

## Equalities Analysis Assessment

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### 1. The project or decision that this assessment is being undertaken for: Location Priority Policy Review 2022

Section 208 of the Housing Act 1996 requires that 'so far as reasonably practicable' local authorities should accommodate homeless households in borough.

The Council strives to make all placements in borough or as close to borough as possible. The Location Priority Policy sets out how the council will prioritise the allocation of the temporary accommodation that is available.

The scale of the housing crisis is such that it is not always possible to accommodate households within Lewisham. A combination of high demand and limited supply mean that many households are accommodated out of the borough.

The Supreme Court judgment in the case of Nzolameso v Westminster City Council required local authorities to have "a policy for procuring sufficient units of temporary accommodation secondly, each local authority should have and keep up to date, a policy for allocating those units to individual homeless households."

Section 17 of the Homelessness Code of Guidance sets out some of the considerations that an authority should take into account in its policy, including but not limited to matters such as education, employment and medical need.

The Location Priority Policy presently effect in Lewisham was approved in November 2015 and reflects Lewisham's approach to allocating temporary accommodation in a manner consistent with the decision in Nzolameso v Westminster City Council.

The policy sets out that whilst the council will always seek to place a household in borough if possible, households may be allocated accommodation outside of the borough, and establishes criteria by which households will be prioritised for in-borough accommodation or accommodation closer to the borough.

Households that are prioritised for an in-borough placement under the current policy have a substantial need linked to education, health or wellbeing that cannot be satisfactorily met should the household be moved out of borough.

Households that are prioritised for a close to borough placement under the current policy are those where the household has employment in borough or where a member of the household is in the final years of their education for certain examinations.

Households that do not meet these criteria are awarded no location priority policy.

### 2. The protected characteristics or other equalities factors potentially impacted by this decision

<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Race	<input checked="" type="checkbox"/> Maternity and pregnancy	<input checked="" type="checkbox"/> Marriage and civil partnership	<input checked="" type="checkbox"/> Other, Gypsies and traveller
<input checked="" type="checkbox"/> Gender	<input checked="" type="checkbox"/> Gender reassignment	<input checked="" type="checkbox"/> Disability	<input checked="" type="checkbox"/> Household type	
<input checked="" type="checkbox"/> Religion or belief	<input checked="" type="checkbox"/> Carer status	<input checked="" type="checkbox"/> Sexual orientation	<input checked="" type="checkbox"/> Income	

The Location Priority Policy sets out how the council will prioritise the allocation of the temporary accommodation that is available. There are currently over 2,500 households in temporary accommodation and so there is a potential impact on all of the protected characteristics and other equalities factors outlined above.

The proposed changes to the policy are:

Make explicit reference within the Location Priority Policy regarding its use in Private Rented Sector discharges. Namely that policy will also be used to identify appropriate locations where the council will consider discharging the main housing duty under s.193 Housing Act 1986 through the use of a Private Rented Sector Offer.

Award in-borough priority to those who are in receipt of care through a longstanding arrangement. Those being cared for must be in receipt of the Daily Living Component of the Personal Independence Payment or the middle or highest care rate of the Disability Living Allowance.

Move away from the Priority B 90 minutes travelling time criteria. The proposal is for Priority B, close to borough priority to be defined as within the Greater London area, with provision made for placement outside of Greater London where there are exceptional circumstances, and for a yearly review to be carried out.

Remove references to AS Levels and take into account the two-year nature of GCSEs and A-Levels, so that close to borough priority is awarded to households where children are enrolled in GCSE or A level courses in the London Borough of Lewisham, with public exams to be taken in the current or next academic year.

We believe the proposed amendments could have an impact on many protected characteristics and, in particular, on:

- Age;
- Religion;
- Ethnicity;
- Disability;
- Gender;
- Carer status;
- Maternity and Pregnancy

### 3. The evidence to support the analysis

The key data used for this assessment is the service-user profile – i.e. those applying for social housing and currently accommodated in temporary accommodation. Much of this information is provided as part of a housing application and has been sourced from the in-house system.

Applicants, however, are not required to enter data on protected characteristics in their service-user profile. Therefore the council has limited data on the protected characteristics of applicants, so we are unable to provide a detailed assessment of the impact, or forecast the impact with a significant degree of confidence.

It should be noted that the housing service has recently implemented a new integrated housing system. In time, and with a re-registration process proposed as part of the policy review, our data quality should improve over time.

#### Sources

Analysis has been undertaken into the profile of applicants from the below sources:

- Homelessness applications from April 2018 – August 2020, in order to establish the impacts of suggested banding changes to homeless applicants on the housing register; and
- Where homeless application data is not available, Housing Register application data has been used, as at September 2020.

Where key data is not available this has been clearly stated.

### 4. The analysis

#### Age

Homelessness applications Age Range	%
Less than 18	0.8%
18-25	21.4%
26-35	27.9%
36-40	12.5%
41-50	19.4%
51-60	12.4%
More than 60	5.5%
<b>Grand Total</b>	<b>100.00%</b>

- The most represented age bracket in homelessness applications is 26-35.
- The number of homelessness applications from young people aged 18-25 is significantly higher than the prevalence of this group on the housing register.

## Ethnicity

Homelessness applications Ethnicity	%
Black African	23.50%
Black Caribbean	23.34%
White British	20.82%
Other Ethnicity	6.62%
Refused to declare	6.04%
White Other	6.01%
White & Caribbean	4.31%
Black Other	2.48%
White & Asian	2.27%
Other Mixed	1.15%
Indian	0.74%
Arab	0.70%
White & African	0.64%
Chinese	0.53%
Pakistani	0.40%
Bangladeshi	0.30%
White Irish	0.08%
Gypsy/Irish Traveller	0.05%
Other Asian	0.02%
<b>Grand Total</b>	<b>100.00%</b>

- We hold high quality data about the ethnicity of residents who make an application of homelessness, as this is collected by officers from the applicants.
- This shows that over half of homeless households have been from Black, Asian and Minority Ethnic households.

## Maternity

- A small number of applicants on the housing register (less than 2%) are listed as pregnant.

## Gender

- 57.8% of homeless applicants in the extract analysed were female.
- This is most likely because there are more single women with dependent children accepted onto the register (as dependent children is indicative of a priority need).

## Gender identity

- There is no data available for gender identity within homeless applicants.

## Disability

- As at August 2020, there were 149 households on the housing register awaiting accessible social housing. 109 of these households were already in social housing not currently suitable for their needs. At least 15 were in temporary accommodation.
- Less than 1% of homelessness applicants in the extract declared a disability; however this relates to lead applicant only.

## Household type

Minimum bedroom need	%
0	0.24%
1	17.00%
2	38.73%
3	33.83%
4	7.75%
5	1.88%
6	0.40%
7	0.12%
8	0.04%
9	0.01%
<b>Grand Total</b>	<b>100.00%</b>

- Household type is not collected in housing register data; however the minimum number of bedrooms required gives us an idea of the sizes of the households. Almost three quarters of households waiting for social housing need a minimum of 2 or 3 bedrooms.

### Religion

Religion	%
Not disclosed	58.33%
Christian (all denominations)	23.93%
None	9.82%
Muslim	5.43%
Any other religion/belief	0.82%
Prefer not to say	0.74%
Buddhist	0.45%
Hindu	0.41%
Sikh	0.03%
Jewish	0.03%
<b>Grand Total</b>	<b>100.00%</b>

- Over 50% of housing register applicants have not disclosed a religion.
- Out of the remaining applicants, almost a quarter have identified as Christian. The next most prevalent declaration is 'no religion', followed by Muslim.
- For homelessness applications, religion data is held on less than 10% of clients, so meaningful analysis is not possible.

### Carer status

- There is no data for carers within the housing register or homelessness applications.

### Sexual orientation

- Over half of applicants on the housing register have not disclosed their sexual orientation.
- 44% have identified as straight / heterosexual.
- Less than 1% have identified as gay, lesbian, bisexual or other.

### Income

- By definition, all applicants on the housing register are on low incomes and / or in receipt of housing benefit or Universal Credit.

### Other - Gypsies and Travellers

- The local connection rule in section 2.2.2 of the policy is capable of having an indirectly discriminatory effect on refugees, who will find it harder to satisfy the requirement of 5 years'

residence in borough for reasons which are connected to their immigration status. This group will predominantly comprise people from ethnic minorities.

## **5. Impact summary**

### **Age**

Overall, the impact is neutral as it continues existing practises, which are transparent, consistent and clearly defined. Priority for housing is generally through having dependent children, and there are therefore a higher proportion of younger households in receipt of temporary accommodation. The revisions to the policy take into account the needs of children in all exam years at school, rather than just final year of A-Levels or GCSEs. The Location Priority Policy stipulates that the welfare of children is a key consideration.

There will be a positive impact on potentially older applicants who are in receipt of care through a longstanding arrangement with another person or persons who is not part of the household and where placement in another local authority would disrupt or be of detriment to this arrangement. They will qualify for 'In-borough' priority.

### **Disability**

Overall, the impact is positive as it builds upon existing practises, which are transparent, consistent and clearly defined. In general disability is not part of the assessment criteria specified within the policy – except for the following exceptions:

Households with children subject to an Education Health and Care Plan (EHCP) or a Statement of Special Educational Needs in the London Borough of Lewisham which cannot be transferred to another local authority without causing serious detriment to the child's welfare will qualify for 'In-borough' priority.

There will be a positive impact for applicants who are in receipt of care through a longstanding arrangement with another person or persons who is not part of the household and where placement in another local authority would disrupt be of detriment to this arrangement. They will also qualify for 'In-borough' priority.

Disabled applicants receiving treatment for a physical or mental health condition from a specialist hospital unit which cannot be transferred to another NHS service or they are at a critical point in their treatment, will also qualify for 'In-borough' priority. Disabled applicants may also be able to show other circumstances which demonstrate an exceptional and compelling need which cannot be met outside of the London Borough of Lewisham.

### **Gender**

Overall, the impact is neutral as it continues existing practises, which are transparent, consistent and clearly defined. There are a higher proportion of women amongst service users – this is explained by the higher proportion of families with single mothers and the fact that children are a key consideration for local authorities in providing accommodation.

### **Pregnancy and maternity**

Overall, the impact is neutral as it continues existing practises, which are transparent, consistent and clearly defined. Women who are on maternity leave from employment and meet the required criteria are prioritised for placements close to the London Borough of Lewisham.

### **Ethnicity**

Overall, the impact is positive as, depending on their circumstances, it may increase the number of households that are accommodated within the Greater London area, thus potentially being located closer to existing or new support networks and community groups.

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### **Carer Status**

There will be a positive impact for applicants have a longstanding arrangement to provide essential care to another person or people in the London Borough of Lewisham who is not part of their household and

where placement in another local authority would disrupt be of detriment to this arrangement. They will also qualify for 'In-borough' priority.

## 6. Mitigation

It is anticipated that the introduction of a Location Priority Policy will have a positive or neutral impact on all protected groups because it will continue existing practices whilst at the same time making them more transparent, consistent and clearly defined. This Equalities Analysis Assessment recognises that the implementation of the policy will have a greater impact on specific groups because they have a higher representation within the overall service user profile. The impact on these groups will be mitigated by the individual assessment carried out on each case which will allow for any relevant factors to be considered in the allocation of housing.

## 7. Service user journey that this decision or project impacts

If you think you may become homeless, you should contact the Council for advice at the earliest opportunity. The earlier you contact us the more chance we have of helping you to avoid becoming homeless.

If you want to join the housing list you can do this by referring to our information on the website [www.lewisham.gov.uk](http://www.lewisham.gov.uk)

For advice about your housing options, please contact the **Allocations and Lettings Service** on 020 8314 7007 or [LewishamFindYourHomeApplications@lewisham.gov.uk](mailto:LewishamFindYourHomeApplications@lewisham.gov.uk).

If you are vulnerable (for example you are elderly, have learning or other disability, or do not have the ability to read English or another language) we can assist you in accessing housing and bidding for properties. The **Homeseach Support Officer**, based in the Allocations and Lettings Service, assists applicants to engage with the choice based lettings system and can assist clients with bidding. Please contact the Allocations and Lettings Service for further information on 020 8314 7007 or [LewishamFindYourHomeApplications@lewisham.gov.uk](mailto:LewishamFindYourHomeApplications@lewisham.gov.uk).

**Signature of  
Head of Service**

For further information please see the full [Corporate Equality Policy](#).