropped by 30% in Quarter 1 of 2015/2016 because of the current London housing market and the impact of welfare reforms. On that basis it is likely that procuring the required units of accommodation locally will be challenging or even impossible.

The lack of affordable housing and impact of the on-going welfare reforms mean that some households will need to move out of Harrow or out of London. This is more likely to affect larger families and those not in settled employment.

11. Objectives

The objectives of the Temporary Accommodation Procurement Strategy are to:

- a) Ensure that there is a sufficient supply of accommodation for the council to meet its statutory homelessness duties
- b) Ensure that there is sufficient supply of accommodation for the council to prevent the homelessness of households in priority need
- c) Procure the required amount of temporary accommodation within the allocated budget
- d) Reduce the council's dependence on bed and breakfast accommodation
- e) Minimise the impact of rent levels and incentives used in the procurement of temporary accommodation on the local housing market (or any housing market outside of the local area) so as not to price other local families out of accommodation
- f) Comply with the Inter Borough Temporary Accommodation Agreement (IBAA)
- g) Manage the expectations of applicants and the agencies supporting them and indicate to them what factors will be taken into account when decisions are made.

12. Responsibilities

The responsibility for the implementation of the Temporary Accommodation Procurement Strategy is held by the Head of Housing Needs.

13. Regulatory/Legal framework

The council is required to have a Temporary Accommodation Procurement Strategy and a Temporary Accommodation Allocation Policy as a result of the Supreme Court judgement on *Nzolameso v City of Westminster* (2015).

The Temporary Accommodation Procurement Strategy takes into account the council's statutory obligations under the Housing Act 1996 and the Children Act 2004.

The council will aim to procure temporary accommodation that meets the standards set out in the Homelessness (Suitability of Accommodation) (England) Order 2012.

14. Strategy

5.1 Forecast of demand

The forecast of demand is based on a range of data including homelessness acceptances in previous years, the current rate of acceptances, the predicted rate of acceptances in the future, homelessness prevention figures and the number of families in emergency temporary accommodation who require alternative accommodation.

The council aims to procure 600 units of accommodation for use as temporary accommodation, or to prevent homelessness, over the next year 2016/2017.

5.2 Procurement Plan

The targets for the procurement of different types of accommodation are as follows:

| Accommodation | Number of units | Local |
|--|------------------------|---|
| Private Sector Leasing (PSL) (local) net increase | 100 | Y |
| Private Sector Leasing (PSL) (outside of local area e.g. Home Counties and Midlands) | 30 | N |
| Nominations to Assured Shorthold Tenancies (local) | 70 | Y |
| Nominations to Assured Shorthold Tenancies (outside of local area e.g. Home Counties and Midlands) | 120 | N |
| Harrow Council Housing used as Temporary Accommodation | 80 | Y |
| Securing tenancies for households who have identified their own accommodation | 150 | Estimate 75% local but applicant's choice |
| Purchasing properties for use as temporary accommodation (local) | 25 | Y |
| Purchasing properties for use as temporary accommodation (outside of | 25 | N |

| | | |
|--------------------------------|--|--|
| local area e.g. Home Counties) | | |
|--------------------------------|--|--|

These targets are subject to refinement as the market changes.

Other options are being explored such as developing quick build or pop up homes which could be used to reduce the number of families in bed and breakfast accommodation.

Private Sector Leasing (PSL) procurement includes a number of initiatives such as Buy to Lease and offering longer leases with support to attract new small investors into the private rented sector.

5.3 Inter Borough Temporary Accommodation Agreement (IBAA)

It can be difficult to procure accommodation in other areas of London due to the Inter Borough Temporary Accommodation Agreement (IBAA), a pan-London agreement between all London Councils not to pay more for accommodation than the borough where the accommodation is located. This agreement can limit the council's ability to procure accommodation in London, meaning that the accommodation that the council is able to procure is more likely to be local or outside of London and/or the M25.

5.4 Accommodation standards

We aim to procure temporary accommodation that meets the standards set out in the Homelessness (Suitability of Accommodation) (England) Order 2012:

- a) in reasonable physical condition
- b) any electrical equipment supplied with the accommodation meet the requirements of the Electrical Equipment (Safety) Regulations 1994
- c) reasonable fire safety precautions have been taken with the accommodation and any furnishings supplied with it
- d) reasonable precautions have been taken to prevent the possibility of carbon monoxide poisoning in the accommodation
- e) that the landlord is a fit and proper person to act in the capacity of landlord
- f) a valid energy performance certificate is supplied as required by the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007
- g) a current gas safety record is supplied in accordance with regulation 36 of the Gas Safety (Installation and Use) Regulations 1998
- h) an adequate written tenancy agreement is supplied
- i) relevant licenses have been obtained if the accommodation is subject to licensing i.e. mandatory HMO license, additional HMO license or selective license.

We will encourage the landlord to join an approved accreditation scheme, if they are not already accredited.

5.5 Emergency Accommodation

This procurement strategy does not cover emergency accommodation, which is also procured by the council. Emergency accommodation is often 'spot purchased', as and when it is needed and at short notice. If the council is unable to obtain emergency accommodation locally then it will be procured anywhere that it is available.

5.6 Future targets

Future targets for procurement and changes to the types of Temporary Accommodation or methods of procurement will be agreed by the Director of Housing and Portfolio Holder for Housing.

15. Equality and diversity

The EqIA for the Temporary Accommodation Procurement Strategy was presented to and approved by the EqIA Quality Assurance group on 5 October 2015.

16. Staff training

The responsibility for training staff on the Temporary Accommodation Procurement Strategy is held by the Head of Housing Needs.

17. Publicity

The Temporary Accommodation Procurement Strategy will be made available publicly.

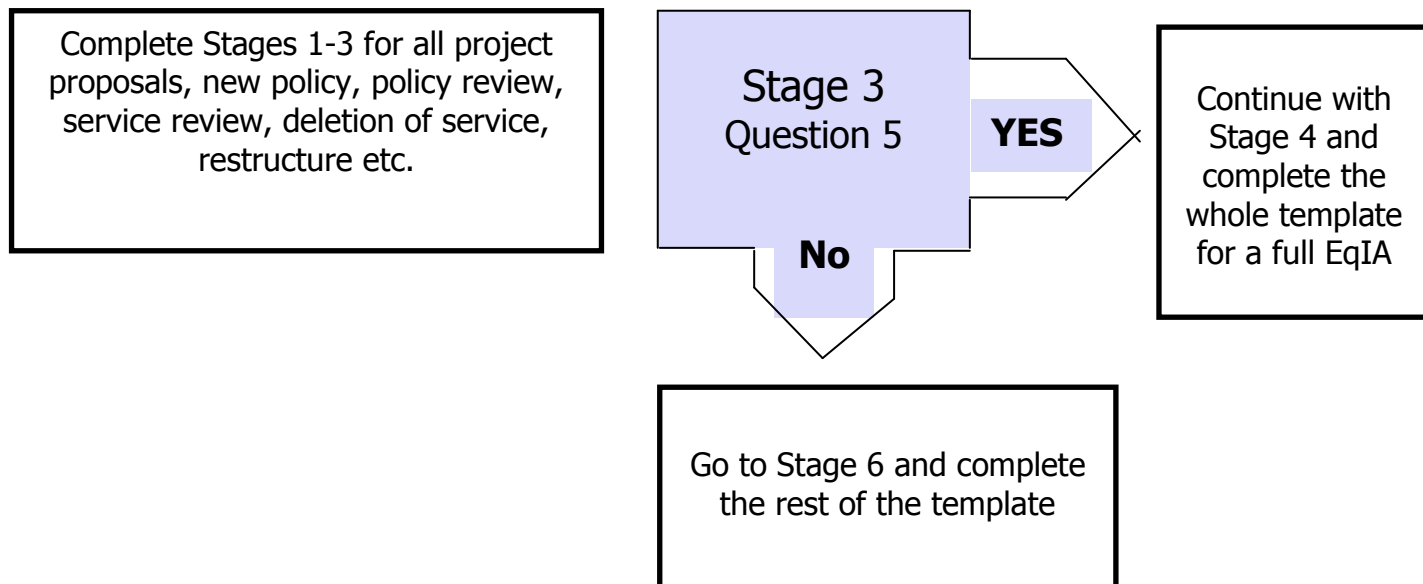
18. Review

An annual review of the strategy will be conducted by the Director of Housing and the Housing Portfolio Holder.

| | |
|------------------------|-----------------------------------|
| Signed off by | |
| Policy/procedure owner | Jon Dalton, Head of Housing Needs |
| Sign off date | |
| Implementation date | |
| Revision date | |
| Revision details | |
| Review date | |
| Version | 1.0 |
| Author | |
| Storage | |
| Date | October 2015 |

Equality Impact Assessment Template

The Council has revised and simplified its Equality Impact Assessment process (EqIA). There is now just one Template. Lead Officers will need to complete **Stages 1-3** to determine whether a full EqIA is required and the need to complete the whole template.



Appendix 4

Equality Impact Assessment (EqIA) Template

| | | | | | | | |
|---|---|---------|--|------------------|--|-----------------|--|
| Type of Decision: Tick ✓ | ✓ | Cabinet | | Portfolio Holder | | Other (explain) | |
| <i>Date decision to be taken:</i> | 19 November 2015 | | | | | | |
| <i>Value of savings to be made (if applicable):</i> | | | | | | | |
| <i>Title of Project:</i> | Review of Housing Allocations Scheme and introduction of a Temporary Accommodation Procurement Strategy and a Temporary Accommodation Allocation Policy | | | | | | |
| Directorate / Service responsible: | Housing | | | | | | |
| Name and job title of Lead Officer: | Jon Dalton, Head of Housing Needs | | | | | | |
| Name & contact details of the other persons involved in the assessment: | <p>Meghan Zinkewich-Peotti, Housing Strategy Project Manager Meghan.zinkewich-peotti@harrow.gov.uk</p> <p>Jacky Souter, Housing Needs Operations Manager Paul Allen, Senior Team Manager, Housing Advice and Assessment Other members of the Housing Needs team Business Intelligence Unit Resident Services team</p> | | | | | | |
| Date of assessment (including review dates): | 1 October 2015 | | | | | | |
| Stage 1: Overview | | | | | | | |
| 1. What are you trying to do? (Explain your proposals here e.g. introduction of a new service or policy, policy review, changing criteria, reduction / removal of service, restructure, deletion of posts etc.) | <u>Changes to Allocations Scheme</u> When we introduced the new Housing Allocations Scheme 2013 we indicated that we would review how it was working once it had been in operation and bedded down. We have identified some anomalies the scheme has created and there have been some new interpretations of the relevant law through the courts so we are now proposing a | | | | | | |

number of changes to the scheme.

With recent announcements by the government, we think the supply of social housing in Harrow is going to reduce even further over the next few years so the policy needs to reflect the limited options there are for offering social housing to home seekers.

The lack of affordable housing and impact of the ongoing welfare reforms mean that some households will need to move out of Harrow and/or out of London. This is more likely to affect larger families and those not in settled employment.

We are proposing 13 changes to the Housing Allocations Scheme:

1. Removal of the 5 year rule residency rule for applicants who are assessed as having a significant housing need but have not been resident in the borough continuously for at least 5 years
2. Change band A* to band A+
3. Amendments to the wording of the exclusion section
4. To no longer give band A priority to households who are overcrowded by 2 bedrooms or more living in the private sector
5. To no longer give this band B priority to accepted homeless and qualifying offer applicants living outside of the M25 area
6. Extension of the transitional relief arrangements

7. Change to the debt and arrears policy
8. Removal of the low income criteria
9. Increase banding to A/+ for tenancy succession/unauthorised occupiers - approved for alternative social housing
10. Removal of strategic aim f in Appendix 2 – improving neighbourhoods
11. Increase the options for direct offers of public rented housing (extend to include accepted homeless households)
12. Cases where there is an urgent need to move and the council are unable to provide a timely offer of suitable public rented housing to be dealt with under homelessness rather than awarding priority on the housing register
13. Reduction of banding in cases where there has been a deliberate change of circumstances which has resulted in the worsening of a household's circumstances

A comprehensive EqIA was completed in March 2013 when the new Allocations Scheme was introduced. The scheme affected a large number of applicants. The consultation involved a broad range of residents and stakeholders.

The 13 changes proposed affect a much smaller number of applicants.

New Temporary Accommodation Procurement Strategy

We are introducing a Temporary Accommodation Procurement Strategy for obtaining accommodation for homeless households to whom we have a statutory duty to assist or accommodate once assessed. This is as a result of the Supreme Court judgement on Nzolameso v City of Westminster. We already procure temporary accommodation for homeless households but this document formalises our approach into a new strategy document.

New Temporary Accommodation Allocation Policy

We are introducing a Temporary Accommodation Allocation Policy, which reflects the limited availability of local accommodation, and this will replace the guidance in the Appendix of the Homelessness Strategy (2013). This is also as a result of the Supreme Court judgement on Nzolameso v City of Westminster. We already allocate temporary accommodation but this document formalises our approach into a new policy document.

| | | | | | | |
|--|---------------------------|---|--------------------------------|---|-------------------------|---|
| 2. Who are the main people / Protected Characteristics that may be affected by your proposals? (✓ all that apply) | Residents / Service Users | ✓ | Partners | | Stakeholders | |
| | Staff | | Age | ✓ | Disability | ✓ |
| | Gender Reassignment | ✓ | Marriage and Civil Partnership | ✓ | Pregnancy and Maternity | ✓ |
| | Race | ✓ | Religion or Belief | ✓ | Sex | ✓ |
| | Sexual Orientation | ✓ | Other | | | |

3. Is the responsibility shared with another directorate, authority or organisation? If so:

- Who are the partners?
- Who has the overall responsibility?

The other stakeholders are other Council departments (Adults and Children’s Services), Registered Providers, organisations who support and advise homeless people, the voluntary and community sector and residents groups. They have been involved in consultation and the assessment through:

| | |
|--|---|
| <ul style="list-style-type: none"> • How have they been involved in the assessment? | <ul style="list-style-type: none"> • Consultation event 1 September 2015- feedback from presentations, roundtable discussions and from individual delegates- 17 delegates attended (from Registered Providers, organisations who support and advise homeless people, the voluntary and community sector and residents groups) • Consultation with HFTRA on 23 September 2015- 2 representatives attended • Consultation by email (links to documents and surveys)- response received from Harrow Law Centre and LBH Resident Services • Consultation online (also available by post and in person) on the Harrow website and Locata - information sent to all Council tenants and leaseholders- 14 responses received |
|--|---|

Stage 2: Evidence & Data Analysis

4. What evidence is available to assess the potential impact of your proposals? This can include census data, borough profile, profile of service users, workforce profiles, results from consultations and the involvement tracker, customer satisfaction surveys, focus groups, research interviews, staff surveys, press reports, letters from residents and complaints etc. Where possible include data on the nine Protected Characteristics.
 (Where you have gaps (data is not available/being collated for any Protected Characteristic), you may need to include this as an action to address in your Improvement Action Plan at Stage 6)

| Protected Characteristic | Evidence | Analysis & Impact |
|--|---|---|
| Age (including carers of young/older people) | <p>Harrow's population as at 2011: 6.7% of residents were aged four and under, 13.5% were aged 5 to 15, 65.7% were of working age (16 to 64) and 14.1% were aged 65 and over. 18% of Harrow's households are comprised solely of residents aged 65 and over.</p> <p>In 2014/2015 there were 1654 homeless housing</p> | <p><u>Changes to Allocations Scheme</u></p> <p>Analysis of the current applicants whose priority will be downgraded as a result of the proposed changes shows no bias against any one age group.</p> <p><u>New Temporary Accommodation Procurement Strategy &</u></p> |

applicants:

| Age | Number of applicants | % |
|------------|-----------------------------|----------|
| Under 16 | 0 | 0 |
| 16-17 | 5 | 0.3 |
| 18 – 19 | 39 | 2.4 |
| 20 – 29 | 394 | 23.8 |
| 30 – 39 | 505 | 30.5 |
| 40 – 49 | 411 | 24.8 |
| 50 – 59 | 186 | 11.3 |
| Over 60 | 114 | 6.9 |
| Total | 1654 | |

The majority of homeless housing applicants were aged 30-39, followed by 40-49 and 20-29.

There were 283 accepted homeless households:

| Age | Number of acceptances | % |
|------------|------------------------------|----------|
| Under 16 | 0 | 0 |
| 16-17 | 0 | 0 |
| 18 – 19 | 2 | 0.7 |
| 20 – 29 | 69 | 24.4 |
| 30 – 39 | 97 | 34.3 |
| 40 – 49 | 88 | 31.1 |

Allocation Policy

The lack of affordable housing and impact of the ongoing welfare reforms mean that some households will need to move out of Harrow and/or out of London. This is more likely to affect larger families and those not in settled employment. While the policy outlines our approach to applicants in different circumstances which are more likely to affect specific age groups, such as key stages of education and health needs, every application will be considered on a case by case basis in order to address any specific exceptional circumstances.

| | | |
|---------|-----|-----|
| 50 – 59 | 18 | 6.3 |
| Over 60 | 9 | 3.2 |
| Total | 283 | |

The majority of accepted homeless households were aged 30-39, followed by 40-49 and 20-29.

The feedback from the consultation did not highlight any issues related to age, other than concern for potential disruption to children at key stages of their education.

Also older people are more likely to be under-occupiers and the council offers support and incentives to help such residents find smaller homes and release larger family homes.

Disability (including carers of disabled people)

In 2011 14.6% of Harrow residents identified themselves as having a limiting long term illness.

The feedback from the consultation did not highlight any issues related to disability, other than one respondent (a carer) who commented on the difficulty in finding suitable affordable accommodation. This may in part be due to the spare room subsidy (bedroom tax).

Changes to Allocations Scheme

Analysis of the current applicants whose priority will be downgraded as a result of the proposed changes shows no bias against people with disabilities or their carers.

New Temporary Accommodation Procurement Strategy & Allocation Policy

The lack of affordable housing and impact of the ongoing welfare reforms mean that some households will need to move out of Harrow and/or out of London. This is more

| | | |
|------------------------------|---|--|
| | | likely to affect larger families and those not in settled employment. While the policy outlines our approach to applicants in different circumstances which are more likely to affect specific groups, such as those with health needs, every application will be considered on a case by case basis in order to address any specific exceptional circumstances. |
| Gender Reassignment | There is limited data held about this protected characteristic and there was no specific feedback related to this protected characteristic from the consultation. | <p><u>Changes to Allocations Scheme</u></p> <p>Analysis of the current applicants whose priority will be downgraded as a result of the proposed changes shows no bias against people who have undergone gender reassignment.</p> |
| Marriage / Civil Partnership | There is limited data held about this protected characteristic and there was no specific feedback related to this protected characteristic from the consultation. | <p><u>Changes to Allocations Scheme</u></p> <p>Analysis of the current applicants whose priority will be downgraded as a result of the proposed changes shows no bias against people who are married or in a civil partnership.</p> |
| Pregnancy and Maternity | There is limited data held about this protected characteristic and there was no specific feedback related to this protected characteristic from the consultation. | <p><u>Changes to Allocations Scheme</u></p> <p>Analysis of the current applicants whose priority will be downgraded as a result of the proposed changes shows no bias against pregnant applicants or those with infants.</p> |

Race

Harrow's population as at 2011: 44% of Harrow's usual resident population is Asian, sub-categorised as White/Asian (1.4%) Indian (26.4%) Pakistani (3.3%) Bangladeshi (0.6%) Chinese (1.1%) Other Asian (11.3%) (mainly Sri Lankan and Tamil).

42.2% of Harrow's usual resident population is White, sub-categorised as British (30.9%) Irish (3.1%) Gypsy/Irish Traveller (0.1%) Other (8.2%) (mainly from other parts of Europe, with a large proportion from Eastern Europe, particularly Romania and Poland).

9.7% (23,105) of Harrow's usual resident population is Black, sub-categorised as White/Black Caribbean (1%) White/Black African (0.4%) Black African (3.6%) Black Caribbean (2.8%) Other Black (1.8%).

4.1% of residents were included in the Arab and Other grouping.

In 2014/2015 there were 1654 homeless housing applicants:

| Ethnicity | Number of applicants | % |
|-----------------|----------------------|----|
| White UK | 266 | 16 |
| White Irish | 36 | 2 |
| Irish Traveller | 1 | 0 |

Changes to Allocations Scheme

Analysis of the current applicants whose priority will be downgraded shows that **23** households will lose band A priority as a result of the proposed change. Within this group of 23 households the proposed change appears to have an impact on more BME households (10) than non-BME households (5) though the fact that only 23 households are affected, and that 7 of these households chose not to disclose their ethnicity, makes this analysis less statistically robust.

| | | |
|-----------------------|------|----|
| English | 2 | 0 |
| White Other | 127 | 8 |
| Polish | 9 | 1 |
| Romanian | 7 | 0 |
| Black UK | 1 | 0 |
| Black Caribbean | 118 | 7 |
| Black African | 166 | 10 |
| Somali | 12 | 1 |
| Black Other | 34 | 2 |
| Indian | 92 | 6 |
| Pakistani | 58 | 4 |
| Bangladeshi | 28 | 2 |
| Afghan | 21 | 1 |
| Sri Lankan | 6 | 0 |
| Chinese | 2 | 0 |
| Other Asian | 192 | 12 |
| Other | 58 | 4 |
| Arab | 8 | 0 |
| Iranian | 2 | 0 |
| White/Black Caribbean | 25 | 2 |
| White/Black African | 24 | 1 |
| White and Asian | 15 | 1 |
| Other mixed race | 27 | 2 |
| Not disclosed | 282 | 17 |
| Not available | 35 | 2 |
| | 1654 | |

The majority of homeless housing applicants identified as White British, Black African and Other Asian.

There were 283 accepted homeless households:

| Ethnicity | Number of acceptances | % |
|-----------------------|------------------------------|----------|
| White UK | 35 | 12 |
| White Irish | 4 | 1 |
| White Other | 21 | 7 |
| Romanian | 1 | 0 |
| Black Caribbean | 21 | 7 |
| Black African | 44 | 16 |
| Somali | 6 | 2 |
| Black Other | 6 | 2 |
| Indian | 12 | 4 |
| Pakistani | 8 | 3 |
| Bangladeshi | 3 | 1 |
| Afghan | 9 | 3 |
| Sri Lankan | 2 | 1 |
| Other Asian | 34 | 12 |
| Other | 13 | 5 |
| Arab | 2 | 1 |
| Iranian | 1 | 0 |
| White/Black Caribbean | 4 | 1 |
| White/Black African | 3 | 1 |

| | | |
|----------------------|-----|----|
| White and Asian | 1 | 0 |
| Any other mixed race | 5 | 2 |
| Not disclosed | 48 | 17 |
| Total | 283 | |

The majority of accepted homeless households identified as Black African, Other Asian and White British.

Religion and Belief

Harrow's population as at 2011: 37.3% of residents identify as Christian, 25.3% as Hindu, 12.5% as Muslim and 4.4% as Jewish. 4.8% of Harrow's residents are followers of all other religions (such as Sikhs and Buddhists). 9.6% have no religion.

The feedback from the consultation did not highlight any issues related to religion and belief.

Changes to Allocations Scheme

Analysis of the current applicants whose priority will be downgraded as a result of the proposed changes shows no bias against any one religion or belief.

Sex / Gender

In 2014/2015 there were 1654 homeless housing applicants:

| Sex/gender | Number of applicants | % |
|------------|----------------------|------|
| Female | 995 | 60.2 |
| Male | 659 | 39.8 |
| Total | 1654 | |

There were more female than male homeless housing applicants.

Changes to Allocations Scheme

Analysis of the current applicants whose priority will be downgraded as a result of the proposed changes shows no bias against any one sex or gender.

YES - If there is a risk of disproportionate adverse Impact on any **ONE** of the Protected Characteristics, continue with the rest of the template.

- **Best Practice:** You may want to consider setting up a Working Group (including colleagues, partners, stakeholders, voluntary community sector organisations, service users and Unions) to develop the rest of the EqIA
- It will be useful to also collate further evidence (additional data, consultation with the relevant communities, stakeholder groups and service users directly affected by your proposals) to further assess the potential disproportionate impact identified and how this can be mitigated.

- **NO** - If you have ticked 'No' to all of the above, then go to **Stage 6**

- Although the assessment may not have identified potential disproportionate impact, you may have identified actions which can be taken to advance equality of opportunity to make your proposals more inclusive. These actions should form your Improvement Action Plan at Stage 6

Stage 4: Further Consultation / Additional Evidence

6. What further consultation have you undertaken on your proposals as a result of your analysis at **Stage 3**?

| Who was consulted? What consultation methods were used? | What do the results show about the impact on different groups / Protected Characteristics? | What actions have you taken to address the findings of the consultation? E.g. revising your proposals |
|--|--|---|
| | | |
| | | |
| | | |

Stage 5: Assessing Impact

7. What does your evidence tell you about the impact on the different Protected Characteristics? Consider whether the evidence shows potential for differential impact, if so state whether this is a positive or an adverse impact? If adverse, is it a minor or major impact?

| Protected Characteristic | Positive Impact ✓ | Adverse Impact | | Explain what this impact is, how likely it is to happen and the extent of impact if it was to occur. Note – Positive impact can also be used to demonstrate how your proposals meet the aims of the PSED Stage 7 | What measures can you take to mitigate the impact or advance equality of opportunity? E.g. further consultation, research, implement equality monitoring etc. (Also Include these in the Improvement Action Plan at Stage 6) |
|--|--------------------------|----------------|------------|--|--|
| | | Minor ✓ | Major ✓ | | |
| Age (including carers of young/older people) | | | | | |
| Disability (including carers of disabled people) | | | | | |
| Gender Reassignment | | | | | |
| Marriage and Civil | | | | | |

| | | | | | | |
|---|--|--|--|-----|--|----|
| Partnership | | | | | | |
| Pregnancy and Maternity | | | | | | |
| Race | | | | | | |
| Religion or Belief | | | | | | |
| Sex | | | | | | |
| Sexual orientation | | | | | | |
| 8. Cumulative Impact – Considering what else is happening within the | | | | Yes | | No |

Council and Harrow as a whole, could your proposals have a cumulative impact on a particular Protected Characteristic?

If yes, which Protected Characteristics could be affected and what is the potential impact?

| | | | | |
|--|-----|--|----|--|
| <p>9. Any Other Impact – Considering what else is happening within the Council and Harrow as a whole (for example national/local policy, austerity, welfare reform, unemployment levels, community tensions, levels of crime) could your proposals have an impact on individuals/service users socio economic, health or an impact on community cohesion?</p> <p>If yes, what is the potential impact and how likely is it to happen?</p> | Yes | | No | |
| | | | | |

Stage 6 – Improvement Action Plan

List below any actions you plan to take as a result of this Impact Assessment. These should include:

- Proposals to mitigate any adverse impact identified
- Positive action to advance equality of opportunity
- Monitoring the impact of the proposals/changes once they have been implemented
- Any monitoring measures which need to be introduced to ensure effective monitoring of your proposals? How often will you do this?

| Area of potential adverse impact e.g. Race, Disability | Proposal to mitigate adverse impact | How will you know this has been achieved? E.g. Performance Measure / Target | Lead Officer/Team | Target Date |
|--|---|---|-------------------|----------------------|
| Race, age, sex/gender | Monitor and compare the diversity profile of households moving out of Harrow and/or London and the diversity profile of those | Performance management- data to be analysed and reported to Jon Dalton. | Housing BDT | 31 December 2015 and |

| | | | | |
|-------------|---|---|------------------|------------------|
| | being housed within Harrow to identify any trends and any need for further analysis. | | | quarterly |
| Race | Carry out further analysis regarding the diversity profile of larger families in Harrow's general population. | Commission BIU to complete this analysis. | Housing BDT | 27 November 2015 |
| All strands | Harrow's regeneration and development plans will provide new homes in the borough. We are also purchasing homes to increase the available housing stock for rent. | Completion of development programme | Housing Enabling | 31 March 2018 |

Stage 7: Public Sector Equality Duty

| | |
|---|---|
| <p>10. How do your proposals meet the Public Sector Equality Duty (PSED) which requires the Council to:</p> <ol style="list-style-type: none"> 1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010 2. Advance equality of opportunity between people from different groups 3. Foster good relations between people from different groups | <p>The proposed changes aim to ensure that assistance is provided to those with the most acute housing need. The proposed changes also aim to manage expectations and provide clearer information. Increased clarity and fairness help to foster good relations between people from different groups.</p> |
|---|---|

Stage 8: Recommendation

| | |
|---|---|
| 11. Please indicate which of the following statements best describes the outcome of your EqIA (✓ tick one box only) | |
| Outcome 1 – No change required: the EqIA has not identified any potential for unlawful conduct or disproportionate impact and all opportunities to advance equality of opportunity are being addressed. | ✓ |
| Outcome 2 – Minor Impact: Minor adjustments to remove / mitigate adverse impact or advance equality of opportunity have been identified by the EqIA and these are listed in the Action Plan above. | |
| Outcome 3 – Major Impact: Continue with proposals despite having identified potential for adverse impact or missed opportunities to advance equality of opportunity. In this case, the justification needs to be included in the EqIA and should be in line with the | |

PSED to have 'due regard'. In some cases, compelling reasons will be needed. You should also consider whether there are sufficient plans to reduce the adverse impact and/or plans to monitor the impact. **(Explain this in Q12 below)**

12. If your EqIA is assessed as **outcome 3** explain your justification with full reasoning to continue with your proposals.

Stage 9 - Organisational sign Off

| | | | |
|---|--|-------------------------|--|
| 13. Which group or committee considered, reviewed and agreed the EqIA and the Improvement Action Plan? | | | |
| Signed: (Lead officer completing EqIA) | | Signed: (Chair of DETG) | |
| Date: | | Date: | |
| Date EqIA presented at the EqIA Quality Assurance Group (if required) | | Signature of DETG Chair | |