

Equality Impact Assessment - update of existing function - Homeless Service – 30/9/06

A: Summary Details

Directorate:
Housing

Section: **Homeless & Housing Advice Services**

Person responsible for the assessment: **Janet Slater**

Contact details: **tel: 020 7364 7241**
fax: 020 7364 7422
janetslater@towerhamlets.gov.uk

Name of Policy to be assessed: **Statutory reviews of decisions made under s184 and s193 of the Housing Act 1996**

Is this a new or revised policy: **Existing policy – reassessment of EIA**

Date policy scheduled for Overview and Scrutiny/Cabinet/LAB: **N/A**

B: Preparation

Previous Equality Impact Assessment (EIA) recommendations:

The service has a commitment to valuing diversity; this commitment translates in service delivery. It is demonstrated in the services introduction of diversity monitoring of all six community groups in recognition of the potential impact of homelessness on these groups.

The previous EIA focused on establishing robust monitoring systems and introduced wider monitoring categories to include all six diversity categories. The data used in this re-assessment shows that statistical data can be produced on homeless statutory reviews undertaken and the outcome of the reviews by all six community groups.

This re-assessment will focus on new data available to undertake an assessment of the impact of statutory reviews on the community groups.

1. Do you have monitoring data available on the number of people (from different target groups) who are using or are potentially impacted upon by your policy?

The service has data available on the number of people impacted on by the assessment process, those who then appeal against the decision of the outcome of assessments and request a review and also data on the outcome of the review. In the Business year 2005-2006 the service received 268 requests for reviews of decisions made. For purposes of this assessment, a total of 106 review cases which took place in the period 1st April to 30th September 2006 are considered. To measure equality of outcomes of the review process for different community groups, the data is broken down and assessed by the Corporate approved diversity categories. (This fits well with Census 2001 data categories)

The data has been used in Section D: The impact.

The data below illustrates reviews completed and the outcome of these reviews as a percentage of decisions upheld. Please note that the first column lists the number of reviews completed by community groups as a percentage and the second column shows the number of cases where the decision was upheld on review as a percentage of the number of reviews within that group.

Note: The figures for reviews relate to single households only and not joint applications in all groups.

GENDER

	REVIEWS COMPLETED	DECISIONS UPHELD
Female	57%	37%
Male	43%	22%

RACE

	REVIEWS COMPLETED	DECISIONS UPHELD
Asian	41.5%	20.5%
Black	21.7%	48%
White	30.2%	28%
Dual Heritage	3.8%	50%
N/K	2.8%	66%

DISABILITY

	REVIEWS COMPLETED	DECISIONS UPHELD
Yes	18%	30%
No	55%	33.8%
No Response	27%	29%

AGE

	REVIEWS COMPLETED	DECISIONS UPHELD
--	--------------------------	-------------------------

65+	6%	16%
45-64	12%	8%
20-44	73.5%	25%
16-19	8.5%	44%

SEXUAL ORIENTATION

	REVIEWS COMPLETED	DECISIONS UPHELD
Lesbian	0%	0%
Gay Men	2.8%	33%
Bisexual	1.8%	50%
Heterosexual	46%	28%
Not known	49%	32%

RELIGION

	REVIEWS COMPLETED	DECISIONS UPHELD
Buddhist	0%	0%
Christian	17%	27%
Hindu	1%	0%
Jewish	0%	0%
Muslim	45%	29%
Sikh	0%	0%
Catholic	4%	25%
Other	1%	0%
None	13%	50%
N/K	24%	26%

The Councils' Complaints procedure applies to the Homeless Service. Data on complaints is reported to the management team. The current data covering complaints received from April 06 to October 06 has been included in this assessment and the figures are illustrated as below.

Complaints received :

Complaints Stage	Complaints received
Stage 1	24
Stage 2	6
Stage 3	4

Ethnicity	Complaints received
Asian	6
White	6
Black	2

There appears to be an issue with the availability of diversity data for approximately 50% of the cases. The service will need to raise the issue of the lack of accessible information on complaints by diversity from the Corporate IT system. Were the data is available, the analysis of the data is not automated for diversity purposes and this will need to be raised as complaints should be reported in Health Check reports.

Complaints does not appear to be an issue with the Review team, however, the service will look to include analysis of complaints by diversity in the annual Health Check report.

The Homeless Service has also introduced monitoring of customer satisfaction surveys by diversity. The profile of respondents is looked at and work is being done to further improve data analysis and methodology. The service can demonstrate service improvements following customer feedback. At the point of completing this EIA, data analysis by diversity was not available although this can be done. The service will look at the analysis of satisfaction rates by diversity in Health Check reports as a recommendation from this EIA. Specific satisfaction monitoring on the review process will be considered at as part of this.

C: Your Policy or Function

The London Borough of Tower Hamlets Homelessness strategy aims to expand housing opportunities; including opportunities for all members of the community, such as those who may have support needs, and generally those who may be disadvantaged, by providing assistance and access to services which offer prevention and/or access to settled homes.

The Homeless service is placed under a general duty to provide advice and information on preventing homelessness and housing options. Homeless legislation also requires authorities to assist individuals and families who are homeless or threatened with homelessness and to seek assistance and apply for access to housing.

The Homelessness Act 2002 (an amendment of the Housing Act 1996) extends the definition of priority need to include 16 and 17 year olds and those leaving care under the age of 21.

The key function of the service is to conduct homeless assessments and to reach a decision on eligibility, homelessness, priority need, intentional homelessness and local connection and to inform the applicant in writing of the decision giving full reasons where a negative decision is reached. Applicants can ask the housing authority to review most aspects of their decisions, and, if still dissatisfied, can appeal to the county court. The county court can confirm, quash or vary a housing authority's decision.

This EIA covers the homeless assessment review process but recognises that there are other elements of the homeless service which are linked to issues around access to the homeless service and therefore the assessment process and the understanding of the review process.

The service has an advice and information service which is freely available to the community, a separate EIA on this function will help to assess impact and one

looking at the outcomes for the Enquiries and Prevention Team will also be undertaken.

The first point of contact for an applicant is the Enquiries and Prevention Team who undertake a short interview to determine the housing position of the applicant, this part of the process looks at the eligibility criteria and undertakes verification of the applicants situation using a set form to make a decision.

One of the outcomes of that interview is to refer the applicant to the team who undertake the assessment for duty to house. Once a decision has been made on duty to house, where a negative decision is made, the applicant is informed in writing with reasons and the grounds for the decision are explained. The notification to the applicant is required to give applicants the right to request a review of the original decision. Once a review decision has been made, applicant can not request a review of that decision. However, if they are dissatisfied, the applicant has the right to take the case to County Court level. The County Court is empowered to confirm, quash or vary the housing authority decision. If the original decision is not upheld, the case is investigated by a Review Officer or referred to the assessment team to investigate.

The outcomes the service aims to achieve are homelessness prevention and fair, consistent decision making where homeless assessments are undertaken and to ensure that where reviews are requested, the process is robust and the outcomes are fair.

D: The Impact

Gender:

There can be no reasonable explanation for the lower number of male applicants who request a review of a decision as all applicants are advised of their right to do so as legally required. It had been surmised that perhaps the lack of English had a bearing on the ability of groups to request a review and to access services to assist them in this. However, 55% of males requesting a review indicated that they read and wrote English as against 45% of females.

Whilst the number of males requesting reviews is lower than that of females, the number of males requesting reviews of no priority need decisions is far higher than that of females (61% against 39%) reflecting the number of no priority need decisions made on male applications due to them being assessed as not vulnerable.

Of the reviews undertaken, 31% of the original decision was upheld. The high volume of the original decision not being upheld is explained by the fact that applicants can present new information on their case at the review stage.

Ethnicity:

Based on the Housing Needs Survey (Housing Needs Study, Fordham Research, 2004) the Asian community is more likely to be living in unsuitable housing (48.9%) and the key reason being overcrowding, the Homeless service is more likely to receive applicants from this group. The White community also has a significant number sighted as living in unsuitable housing on the grounds of mobility or health problems (36.9%). The number of reviews completed is a fair reflection as a proportion as is the number of applications received, with the exception that decisions are less likely to be upheld for the Asian community.

The number of reviews for Dual Heritage and not known groups (4 and 3 respectively) is negligible and cannot indicate a trend.

The percentage of reviews of Black applicants' decisions where representations were made by a solicitor on their behalf was higher (the Black community is more likely to have legal representation) (63%) than those of White (44%) and Asian (55%) applicants.

There were 9 cases of the 44 reviews undertaken for the Asian community where the decision was upheld. The 35 remaining cases were considered again, this process allows the client to present new information.

This could be an indicator that Asian applicants did not understand the process they were being taken through and so presented new information at the review stage. However, there appears to be a similar issue with the White community group where only 9 of the 32 decisions were upheld. The remaining 23 cases had to be looked at again.

As noted above, applicants can present new information on their cases at the review stage and this must be accepted. It would be constructive to identify the reasons for overturning a decision to ascertain any trends and look to identify any potential improvements in the assessment process.

Age:

The largest percentage of reviews was completed in the 20-44 age group. It is significant that of the large proportion of decision upheld in the 16-19 age group (albeit a small number – 4), 75% were self representing and did not have the assistance of a third party or solicitor in making their representations in support of their request for a review. However, all acknowledgements of review requests which are made by a self-representing person, are advice that assistance may be sought from a solicitor, the Law Centre or the CAB.

Disability:

There is little discrepancy in the review outcomes between persons who consider themselves to have a disability and those who do not.

Sexual orientation:

All figures regarding proportionate decisions upheld are similar and the actual number of gay and bisexual applicants is so low (3 and 2 respectively) that a trend cannot be established.

Faith:

The Census 2001 data shows a very small (between 0.5 to 1%) of the Buddhist, Hindu, Jewish and Sikh community living in Tower Hamlets. These communities are still accessing the service as assessment applications have been received and they are also reflected in the review process. There were no reviews conducted for clients from the Sikh community, the numbers are very small which makes it difficult to form judgements. Also, the Sikh community is known to have strong support links, this should not limit their access. The assessment on housing advice and prevention will ensure the impact on religious groups is looked at.

Please ensure that all actions identified are included in the attached action plan and in your service plan.

Please sign and date this form, keep one copy and send one to Equalities Team..

Signed
Lead Officer
Date

Janet Slater
03/11/06

Signed
Service Head
Date

Signed
Strategy and Programmes
Date

Action Plan

Recommendation	Key activity	Progress milestones	Officer Responsible
Consider the reasons for decisions being overturned to identify trends in cases where original decisions are not upheld	Gather data on reasons for overturning decisions Undertake assessment of data	Undertake assessment using data from previous year	Janet Slater
Analyse complaints data by diversity to improve service and report in Health Check report	Work with Complaints team to ensure complaints data is available by diversity in automated format	Annual Health Check report timescale	Carol Johnson, and Colin Cormack
Monitor customer satisfaction survey and complaints by diversity and report in service Health Check report	Analyse data by diversity Report results in Health Check reports including follow-up action	Annual Health Check report timescale	Carol Johnson, and Colin Cormack