



ADVANCE PUBLICATION OF REPORTS

This publication gives five clear working days' notice of the decisions listed below.

These decisions are due to be signed by individual Cabinet Members
and operational key decision makers.

Once signed all decisions will be published on the Council's
Publication of Decisions List.

- 1. TEMPORARY ACCOMMODATION PROGRAMME (Pages 1 - 60)**

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London Borough of Enfield

Report Title	Temporary Accommodation Programme
Report to	Councillor Nesil Caliskan, The Leader of the Council
Date of Meeting	18 th October 2023
Cabinet Member	Cllr George Savva
Executive Director / Director	Joanne Drew – Strategic Director of Housing and Regeneration
Report Author	Richard Sorensen Richard.Sorensen@enfield.gov.uk
Ward(s) affected	All
Key Decision Number	KD 5529 – Temporary Accommodation Programme KD 5633 – Placement Policy
Classification	Part 1
Reason for exemption	N/A

Purpose of Report

This paper proposes changes to the way temporary accommodation is secured in the private sector and then managed by HGL Limited. It also proposes changes to the way in which the Council will discharge its duties to individuals and families who are or may become homeless.

Recommendations

- I. Approve the changes to the Council's published Temporary accommodation rates as shown in paragraph 18 of this report;
- II. Agree, where possible and with the Landlords consent if needed, to assign to HGL any leases entered into by the Council of properties used for the purposes of providing TA and to delegate to the Strategic Director of Housing and Regeneration authority to agree any fee or other charges required by the Landlord in exchange for agreeing to any such assignments;
- III. To note that HGL will also directly enter into leases of properties to be used for the purposes of Temporary Accommodation with private sector landlords or their agents;
- IV. Agree to enter into a nominations agreement with HGL for the provision of temporary accommodation leased by HGL from the private sector for that purpose and to pay to HGL a Nomination Fee described in this report
- V. To delegate to the Strategic Director of Housing and Regeneration in consultation with the Director of Law and Governance and the Executive Director of Resources authority to agree the Nomination Fee with HGL and to enter into an appropriate Nominations Agreement;
- VI. Agree to amend the Council's Placement Policy so as to reduce the number of offers of private sector accommodation made to residents from two offers to one, in line with the Council's statutory obligations.
- VII. Delegate to the Strategic Director of Housing and Regeneration in consultation with the Cabinet Member for Social Housing, authority to approve a revised offer to Landlords and agents in the private sector and to residents seeking to access private rented accommodation which offers will be designed to increase the supply of private rented accommodation across the borough, but subject to the full legal and financial implications of such revised offers having been taken into account.
- VIII. Note that the Cabinet Member for Social Housing will also be asked to agree for public consultation changes to the Council's scheme of allocation for social housing and that following consultation the proposed revisions will be reported to Cabinet for approval prior to seeking final agreement to any changes from Full Council.

Background and Options

1. The Housing Advisory Service was set up to oversee an ambitious programme to both improve the quality of service offered to households in housing difficulty and reduce the number of households in long term temporary accommodation (TA) through increased use of the private rented sector.
2. Residents are offered TA as a temporary solution to their housing crisis whilst they try to secure private rented accommodation. TA is offered as a license to occupy rather than a full tenancy. The exception to this is the PSL properties where a non-statutory tenancy is in place.
3. Cabinet approved setting TA charges at Local Housing Allowance in September 2022, to ensure that the properties are affordable to residents.
4. Although properties are designated as temporary, the reality is that some households can spend years in TA. The average length of stay in TA is over

three and a half years. 150 families have been in TA for over 10 years, and a further 933 families have been in TA for more than 5 years.

5. The welfare benefits system for residents living in TA is different from those in the private rented sector. It was originally designed to provide a higher level of financial support to homeless households in the immediate aftermath of a crisis. However, with households now living in TA for years or even decades, the benefit level awarded to households in TA is affecting our ability to support households in the wider private rented sector.
6. The benefit level for residents living in temporary accommodation also acts as a blockage to moving into more permanent accommodation as whilst they are in TA, residents are entitled to full Housing Benefit.
7. Over the last 18 months the private rented sector has seen a dramatic fall in the supply of both temporary and permanent private rented homes available (an 84% decrease over the last 12 months). Those properties that do become available to let are at higher rent levels meaning that they are unaffordable to residents on low incomes or on benefits as Local Housing Allowance has been frozen.
8. This has meant that the number of households living in temporary accommodation has not reduced significantly for twelve months. Shortages in both the supply of private rented accommodation and temporary accommodation has led to a dramatic increase in the number of households being accommodated in commercial hotels and bed and breakfast accommodation. Both are inherently unsuitable for families and increases the level of stress and disruption to residents who become homeless. This in turn creates additional pressures on the service as residents have greater support needs whilst they are in hotels.
9. Equally, the shortage of affordable private rented accommodation means that households are likely to be in temporary accommodation for longer. Rents have increased whilst Local Housing Allowance has been frozen at the 2020 rate. Universal Credit has been increased in line with inflation, but the Benefit Cap has not been increased. The effect of this is that an increasing number of households are becoming benefit capped and the gap between rents and benefits is increasing.
10. There are approximately 5500 properties in Enfield that are used as temporary accommodation out of which 2500 are used by Enfield Council, with the remainder being used by other boroughs. Over the last few months, it has become apparent that other boroughs are offering higher rates to landlords within Enfield to secure properties. This has had two impacts:
 - The supply of temporary accommodation available to the Council has continued to decline.
 - An increasing number of landlords have requested the return of their properties.
11. There is therefore an urgent need to:

- Set rates at an appropriate level to increase the supply of suitable accommodation in the private sector and incentivise current landlords to continue with their existing lease.
- Increase the range of measures available to support and prevent residents from losing their home.
- Refocus the service on providing support and rehousing options for residents whilst also driving down the use of commercial hotels and bed and breakfast accommodation.
- Reduce the length of stay in temporary accommodation
- Reducing the use of hotels as Temporary Accommodation
- Minimise the financial impact on the Council of the increasing costs of providing TA.

Payments to the landlords

12. Enfield Council provides TA to just over 3100 households. There are five main types of accommodation:
- a. 1851 Nightly Paid Properties (NPA) which are procured from private landlords on a night-by-night basis
 - b. 509 leased properties (PSL) that are leased from private landlords with a term of between three and five years
 - c. 501 properties that have been leased from managing agents who in turn have leased the property from a private landlord (PLA)
 - d. Accommodation at Brickfield House and Greenway House. These blocks are owned by Housing Gateway and leased to the Council. There are 124 flats at Brickfield House and 84 flats at Greenway House.
 - e. Commercial hotels and bed and breakfast. These rooms are booked on a nightly basis and are inherently unsuitable for families.

Pan London Rates

13. The Council sets out periodically the maximum payment that should be made to landlords within the borough and there is an expectation that other boroughs will also abide by these rates. This is to avoid a potential bidding war between boroughs seeking to secure TA. Breaches of these rates are reported through the Inter Borough Accommodation Agreement. The notional maximum rates for Enfield are currently:

Size	Monthly Payment
1 bed	£1031.33
2 bed	£1274.00
3 bed	£1456.00
4 bed	£1698.67
5 bed	£1971.67

14. London Council's Housing Directors approved an increase of 10% on existing rates. These were implemented from 1 March 2023. Following the 10% increase in rates approved by London Housing Directors the notional maximum rates are as follows:

Size	Monthly Payment
1 bed	£1134.46
2 bed	£1401.40
3 bed	£1601.60
4 bed	£1868.54
5 bed	£2168.84

15. The rates are the amounts which we aim to pay to landlords and do not affect residents living in TA.
16. It is already clear that other boroughs are offering significantly higher rates within Enfield and that Enfield is losing properties and opportunities as a result. The Council can set rates according to its needs and other local authorities (including Waltham Forest) have already increased their rates well above the 10% increase.

Temporary Accommodation Schemes and Rates

17. In implementing the revised rates for temporary accommodation, we are seeking to incentivise landlords and agents to contract with Housing Gateway rather than the Council and to develop a more competitive offer to retain and secure supply.
18. The Council currently procures temporary accommodation through three different schemes. The rates for each are slightly different reflecting the management arrangements and costs incurred by the Council. It is not proposed to increase the Council schemes rates further but HGL will increase their rates in order to incentivise landlords and agents. The proposed rates for the different schemes are set out below for approval:

Size	NPA	PLA	PSL
1 bed	£1,082.90	£1,134.46	£990.00
2 bed	£1,337.70	£1,401.40	£1,210.00
3 bed	£1,528.80	£1,601.60	£1,485.00
4 bed	£1,783.60	£1,868.54	£1,732.50
5 bed	£2,070.25	£2,168.84	£1,732.50

19. Increasing the rates paid to landlords will have a financial impact on the Council. These additional costs have been built into the financial modelling and are reflected in the finance commentary. Not increasing rates will drive an increased number of landlords and agents to request the return of their properties and an increased dependency on the use of hotel accommodation.
20. We are currently in the process of reviewing our offer to landlords and agents to increase the supply of properties. Options being considered include insurance and bond schemes as well as financial incentives. Proposals will be reported to the relevant Cabinet Member for approval in due course once the options have been explored and the full legal and financial implications have been taken into account.

Temporary Accommodation Provision

21. The current provision of TA is based on what properties are immediately available. In the past this resulted in residents being placed straight into nightly paid accommodation and they would remain there until an offer of a private rented home could be made or they secured their own accommodation. This process resulted in households going immediately into longer term temporary accommodation, often before the assessment process had completed.
22. The shortage of temporary accommodation means that currently households are being placed in hotels. We aim to keep this to an absolute minimum as it is both unsuitable for the resident and costly for the council. However, in the currently crisis in supply, it is often our only option.
23. We are therefore proposing to change the way in which longer term temporary accommodation is managed to enable the service to focus on securing permanent homes and to reduce the cost to the Council.
24. Longer term temporary accommodation will be provided by Housing Gateway Ltd. Residents will be issued with a license to occupy the property.
25. One of the key barriers faced by residents in moving out of temporary accommodation is the financial cost. Whilst they are in temporary accommodation, residents are entitled to full Housing Benefit, and this is not means tested. When they move to the private rented sector their housing costs are met through Universal Credit and are means tested. The effect of this is that TA has become the lowest cost form of housing for residents on benefit and the benefits system effectively traps people in TA.
26. Accommodation provided by organisations that are not councils or registered providers would not be regarded as temporary accommodation for benefit purposes. This means that residents would be treated as though they are in the private rented sector whilst they are in these properties. This in turn would remove the financial barrier to moving to other more stable tenures.
27. Separating the housing management function from homelessness casework will also ensure a greater focus on the quality of accommodation being offered and improve the overall experience of residents and landlords.

28. Equally the new arrangements will enable caseworkers to focus on supporting residents into permanent accommodation, without the distraction of raising repairs or liaising with temporary accommodation landlords.

The Placement Policy and the use of the Private Rented Sector

29. In June 2023, Cabinet approved a new placement policy which describes the circumstances and considerations the council will follow when looking to make an offer of suitable accommodation out of borough in parts of the country where the private rented sector is affordable to households on benefits.
30. The Placement Policy approved by Cabinet states that residents will be made:
- One offer of temporary accommodation
 - Two offers of private rented sector (“PRS”) accommodation
31. The policy of making two offers of private rented accommodation goes beyond what is legally required and only one offer of suitable accommodation is necessary to discharge duty. If an applicant refuses an offer of suitable accommodation under the current policy, this means the household would be entitled to a second offer whilst they continue to reside in costly temporary accommodation. Whereas if one offer of accommodation is made and refused, the council will have met its legal responsibilities and the applicant would not be entitled to another offer. This cuts the time spent in temporary accommodation.
32. Residents have a statutory right of appeal against the suitability of an offer and there is also a right of appeal through the County Court. This can result in a gap of up to 56 days following the second offer and a further 6 months for the conclusion of the appeal. There may then also be a referral to Children and Family Services which means that, in practice, a household may receive up to three offers from the council with a gap in between each offer.
33. The financial impact of making two offers on the Council is significant as it increases the length of time households spent in temporary accommodation. The current priority for the Council is to move households out of hotel accommodation as this is both the lowest quality of temporary accommodation and the most expensive to the Council. Increasing the length of stay therefore has significant cost implications.
34. It is therefore proposed to move to a single offer of private rented accommodation prior to discharging our statutory homelessness duty and to update the Placement Policy accordingly (see further below).

Supply of Private Rented Accommodation

35. The Council is in the process of reviewing its offer to landlords to increase the supply of private rented accommodation. Some aspects of this are entirely financial (e.g. the use of incentive payments to cover the gap between benefits) whilst others are around the service offer (e.g. bonds, dilapidations,

insurance). The intention is to develop a more competitive offer to agents and landlords to increase the supply of private rented accommodation.

36. In parallel with this, the Council is reviewing its offer to residents to enable them to have greater access to private rented accommodation. Options being considered include rent guarantor schemes, bonds rent in advance and deposits.
37. Officers will therefore bring forward proposals to the Cabinet Member for Social Housing authority to approve a revised offer to Landlords and agents in the private sector and to residents in need of accommodation which will be designed to increase the supply of private rented accommodation across the borough but subject to the full legal and financial implications of such revised offers having been taken into account.

Access to social housing

38. The current Allocations Scheme was approved by full Council in September 2020 and introduced in December 2020. It introduced the concept of 'lifetime needs' and took a holistic approach to the allocation of social housing including the relationship between health, housing, and social care.
39. The environment within which the Scheme operates has changed significantly over the last three years. Whilst we are keen to preserve the principles underpinning the scheme, many of the detailed provisions require significant updating. The Allocation Scheme is a statutory document, and any significant changes require public consultation and will need to be approved by the Council as the previous scheme was approved by Full Council.
40. The Leader is asked to note that the Cabinet Member for Social Housing will be asked to agree for public consultation changes to the Council's scheme of allocation for social housing and that following consultation the proposed revisions will be reported to Cabinet for approval prior to seeking final agreement to any changes from Full Council.

A New Strategy

41. The traditional model of providing temporary accommodation through short term leasing properties from private landlords has become financially unsustainable. The overall cost of provision rose sharply this year and we project that as the private rented sector contracts, costs will continue to rise.
42. A new five-year strategy is being developed to move away from dependence on the private rented sector for temporary accommodation. This recognises that the increase in the cost of provision means that the total number of properties used as temporary accommodation will need to reduce to around 1000 units over the next five years.

New Service Model

43. Our aim is to speed up the process for establishing whether the Council has a statutory duty towards the household. This means that decisions on priority need, intentionality and relief will be taken before a household loses their

home. This will enable us to make an offer of privately rented accommodation rather than temporary accommodation.

44. For the majority of households, accommodation will be sourced in parts of the country where Local Housing Allowance will cover most of the rent.
45. For this to work longer term, changes to the Allocations Scheme will be required to take account of the new Placement Policy and management arrangements for temporary accommodation. This is a statutory document that sets out how the Council allocates social housing. Changes to the Allocations Scheme require public consultation and we will therefore be requesting approval from the Cabinet Member to consult with residents on changes to the existing scheme.
46. There will be a small number of households who approach us as homeless on the day.
47. A key part of the change in our approach is that we will be seeking to reduce our dependence on nightly paid accommodation from private landlords and managing agents for temporary accommodation.

Existing and New TA

48. Housing Gateway Ltd created its ethical letting agency Enfield Let in 2020 to provide a route to the private sector for tenants who would otherwise not be able to access the PRS. The proposal is to ask HGL to take on leases or licences of properties, whether they be new leases, substitute leases or assignments of our existing temporary accommodation portfolio, to be used for the provision of temporary accommodation. Enfield Let will then be responsible for managing the ongoing relationship between HGL and the agents and landlords.

Management Arrangements

49. Residents will be issued with a licence agreement by Enfield Let rather than a non-secure tenancy.
50. Enfield Let will then be responsible for managing the occupation by the residents under the HGL lease. The Council will continue to discharge any statutory duties it owes to residents and will provide casework services. The two teams will be co-located to ensure a fully joined up approach.
51. The new Placement Policy will mean that our focus on reducing the number of households in TA will be re-energised. Our aim is to reduce the overall number of households in temporary accommodation to fewer than 1000 over the next five years. The proposals set out in this report relating to the role of HGL in providing the TA is a key part of this strategy as it will remove the financial barrier to residents moving out of temporary accommodation.
52. The nature of the management arrangements and transfer process will vary slightly according to the lease arrangements with the managing agent or

owner. Enfield Let will assign one property manager for every 300 properties. For example:

53. PLA properties: There are 501 properties where the council has a "Private Lease Annex". All of the repairing obligations sit with the managing agent of the property. The residual roles which will be assumed by Enfield Let are therefore restricted to income collection and ASB.
54. PSL properties: There are 509 properties that the Council leases directly from landlords. These are longer term agreements (usually three to five years). We have an existing scheme to transfer PSL properties to Housing Gateway as part of Enfield Let for discharge of duty by the Council. Properties will be taken on by Housing Gateway at the point of renewal or where the landlord has agreed a new lease.
55. Nightly paid properties (NPA). There are 1851 properties that the Council uses on short term agreements. The Council will end the existing agreement and Housing Gateway will enter into a new agreement with the agent or landlord.

Casework and move on support

56. The Council will have a continuing statutory duty towards households in temporary accommodation provided by HGL and Enfield Let. Our statutory duty can only be fully discharged when more permanent accommodation is secured. This means that effective communication between the Enfield Let and the Council's casework teams will be vital.
57. The unprecedented pressure on the Housing Advisory Service means that the service is currently operating to business continuity arrangements. The service will be restructured early in the new year. Processes and team are therefore subject to change as the new service is developed.
58. The key points of contact between teams will be:

New TA Placements

59. Temporary accommodation will be managed by the Enfield Let team. Households will be nominated to Enfield Let by the Housing Access team who will pass the case to the Housing Gateway Income Team to arrange the sign up to the property and provide support with claiming universal Credit.

Housing management issues

60. The Enfield Let team will refer cases of ASB and other licence breaches to the Council's Cessation of Duty Team for action.

Rent arrears

61. The Enfield Let team will refer cases of persistent rent arrears to the Council's Cessation of Duty team for action.

Discharge/Cessation of Duty

62. Where the Council is ending its duty towards a household, the Enfield Let team will be notified that the placement should be ended and they will end the license and seek possession of the property.

Change Process

63. In order to ensure that the properties being taken on by Housing Gateway meet a minimum quality standard the following approach is being taken.

Where the property is within the borough and the property is licenced through the selective licencing scheme the landlord will have self-certified that the property is compliant at the point of applying for the licence. The Dynamic Purchasing System (DPS) – ‘adam’ - requires landlords and agents to submit evidence of gas safety, electrical safety and Fire Safety annually giving additional comfort that the property is properly managed. Where the property is outside the borough and within a local authority with selective licensing the same approach will be followed.

64. Where the property is within the borough and the landlord has yet to apply for a licence, they will be encouraged to apply. If this is not forthcoming, the property will be referred to the Enforcement Team.

65. Where the property is outside the borough and there is no selective licensing scheme in place the agent will be contacted to provide evidence of that the property is in a good state of repair through inspection reports and photographic evidence. If this is not forthcoming, an inspection of the property will be carried out.

66. The process for moving properties from the Council to Enfield Let will include either assigning the existing lease between the Council and the landlord or agent to HGL or HGL taking a new agreement from the landlord or agent. The existing license issued to the residents by the Council will be terminated and a new license agreement will be issued to the residents by Enfield Let on behalf of HGL.

Dynamic Purchasing System (DPS) – ‘adam’

67. Enfield Let has been set up as a ‘district’ on the main DPS where Enfield procure TA. This will enable properties to be transferred from the council to Enfield Let with no disruption in payments to the current TA providers. It also provides a procurement compliant platform for Enfield Let to operate. This went live on 31/07/23

Resident Contact

68. The Housing Solutions Team will be the primary point of contact for any enquiries from residents regarding the change in landlord. The Council will have a continuing statutory duty towards households after the property has been transferred and this casework function will continue until the household has moved out of temporary accommodation.

Timetable

69. The aim is to have completed the programme by the end of 2024 and to 'transfer' (whether assignments or new leases) some 150 properties per week across to HGL.

Preferred Option and Reasons For Preferred Option

TA Programme

70. The reasons for the recommendation are set out in detail in the body of the report.

71. Other options considered were:

Capital Letters to manage temporary accommodation

72. This option provided similar benefits to the current proposal. However, the option lacked flexibility in that it would have been necessary to enter into a long-term contract with Capital Letters. There are risks in the proposal to have a third party manage temporary accommodation with the primary risk being a change in Government policy in relation to either Local Housing Allowance or the Housing Benefit Regulations around temporary accommodation. A significant change in Government policy would mean that the Council would need to rapidly change its approach, either through a discharge of duty into the properties used as temporary accommodation or by taking on the direct management of temporary accommodation.

73. Responding quickly and effectively would be more difficult in this context as the Council would have entered into long term arrangements without certainty that the rules governing temporary accommodation would not be subject to change.

74. This option was therefore rejected.

Private landlords and managing agents to directly manage temporary accommodation.

75. This option was considered as it provided similar benefits to both the Capital Letters option and the current proposal. However, it was clear that the level of subsidy required by agents would be significantly higher and that it was highly unlikely that they would agree to an open book or at cost arrangement. Coupled with this all the factors that led to the decision not to work with Capital Letters would also have applied.

76. This option was therefore rejected.

Continuing current arrangements

77. This has been ruled out because the existing arrangements are not working well and because the cost to the Council will continue to escalate as more residents transfer across to Universal Credit. The report explains why continuing with the status quo does not provide the right type of accommodation to residents and is costly for the Council and for those reasons this option is not recommended.

Placement Policy

78. The alternative option considered was to continue with the existing two offer policy. The service is currently under extreme pressure with unprecedented numbers of households approaching the Council for assistance. This in turn puts greater pressure on the Council's budget. On average the cost of a commercial hotel and a void period under the current two offer scenario will cost the Council £2,865 per family.
79. The Council has a statutory obligation to provide one suitable offer of permanent accommodation. By going above our statutory duties, we are diverting resources away from other core aspects of our work, including the prevention of homelessness.
80. Moving to a single offer policy is projected to save the Council c£67.4k per month or c£809k per annum. It is estimated cost avoidance of c£270k could be realised in 23/24 if Enfield move to a single offer policy for the last 4 months of the year.
81. The existing two offer policy is therefore considered to be unaffordable in the context of the current housing crisis. In September this year, 532 households approached the Council for assistance. This compares with 325 households in September 2022. Diverting resources away from our statutory obligations to support non statutory services is difficult to justify and has therefore been rejected as not being a good use of public money.

Relevance to Council Plans and Strategies

Good homes in well-connected neighbourhoods

82. In seeking to drive up the quality and availability of properties in the private rented sector, the proposal will increase the number and quality of homes available to low-income households in the borough.

Sustain strong and healthy communities

83. Poor quality housing and homelessness have been identified as key factors in health inequality. Through reducing the number of households in temporary accommodation and increasing the supply and quality of accommodation we will help reduce the impact of homelessness and poor housing on the health and wellbeing of our residents.

Build our local economy to create a thriving place

84. The proposals aim to ensure a thriving high quality private rented sector that is accessible to low-income households. By acting proactively to engage with and support landlords we aim to increase the supply of rented homes.

Financial Arrangements

85. There are three board categories of residents living in TA:

- Those working and not in receipt of benefits
- Those claiming Universal Credit (including those working)

- Those claiming legacy benefits (tax credits, income support or job seekers allowance)
86. The way in which temporary accommodation is paid for has not kept pace with the cost of provision or the number of homeless households.
87. The Council is responsible for administering Housing Benefit. We pay the claimants and then recoup the cost of this from the government. The situation is different for households in temporary accommodation as the maximum amount we can reclaim is 90% of the 2011 Local Housing Allowance rate.
88. As an illustration of how this works in practice:
- We pay housing benefit to a resident on Universal Credit in Temporary Accommodation (for a three bed this is £1595/month).
 - We can only claim back 90% of the 2011 rate of Local Housing Allowance from central government (for a three bed this is 90% x £1300 = £1170/month)
 - There is a gap of £425 per month (£5,100 per year) between what we pay out on Housing Benefit and what we are able to reclaim for this household.
89. Roughly a third of residents in temporary accommodation are claiming legacy benefits. This means that they are not automatically entitled to full Housing Benefit. However, the roll out of Universal Credit has accelerated and is due to complete by December 2024. The number of residents living in TA and claiming Universal Credit will therefore increase significantly over the next 12 months and this means that the Housing benefit subsidy required will also continue to increase.
90. The Council paid £4,467,000 in 2021/22 subsidising this Housing Benefit gap. In 2022/23 the Council spent £6,700,000 subsidising Housing Benefit due to the increased numbers transitioning onto Universal Credit. By December 2024, when the transition process is due to be completed, this subsidy will have increased to over £12m pa. This compares with an annual Homelessness Prevention Grant of £8.9m.
91. The benefit regulations that restrict the amount of Housing Benefit that can be reclaimed from central government only apply where the landlord is either a local authority or registered provider. It is suggested that since HGL is neither a local authority or a registered provider, it would not be subject to the limits on benefit subsidy (see further the legal implications on this).
92. Housing Gateway will be operating at a loss because the income from rents will be lower than the expenditure on leases. For the new arrangements to work, it is recommended that the Council will need to pay a nominations fee to Housing Gateway. We project this to be around 14% of the rent roll or £5.5m pa. This will be paid under the Nominations Agreement.
93. To ensure the success of the programme both Housing Gateway and the Council will operate on an open book basis. Payments to Housing Gateway will be calculated quarterly to ensure that Gateway does not incur additional

costs and that the financial benefit to the Council is maximised. The proposals are therefore to reimburse Housing Gateway for direct costs and a proportion of overheads only. There is no profit margin in the proposed arrangement.

Financial Implications

94. The uplifted agent rates mentioned in this report are the basis for the modelling Enfield Let have carried out to inform the level of nominations fee required by them from the Council to make the TA transfer programme viable. Those uplifted rates are an increased cost to Enfield of c£4m per annum while the TA portfolio remains at the current level and the portfolio resides with the Council.
95. Enfield currently has an unsustainably large number of families housed in TA. The TA transfer programme seeks to reduce the cost to Enfield of housing those families.
96. In the current structure the cost of TA to the Council is effectively:
- The cost of the lease payment to the landlord/agent
 - Minus the income due from the tenant for each property
 - Plus, the HB Subsidy loss (the difference between the current LHA rent charge and 90% of the 2011 Enfield LHA rate) which is all Enfield can reclaim in Housing Benefit.
97. Moving the TA portfolio to Enfield Let from the Council will mean the Council is removed from the process and instead Enfield Let will be responsible for the lease payments to agents and landlords and for collecting the rent from tenants.
98. Even with the ability to collect more income Enfield will still be required to contribute via a nominations agreement with Enfield Let to make the proposal viable. From the modelling Enfield Let have carried out this is expected to be in the region of 14% of the rent roll which currently equates to c.£5.5m.
99. Should the LHA rate rise in due course it may have the effect of slightly lowering the nominations fee as Enfield Let will be able to raise their rents to tenants in line with any LHA rate change and so charge more rental income.
100. Enfield will pay (quarterly in arrears) the c£5.5m nominations fee on an open book basis, carrying out reconciliation every quarter. The actual nominations amount payable will depend on the number of properties covered by these new arrangements, lease rates agreed and overheads. As such, this nominations fee could go up as well as down. The Council will save and forego the following:
- Save on HB Subsidy Loss c£10m per year at the current level, likely to rise to £12m per year without intervention.
 - Save on payments to agents/landlords c£44.4m per annum at current rates

- Lose income from the portfolio £46.5m per annum
101. This creates a net saving of £2.4m per annum on property.
102. In addition, Enfield Let will also take over the obligation for repairs on PSL units of c.£0.5m per annum and a number of staff (currently uncertain but expected to be a minimum of 10) c.£0.5m per annum and will be responsible for bad debt provision.
103. The total saving is therefore expected to be in the region of £4.6m per annum. There is likely to be a cost to Enfield of supporting benefit capped households in Enfield Let of at least £1m per annum while the Council work with them to have the cap removed. This brings the expected total saving down to c.£3.6m annually.
104. The process described above can be thought of as stage 1 of the project to realise significant savings for Enfield. Stage 2 will then seek to reduce the number of families in TA which will bring with it a sustained reduction in nominations payments by Enfield.
105. There may also be further efficiencies which can be made across the Council in due course as a result of this transfer.

Placement Policy

106. Moving to a single offer of accommodation will allow the TA Service to move clients onto more settled accommodation in a much more timely fashion. Currently tenants are able to reject the Council's initial offer of accommodation in the hope they will receive a second offer more in line with their expectations. On average it will take Enfield in the region of 17 days to make a second offer of accommodation during which time tenants are usually housed in an expensive commercial hotel at a rate of c£130 per night. Enfield will also be paying a void charge on the empty (rejected) property until it can be let to an alternative family.
107. A single offer of accommodation is likely to be accepted and utilised within 7 days, this means there is substantial cost avoidance available with a quicker turnaround time.
108. On average the cost of a commercial hotel and a void period under the current two offer scenario will cost the Council £2,865 per family.
109. On average the cost of a commercial hotel and a void period under the new one offer policy will cost the Council £1,180 per family.
110. Therefore, it is expected the Council will be able to avoid cost of £1,685 for each case. On the basis there are likely to be c40 offers per month the new policy will avoid costs of c£67.4k per month or c£809k per annum.
111. It is estimated cost avoidance of c£270k could be realised in 23/24 if Enfield move to a single offer policy for the last 4 months of the year.

Legal Implications

112. The Housing Act 1996 places a duty on local housing authorities to provide accommodation to homeless people in certain prescribed situations. Where the main housing duty is owed, housing authorities must ensure that suitable accommodation is available for the applicant and their household until the duty is brought to an end, usually through the offer of a settled home. In order to fulfil these statutory requirements, a housing authority can arrange accommodation in the private rented sector.
113. Section 11 of the Children Act 2004, requires local authorities, when discharging its housing functions, to have regard to the need to safeguard and promote the welfare of children when making decisions about suitability of accommodation for a person and their household. This means that when arranging in borough or out of borough accommodation, local authorities must consider the educational and welfare issues of a child. There are additional duties under the Children Act 1989 towards children of families who are homeless, and the Council will be required to discharge those duties in accordance with the statutory requirements and agreed Council policies.
114. Section 182 of the Housing Act 1996 requires that in the exercise of their functions relating to homelessness, a local authority shall have regard to the Secretary of State's "Homelessness Code of Guidance for Local Authorities". The Code says that local authorities who find it necessary to make out of district placements, are advised to develop policies for the procurement and allocation of temporary accommodation which will help to ensure suitability requirements are met.
115. The Housing Benefit subsidy scheme is governed by secondary legislation, The Income-related Benefits (Subsidy to Authorities) (Temporary Accommodation) Amendment Order 2010 (SI 2010/2509) and determines what level of subsidy a Local Authority can receive from the Department for Work and Pensions in respect of Housing Benefit awards paid to the individual in receipt of temporary accommodation. The subsidy scheme fixes the rate payable to LAs at 90% of the Local Housing Allowance rates set in January 2011. It is suggested that since HGL is neither a local authority or a registered provider, it would not be subject to the limits on benefit subsidy and discussions with DWP will need to take place on this issue.
116. The proposal may lead to a restructure of the Council's management property team which could lead to a reduction of the staff numbers currently in post i.e. redundancy. According to the Council's Principles of Managing Re-organisations, the Council should ensure that the council follows correct procedures and applies them fairly. Where 20 or more employees could be made redundant, the legislation sets out that there is a duty to consult with the appropriate employee representatives over a 30 day consultation period (this would be 90 days for 100+ employees).
117. Section 32 of the Housing Act 1985 provides that the disposal of land held for housing purposes requires the prior consent of the Secretary State. It appears that property interests are not held within the Council's HRA because the houses and buildings involved have not been provided under Part II Housing

Act 1985 for these purposes. It is understood that those interests are held in the Council's General Fund. Section 32 of the Housing Act 1985 does not therefore apply.

118. The assignment of any leases from the Council to HGL Ltd. will be subject to the Landlord's consent if necessary and will be undertaken in compliance with the Council's Procedural Rules, where relevant. The creation of any new leases directly between HGL and Landlords will be subject to negotiations and the terms of those leases so negotiated. In both cases, HGL Ltd would then, as leaseholder, become responsible for managing the relationship with the person or household in occupation and the Landlord.
119. It is proposed that the Council will enter into a Nominations Agreement with HGL Ltd on terms and subject to a fee agreed by the relevant director. Under this agreement, HGL Ltd. would be required to accept from the Council nominations of persons or families in need of Temporary Accommodation and a fee will be paid to essentially cover the gap in costs. A Nominations Agreement is not usually subject to the usual procurement rules but further advice will be required once the details of the way the agreement will operate and the fee payable under it become clearer and we understand more about the nature of any services to be provided, if any. In the event that the Nominations Agreement does in fact constitute a contract for services, then a full procurement exercise would be required. Careful drafting and structuring will be required if there is to be no legal requirement for a procurement exercise.
120. Section 24 Local Government Act (LGA) 1988 provides a power to local housing authorities to provide any person with financial assistance for the purposes, or in connection with, the "*acquisition etc.,, or management*" of any property which is or is intended to be privately let as housing accommodation. Section 24 LGA 1988 is constrained by section 25 LGA 1988 which requires the Secretary of State's consent to give financial assistance or provide a gratuitous benefit to a person providing housing accommodation. Assuming that the fee being paid to HGL under the proposed management agreement will be reasonable and not greater than the benefit to the Council from the services being provided, it could potentially be argued that there is no financial assistance or a gratuitous benefit to be conferred on HG. Further advice will be required on this point once the fee to be paid is determined and the terms of the Nominations agreement are clearer.
121. The report proposes to consult residents and other relevant stakeholders on proposed changes to the Council's Housing Allocation Scheme. The current scheme was approved by Full Council and so any revisions to it would also require approval from Full Council on the recommendation of the Cabinet.
122. The decision-maker is required to take account of the equality impacts of the proposal as described in the EQIA and to consider the mitigation measures proposed to minimise any adverse impact.

Equalities Implications

Temporary Accommodation Programme

123. The new management arrangements are a significant change for residents and a full Equalities Impact Assessment has been carried out. The primary findings of this are as follows:

124. The primary impact on residents is financial. Residents in temporary accommodation currently have their housing costs covered through Housing Benefit. Under the new arrangements their housing costs will be covered through Universal Credit. There are two main effects of this:

- Housing costs will become means tested rather than an automatic entitlement
- Some residents will become affected by the benefit cap which restricts income from benefits to no more than £25,000 per year.

125. Because residents will be treated as if they were in private rented accommodation an increased number of households will become subject to the benefit cap. There are currently 3189 households in temporary accommodation. Analysis is based on the 2489 households for whom we hold financial information. Of the 2489 households, 956 households are exempt from the benefit cap.

126. Of the 1533 households who are not exempt from the Benefit Cap, 250 will be more than £10 per week worse off, 77 households will be more than £20 per week worse off, and 23 households will be more than £30 per week worse off.

Age

127. There are around 2900 households in more settled temporary accommodation. The breakdown of ages of the lead applicant for whom we hold data is set out below:

Age	No	%
18-25	179	6.26%
26-35	733	25.62%
36-45	936	32.72%
46-55	691	24.15%
56-65	252	8.81%
66-75	51	1.78%
75+	19	0.66%

128. In the 2021 Census, Enfield's age structure shows the working-age population to be 216,693 which is 65.7% of the population. People under the age of 16 represent 20.5% of the population, and over 65s represent 13.7% of the population.

129. There is a disproportionate impact on households of working age. This is because they are disproportionately represented within temporary accommodation and because the benefit cap only applies to households of working age.

Mitigation

130. Work with households affected by the benefit cap to secure employment and/or disability benefits. Short term provision of DHP or direct payments to HGL to support households most adversely affected.

131. Ongoing monitoring of the impact of the new policy and a review after six months

Disability

132. The analysis is based on the 1582 households for whom the council has accepted a duty in the first four months of 2023. During this period 198 households included someone with a physical disability, 32 had a learning disability and 210 had disabilities caused by their mental health.

133. There is a positive differential impact on people with a physical or mental disability as they are not subject to the benefit cap, provided they are in receipt of disability benefits.

134. There is no financial impact on households in receipt of disability benefits as they are exempt from the benefit cap. We are currently unable to identify households with a disability, who are not in receipt of disability benefits. However, households in this situation will be covered as part of the wider mitigation for those affected by the benefit cap.

Mitigation

135. Work with households affected by the benefit cap to secure employment and/or disability benefits. Short term provision of DHP or direct payments to HGL to support households most adversely affected.

136. Ongoing monitoring of the impact of the new policy and a review after six months

Sexual Orientation

137. The analysis is based on the 1582 households for whom the council has accepted a duty in the first four months of 2023. During this period 5 people identified as not being heterosexual and another 25 decline to say. There is no identifiable differential impact on people with a particular sexual orientation.

138. Data on households in more settled forms of temporary accommodation is scarcer and there is insufficient data to draw a conclusion. Many of the households in temporary accommodation have been living there since before the introduction of the Homelessness Reduction Act meaning that the equalities data was not collected in key areas.

Mitigation

139. We are in the process of implementing a new case management system. A core aspect of this is to improve the collection and use of equalities data including for sexual orientation.

140. Work with households affected by the benefit cap to secure employment and/or disability benefits. Short term provision of DHP or direct payments to HGL to support households most adversely affected.

141. Ongoing monitoring of the impact of the new policy and a review after six months

Gender Reassignment

142. There is no differential impact on people who are or have reassigned their sex. Analysis is based on the 2489 households in temporary accommodation for whom we hold financial information. Of the 2489 households, 14 people stated that their gender was different to that assigned at birth and a further 25 declined to answer the question.

143. 8 people are affected by the benefit cap, and we do not hold the financial data on the remaining individuals. We will monitor the impact of the new management arrangements in order to minimise the potential impact.

Mitigation

144. Ensure that data collection on households is strengthened and monitoring arrangements put in place to ensure that we have a better understanding on the impact of the new arrangements.

145. Work with households affected by the benefit cap to secure employment and/or disability benefits. Short term provision of DHP or direct payments to HGL to support households most adversely affected.

146. Ongoing monitoring of the impact of the new policy and a review after six months

Sex

147. 73% (2357 households) of households living in temporary accommodation are headed by a woman.

148. There is therefore a disproportionate impact on women as women make up 52% of Enfield's population but 73% of those to whom the council has provided accommodation. 16% of households headed by a man are likely to become benefit capped whilst 23% of households headed by a woman are likely to become benefit capped.

149. There are several factors impacting on these figures. Couples with children are more likely to have a least one person in employment, exempting them from the benefit cap. Around a quarter of male households are single men without children meaning that they are unlikely to become capped.

Mitigation

150. Work with households affected by the benefit cap to secure employment and/or disability benefits. Short term provision of DHP or direct payments to HGL to support households most adversely affected.

151. Ongoing monitoring of the impact of the new policy and a review after six months

Marriage and Civil Partnerships

152. There is no differential impact on households based on the status of their relationships. The benefits regulations do not distinguish between

cohabitation, marriage, and civil partnerships. This means that there is no differential impact between these groups.

153. In the first four months of 2023 the Council accepted a duty towards 1582 households. The breakdown of these households is as follows:

Co-habiting	49
Divorced	28
Married	188
Separated	39
Single	724
Widowed	7

154. Single parents make up over 85% of all households that have had their benefits capped, according to Department for Work and Pensions data. Single people with or without children also make up majority of households in temporary accommodation.

155. There are around 2900 households currently living in more settled temporary accommodation. Of these, 629 are couples with the remainder being single people with or without children. Single people, with or without children, will therefore be disproportionately impacted by the change in management arrangements for temporary accommodation. The impact for single parents will be higher as they are more likely to be subject to the benefit cap.

Mitigation

156. Work with households affected by the benefit cap to secure employment and/or disability benefits. Short term provision of DHP or direct payments to HGL to support households most adversely affected.

157. Ongoing monitoring of the impact of the new policy and a review after six months

Pregnancy and maternity

158. There is no differential impact on people who are pregnant or expecting a baby. The analysis is based on the 1582 households for whom the council has accepted a duty in the first four months of 2023. 107 women had had a baby in the previous 12 months and a further 95 were pregnant.

159. One household is potentially affected by the benefit cap.

Mitigation

160. Work with households affected by the benefit cap to secure employment and/or disability benefits. Short term provision of DHP or direct payments to HGL to support households most adversely affected.

161. Ongoing monitoring of the impact of the new policy and a review after six months

Ethnicity

162. Because the majority of households in temporary accommodation predate the establishment of the Housing Advisory Service, the data available to us is more limited. We currently hold data on 1697 households in this area. Of these households, 1461 are from minority ethnic groups and we hold financial information on 950 of these households.

163. The impact of the benefit cap is predominantly on larger households. There is considerable variation in the impact on different minority groups, but this is largely driven by the size of the household.

	No of Households	Not Exempt from the cap	Will become Benefit Capped	Average weekly loss
Not held	1559	773	343	-£11.00
Any other ethnic group	137	64	38	-£9.07
Asian or Asian British - Bangladeshi	23	10	4	-£5.48
Asian or Asian British - Indian	9	5	1	-£2.32
Asian or Asian British - Other	3	0	0	£0.00
Asian or Asian British - Pakistani	19	11	5	-£18.28
Black or Black British - African	375	180	90	-£9.17
Black or Black British - Caribbean	145	63	28	-£7.88
Black or Black British - Other	49	24	11	-£9.59
Don't know / refused	468	227	105	-£8.73
Mixed - Other	27	6	2	-£9.72
Mixed - White and Asian	5	2	1	-£23.83
Mixed - White and Black African	35	20	12	-£9.85
Mixed - White and Black Caribbean	29	12	7	-£10.42
Other ethnic group: Arab	19	10	5	-£6.69
White - British	220	104	37	-£8.95
White - Irish	1	0	0	£0.00
White Other - Greek/ Greek Cypriot	1	0	0	£0.00
White Other - Gypsy/Roma	7	4	3	-£4.58
White Other - Irish Traveller	1	0	0	£0.00
White Other - Kurdish	1	1	1	-£7.88
White Other - Other	30	4	3	-£4.55
White Other - Turkish	13	0	0	£0.00
White Other - Turkish/Cypriot	2	0	0	£0.00

164. There is therefore a differential impact on those households from minority ethnic groups. There is a clear need to work with households affected by the cap to enable them to secure employment or disability benefits to mitigate the impact of the benefit cap. In the short term the use of Discretionary Housing Payments

Mitigation

165. Work with households affected by the benefit cap to secure employment and/or disability benefits. Short term provision of DHP or direct payments to HGL to support households most adversely affected.

166. Ongoing monitoring of the impact of the new policy and a review after six months.

Religion and Belief

167. Data on households in temporary accommodation is scarce and there is insufficient data to draw a full conclusion. Many of the households in temporary accommodation have been living there since before the introduction of the Homelessness Reduction Act meaning that the equalities data was not collected in key areas.

168. For the households for whom we hold data, Christian households are the largest single group with 533 (33.7%) identifying as Christian. 397 households declined to answer (25.1%). The next largest groups are Muslim households with 373 (23.5%) identifying as Muslim, 198 (12.5%) stating that they had no religion, and 69 (4.4%) identifying with a religion not listed. Ten households identified as Hindu, Jewish, Sikh or Rastafarian (0.6%).

169. This compares with the 2021 census data which found that across the borough the breakdown of religious affiliation is as follows:

- Christian - 153,015 people or 46.4%
- Buddhist - 1,716 people or 0.5%
- Hindu - 10,231 people or 3.1%
- Jewish - 3,713 people or 1.1%
- Muslim - 61,477 people or 18.6%
- Sikh - 1,199 people or 0.4%
- Other - 98,633 people or 29.9%

170. There is therefore likely to be a slightly greater impact on Muslim households as they are more likely to be in need of accommodation and a slightly lower impact on Christian households in comparison.

171. The data currently held is not sufficiently robust and we are unable to draw conclusions on the financial impact by religion or belief.

Mitigation

172. Work with households affected by the benefit cap to secure employment and/or disability benefits. Short term provision of DHP or direct payments to HGL to support households most adversely affected.

173. Increase the quality and quantity of data held

174. Ongoing monitoring of the impact of the new policy and a review after six months

Action Plan

175. The primary impact on residents of the change of landlord functions to Housing Gateway is financial, with the worst affected households being larger families. This means that 750 households will be adversely affected, and 250 by more than £10 per week.

176. The medium-term solution is to assist these households in moving into employment or onto disability benefits. Work with these households has already started through both our Early Intervention Team and the contract with Beam, who support homeless households into employment through training and ongoing support.
177. In the short-term, financial support through Discretionary Housing Payments or for out of borough properties a direct payment to Housing Gateway may be required. The Council would be unable to discharge its duty if the placement was not affordable to residents. Each case will be assessed on its own merits with an initial focus on those households losing more than £10 per week as a result of the benefit cap.
178. The proposals will mean that there will be parity between residents in temporary accommodation and residents in the private rented sector. No household will be worse off in temporary accommodation than in the private rented sector.

Placement Policy

179. A full EIA was completed alongside the June 2023 Cabinet Report seeking approval for placing residents in parts of the country where Local Housing Allowance would cover their rent.
180. The change to the Placement Policy will reduce the number of offers made to residents from two offer to a single offer. Reducing the number of offers of accommodation does not affect whether a household is prioritised for more local accommodation and therefore all of the factors and actions identified in the previous EIA remain valid.
181. The change in policy will reduce the choices available to residents. As a result, the EIA Action Plan has been strengthened to ensure that we can mitigate the impact on residents.
182. Equally important is that each case is assessed on its own merits and that in assessing the suitability of an offer, the Council ensures that residents are prioritised for accommodation that is appropriate to meet their needs.
183. We recognise that the prospect of relocation to other parts of the country will not be welcomed by residents. However, the shortage of local affordable accommodation means that if the Council is to fulfil its statutory duties, a significant number of households will need to relocate.
184. There is therefore a difficult balance between ensuring that we are able to address the full needs of the household and ensuring that we are able to secure accommodation for them.

Age

185. The EIA identified that there was a disproportion impact on households of working age because they are overrepresented in temporary accommodation in comparison with the general population. However, there is likely to be a

greater impact on older households (over 65s). Older people may have a greater dependency on local support networks to enable them to live independently.

Mitigation

186. The Placement Policy is designed to ensure that those residents who are dependent on local support networks are prioritised for the limited supply of more local accommodation. Monitoring the implementation of the Placement Policy is therefore critical in ensuring that that we address this.
187. To do this we are linking equalities data to placements data. Staff are being given additional training in the implementation of the placement policy.
188. Strengthening the working arrangements with Adult Social Care is also vital in ensuring that we have a coordinated approach to meeting the needs of older people. A joint panel is already in place for social housing allocations, and we will build on this to ensure that we are able to address the needs of more vulnerable households.

Disability

189. The EIA identified that there is a positive differential impact on people with a physical or mental disability as they will have greater access to local affordable permanent homes. More vulnerable residents will be prioritised for the limited supply of local accommodation through the Placement Policy, and this will disproportionately benefit both those in hotels and more settled forms of temporary accommodation.
190. The key risk here is in the implementation of the policy and the identification of households with disabilities.

Mitigation

191. The Placement Policy is designed to ensure that those residents who are dependent on local support networks are prioritised for the limited supply of more local accommodation. Monitoring the implementation of the Placement Policy is therefore critical in ensuring that that we address this.
192. To do this we are linking equalities data to placements data. Staff are being given additional training in the implementation of the placement policy.
193. Strengthening the working arrangements with Adult Social Care and Children and Family Services is also vital in ensuring that we have a coordinated approach to meeting the needs of older people. Joint panels are already in place for social housing allocations, and we will build on this to ensure that we are able to address the needs of more vulnerable households.

Gender Reassignment

194. The EIA was based on analysis of data for the first four months of 2023. The analysis is based on the 1582 households for whom the council has accepted a duty in the first four months of 2023. During this period 14 people stated

that their gender was different to that assigned at birth and a further 25 declined to answer the question.

195. Although the numbers of people are relatively small, people who have or are in the process of changing their gender are more likely to be dependent on local support networks and health services.

Mitigation

196. The Placement Policy is designed to ensure that those residents who are dependent on local support networks are prioritised for the limited supply of more local accommodation. Monitoring the implementation of the Placement Policy is therefore critical in ensuring that that we address this.

197. To do this we are linking equalities data to placements data. Staff are also being given additional training in the implementation of the placement policy.

198. Where local accommodation is not possible, we will ensure that similar services are available to the residents in a new location and that support with the transition is available.

Marriage and Civil Partnership

199. Within the 1582 households for whom the Council accepted a duty during the first four months of 2023 there were:

Co-habiting	49
Divorced	28
Married	188
Separated	39
Single	724
Widowed	7

200. There are around 2900 other households currently living in more settled temporary accommodation. There are 629 couples living in temporary accommodation with the remainder being single people with or without children.

201. The EIA was unable to identify a differential impact on households based on the legal status of their relationships. It did identify a differential impact on single people with or without children.

202. In particular, for single parent households who are more dependent on local support networks, relocation to a new area will be challenging. Whilst the Placement Policy will prioritise the more vulnerable households for local accommodation there will be a need to ensure that single parents have access to local support networks and provided with links to local community groups.

Mitigation

203. The Placement Policy is designed to ensure that those residents who are dependent on local support networks are prioritised for the limited supply of

more local accommodation. Monitoring the implementation of the Placement Policy is therefore critical in ensuring that that we address this.

204. To do this we are linking equalities data to placements data. Staff are also being given additional training in the implementation of the placement policy.

205. Where local accommodation is not possible, we will ensure that similar services are available to the residents in a new location and that support with the transition is available.

206. Ongoing monitoring of the impact of the new policy and a review after six months

Pregnancy and maternity

207. For expectant and new mothers, support networks are particularly important. The need for support is one of the factors to be considered as part of the placement policy, with more vulnerable households being prioritised for the limited supply of local accommodation.

208. Under the current arrangements households entering temporary accommodation are housed in hotel accommodation due to the shortage of both private rented and TA. The proposed change in approach will therefore have a positive impact on these households, enabling them to secure a long term, affordable, home. However, we recognise that the process of relocation is challenging, and this is even more so for new and expectant mother who are likely to be dependent on local support networks.

Mitigation

209. The Placement Policy is designed to ensure that those residents who are dependent on local support networks are prioritised for the limited supply of more local accommodation. Monitoring the implementation of the Placement Policy is therefore critical in ensuring that that we address this.

210. To do this we are linking equalities data to placements data. Staff are also being given additional training in the implementation of the placement policy.

211. Where local accommodation is not possible, we will ensure that similar services are available to the residents in a new location and that support with the transition is available.

212. Ongoing monitoring of the impact of the new policy and a review after six months

Ethnicity

213. In the first four months of 2023, the Council accepted a duty towards 1582 households. The largest groups by ethnic background are as follows:

Black or Black British - African	24%
White Other - Other	17%

White - British	14%
Black or Black British - Caribbean	8%
White Other - Turkish	6%
Any other ethnic group	6%
Mixed - Other	5%
Black or Black British - Other	3%
Don't know / refused	3%
Asian or Asian British - Bangladeshi	2%
Mixed - White and Black African	2%
Mixed - White and Black Caribbean	2%

214. The new policy will therefore have a differential impact on minority ethnic groups with only 14% of households being white British. This compares against the 2021 Census data where 52% of Enfield's population is white. Under the current arrangements households entering temporary accommodation are housed in hotel accommodation due to the shortage of both private rented and TA.

215. There are around 2900 other households currently living in more settled temporary accommodation. Of these households we hold ethnicity data on 1471 households. This reflects the fact that many households have been living in temporary accommodation before the implementation of the Homelessness Reduction Act.

216. There are a wide range of ethnicities within the households living in temporary accommodation. The largest groups are:

BLACK AFRICAN	24.61%
BLACK CARIBBEAN	11.83%
WHITE UK	11.01%
TURKISH	10.40%
WHITE OTHER	6.19%
OTHER ETHNIC	5.37%
SOMALIAN	4.42%
KURDISH	3.13%

217. Whilst the immediate focus for the new placement policy will be on households in hotel accommodation, there will be households who cannot be expected to relocate. In order to ensure that we can provide the most vulnerable households with local accommodation, the placement policy will need to apply to all households in temporary accommodation.

218. For these households, relocation will provide a permanent affordable home which is not currently possible within Enfield. Most households in temporary accommodation live in nightly paid properties where there is little or no security of tenure. However, we recognise that an offer of accommodation in a different part of the Country will not be welcomed by the majority of residents.

Mitigation

219. Minority households are supported by the communities that they live in, and it is important to ensure that in making out of area placements that the communities that we are placing into are supportive and sufficiently diverse.
220. We will need to ensure that we procure properties in areas where there are established minority groups to ensure that residents are not isolated in their new communities.
221. The Placement Policy is designed to ensure that those residents who are dependent on local support networks are prioritised for the limited supply of more local accommodation. Monitoring the implementation of the Placement Policy is therefore critical in ensuring that that we address this.
222. To do this we are linking equalities data to placements data. Staff are also being given additional training in the implementation of the placement policy.
223. Where local accommodation is not possible, we will ensure that similar services are available to the residents in a new location and that support with the transition is available.
224. Ongoing monitoring of the impact of the new policy and a review after six months

Religion

225. The EIA was based on the households for whom the Council had accepted a duty in the first four months of 2023. This found that Christian households are the largest single group with 533 (33.7%) identifying as Christian. 397 households declined to answer (25.1%). The next largest groups are Muslim households with 373 (23.5%) identifying as Muslim, and 198 (12.5%) stating that they had no religion.

This compares with the 2021 census data which found:

- Christian - 153,015 people or 46.4%
- Buddhist - 1,716 people or 0.5%
- Hindu - 10,231 people or 3.1%
- Jewish - 3,713 people or 1.1%
- Muslim - 61,477 people or 18.6%
- Sikh - 1,199 people or 0.4%
- Other - 98,633 people or 29.9%

226. There is therefore a slightly greater impact on Muslim households as they are more likely to be in need of accommodation and a slightly lower impact on Christian households.
227. Religious households are supported by the communities that they live in, and it is important to ensure that in making out of area placements the communities that we are placing into are supportive and sufficiently diverse.

Mitigation

228. In assessing the suitability of an offer of accommodation, each case will need to be assessed on its own merits, taking into account both the nature of the property and the community that surrounds the property.
229. We will need to ensure that we procure properties in areas where there are established religious groups to ensure that residents are not isolated in their new communities.
230. The Placement Policy is designed to ensure that those residents who are dependent on local support networks are prioritised for the limited supply of more local accommodation. Monitoring the implementation of the Placement Policy is therefore critical in ensuring that that we address this.
231. To do this we are linking equalities data to placements data. Staff are also being given additional training in the implementation of the placement policy.
232. Where local accommodation is not possible, we will ensure that similar services are available to the residents in a new location and that support with the transition is available.
233. Ongoing monitoring of the impact of the new policy and a review after six months.

Sex

234. Within the 1540 households for whom the Council has accepted a duty the following genders were recorded:

Gender	No
Female	1093
Male	739
Not known / Other	1
Prefer not to say	7

235. There is therefore a disproportionate impact on women as women make up 52% of Enfield's population but 59% of those to whom the council has accepted a duty.
236. Within the more settled temporary accommodation, 64% of households living in temporary accommodation are single women or single women with children.
237. Whilst there is a significant benefit to these household in enabling them to secure and affordable long-term home, we recognise that this will not be welcomed by the majority of residents.

Mitigation

238. The Placement Policy is designed to ensure that those residents who are dependent on local support networks are prioritised for the limited supply of

more local accommodation. Monitoring the implementation of the Placement Policy is therefore critical in ensuring that that we address this.

239. To do this we are linking equalities data to placements data. Staff are also being given additional training in the implementation of the placement policy.

240. Where local accommodation is not possible, we will ensure that similar services are available to the residents in a new location and that support with the transition is available.

241. Ongoing monitoring of the impact of the new policy and a review after six months

Sexual Orientation

242. The analysis is based on the 1582 households for whom the council has accepted a duty in the first four months of 2023. During this period 5 people identified as not being heterosexual and another 25 decline to say. There is no identifiable differential impact on people with a particular sexual orientation based on the current data.

Mitigation

243. We are in the process of implementing a new case management system. A core aspect of this is to improve the collection and use of equalities data including for sexual orientation.

244. The Placement Policy is designed to ensure that those residents who are dependent on local support networks are prioritised for the limited supply of more local accommodation. Monitoring the implementation of the Placement Policy is therefore critical in ensuring that that we address this.

245. To do this we are linking equalities data to placements data. Staff are also being given additional training in the implementation of the placement policy.

246. Ongoing monitoring of the impact of the new policy and a review after six months

Socio-economic deprivation

247. Homeless households are largely at the bottom end of the income spectrum. This means that households in temporary accommodation are largely dependent on benefits. The freeze on Local Housing Allowance has meant that the local private rented sector is unaffordable for the majority of households. The growing gap between benefits and rents is set out below.

	1 bed	2 bed	3 bed	4 bed	5 bed
LHA 2020	£1,067	£1,296	£1,596	£1,895	£1,895
Average Rent 2021	£1,000	£1,400	£1,780	£2,090	£2,780

Average Rent 2022	£1,070	£1,510	£2,000	£2,490	£3,060
Annual change	6.80%	7.60%	12.00%	18.90%	10.10%

248. There is therefore a disproportionate impact on low-income households. There is a greater impact on households who are benefit capped as this further restricts their benefits.

249. Given the gap between benefit levels and rents, it is not possible for the council to fully mitigate the impact on low-income households without finding affordable accommodation in areas of the country where rents and benefits are more closely aligned.

Mitigation

250. Identify and support households likely to be benefit capped following a move to the private rented sector. Offers of accommodation will need to be linked to employment opportunities for these households. The existing partnership with Beam (who provide support in securing both employment and accommodation) will be vital in meeting the needs of these households.

251. We will ensure ongoing monitoring of the impact of the new policy and carry out a review after six months.

HR and Workforce Implications

252. Housing Gateway does not directly employ staff and utilises the Council under a service level agreement and any changes required to staffing to support the proposals set out in this report will be managed by the Council in accordance with the Council's Managing Change procedures and policies. Consultation with staff will be required if there is a restructure and that will also be conducted by the Council in accordance with adopted policies and procedures. The number of staff involved is relatively low, and so the consultation can probably be completed within 30 days, although this will be considered alongside any other groups of staff currently being consulted elsewhere across the Council.

Public Health Implications

253. The link between poor housing and health inequality is well documented. The proposals will ensure that the quality of accommodation offered as temporary housing will improve overtime as new inspection protocols are implemented.

Property Implications

254. None of the properties are owned by the Council.

Safeguarding Implications

TA Programme

255. Safeguarding is a primary concern for the service as many of the residents being accommodated are vulnerable. The proposal for the future

management of temporary accommodation will improve the quality of accommodation being offered whilst also ensuring that the necessary casework support is available.

Placement Policy

256. Moving to a single offer of private rented accommodation will require close collaboration with Children and Family Services. Where the offer of accommodation under the Homelessness legislation is rejected and there are children involved there are parallel duties on the Council under the Children Act to ensure the safeguarding and protection of children. This means that close coordination between the Housing Advisory Service and Children and Family Services will be essential from a safeguarding perspective.
257. A high proportion of the single adults and childless couples accommodated by the service can be considered vulnerable for a variety of different reasons. Close coordination with Adult Social Care on both the offer process and discharge of duty is also vital.
258. New processes were developed as part of the move to national placements. These processes will be strengthened to ensure a fully coordinated approach to both the prioritisation of vulnerable households for local accommodation and where the Council is seeking to discharge its duty outside the borough. The aim is to ensure the safeguarding of both adults and children throughout the process.

Other Implications

259. As more households transition across to Universal Credit, the cost of subsidising Housing Benefit will continue to grow.
260. The historic and projected costs are set out below:

2021-22	£4.5m
2022-23	£6.7m
2023-24	c£10m
2024-25	c£12m

261. There is lobbying currently being undertaken to remove or substantively alter the guidelines around HB Subsidy Loss. At the moment the result of that lobbying is unknown and there is unlikely to be any decision taken in the immediate future. However, it should be noted that should Subsidy Loss be abolished, the TA portfolio will become more expensive to Enfield if it is held in HGL and therefore the transfer may at some stage need to be reversed.

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Appendices

EQIA – TA Programme
EQIA – Placement Policy
Appendix 1 - Placement Policy

Background Papers

The following documents have been relied on in the preparation of this report:

N/A

Departmental reference number, if relevant: HRD2324_040

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Placement Policy for temporary accommodation and private rented sector offers

Scope	This policy explains how we will meet our statutory duties in finding accommodation, in accordance with Part VII of the 1996 Housing Act and the Homelessness Code of Guidance. It describes how we determine the suitability of temporary accommodation and also of private rented sector offers. This policy applies to both existing and future applicants.
Approved by	
Approval date	
Document Author	
Document owner – Corporate	Director of Housing and Regeneration
Document owner – Portfolio Holder	Cabinet Member for Social Housing
Review	We will keep this policy under constant review. We will update it based on any changes in legal or local context. The last review has been undertaken in October 2023

1. Introduction

Enfield Council is committed to using all its resources and creativity to make the experience of homelessness rare, brief and non-recurring. We are determined to enable everyone to access a stable, secure and decent home regardless of tenure. This is in the context of a severe shortage of rented accommodation in Enfield and in London generally.

This policy covers two elements of our strategy:

- Our use of short-term temporary accommodation
- Our use of the private rented sector to provide a sustainable solution for people experiencing homelessness

This policy sets out how we determine the suitability of accommodation for households we place into either the private rented sector or temporary accommodation. The severe shortage of housing, rising rental costs, and growing pressures on local government funding mean that for most households this will mean moving out of the borough and often away from the southeast of England.

This policy applies to all those households who have been accommodated by the Housing Advisory Service. The policy does not cover households who have secured their own accommodation in the private rented sector as the Council will not have been able to assess the suitability of accommodation in these circumstances.

This Policy may be amended according changing levels of need or legislation. Any changes must be approved by the Cabinet Member for Social Housing.

2. Temporary Accommodation Offers

Temporary accommodation is not a long-term solution for residents. In particular hotel accommodation is reserved for emergency purposes only. Our aim is that no household should spend longer than six months in temporary accommodation. We aim to ensure that the accommodation we offer, meets the needs of the household and meets the suitability criteria set out below.

We will usually only make one offer of temporary accommodation to a household, usually as an emergency response or where we have been unable to secure a suitable and affordable home. The household will be expected to accept it on the date it is made. The accommodation is likely to be out of borough. Transport to the accommodation will be provided or paid for by the Council.

2.1. Moving from one temporary accommodation to another

In some cases, a household living in temporary accommodation may have to move to a different unit of temporary accommodation. Depending on the type of the accommodation and changes in the housing market, we may expect the households to move with very short notice. In that case, we will give one offer of suitable alternative accommodation. If the household refuses the offer, we will not offer further accommodation and our duty to the household will come to an end.

3. Private Rented Sector Offers

We aim to prevent and relieve homelessness through assisting households to stay in their existing accommodation. Where this has not been possible and a household is either in temporary accommodation or will lose their existing accommodation, we will assist them into a suitable private rented home as quickly as possible. This means that we will arrange for a private rented sector landlord to make an offer of an assured short-hold tenancy in the private rented sector for a period of at least 12 months. We will evaluate each offer both with regard to needs of the household and the nature of the accommodation to be offered.

For applicants owed the statutory homelessness prevention or relief duty and who are assessed as being able to sustain a tenancy, we will make one suitable offer of affordable private rented housing. Individual circumstances are considered in making these offers, including time scale, affordability, household preferences and needs. An acceptance of any suitable offer will end the Council's statutory duty. The household will be notified in writing and the Council's statutory duty will be formally ended, whether the offer is accepted or refused.

If the household wants a certain type of property in the private rented sector or in a specific area, we will advise them to conduct their own search. This enables households to choose the property they want to live in. If they find a property and it meets the suitability criteria, we will assist them in securing the tenancy. Households must not sign any tenancy agreement before we determine that the property is suitable, and the tenancy complies with certain conditions.

4. Suitability

We need to ensure that the accommodation we offer is suitable for the households we seek to place. In determining whether a property is suitable we will balance the needs of the household with the nature of the accommodation being considered. A key factor in determining location is the availability of suitable affordable housing.

Changes in the housing market, combined with the freeze on Local Housing Allowance mean that there is very little accommodation available within Greater London and Southeast England. Most households will be made an offer of affordable private rented accommodation in parts of the country where Local Housing Allowance aligns with average rents.

The extreme shortage of affordable accommodation within the Southeast means that we will prioritise some households ahead of others for the limited number of properties that become available.

The factors considered to prioritise households are set out at 4.4 onwards.

4.1. Size of Accommodation

Accommodation must be of appropriate size household. We calculate the number of bedrooms that a household will need by following the steps below **in order**

Step 1: One bedroom for the applicant, and partner/spouse (*if any*)

Step 2: One bedroom for any additional adult couple

Step 3: One bedroom for any two additional people of the same sex

Step 4: One bedroom for any two additional people of the opposite sex aged nine and under

Step 5: One bedroom for any additional person

This calculation will not be used where there are safeguarding concerns. In these circumstances the size of property will be determined by the Housing Coordinator following a case conference and recommendations from a social worker from Adult Social Care or Children and Family Services.

4.2. Standard of Accommodation

All properties offered must meet the requirements set out in Enfield Council's Minimum Property Standards. These are set out at Appendix 1 – Minimum Standards

4.3. Affordability

Before making an offer of accommodation, we will assess each household's income and expenditure. This is in order to ensure that the household can afford to pay the rent for the property.

We will aim to secure properties for rent within the Local Housing Allowance rate as far as reasonably practicable so that they are affordable for people receiving housing benefit/ universal credit. Given the context of rapidly rising rents in Enfield, we need to procure accommodation out of London in order to continue to provide affordable accommodation.

In cases meeting the criteria set out in our Discretionary Housing Payments (DHP) Policy, we may award a time limited DHP to pay for shortfalls in Housing Benefit/ housing element of Universal Credit and Local Housing Allowance. The DHP Fund is a short-term emergency fund, awarded whilst the household takes action to resolve their housing problems in the longer term. This can include taking steps to find work; or taking steps to maximize their welfare entitlements.

4.4. Location

For residents reliant on benefits to cover their housing costs there is extremely limited supply of properties. We will support households to move to accommodation outside of the London Borough of Enfield:

- Where there is an ongoing threat to the safety of a household if they remain in Enfield
- Where there is no suitable affordable accommodation within Enfield available

The nature of the housing crisis means that our procurement activity will be focused on those areas of the country where Local Housing Allowance will still cover the majority of the rent. We will support residents wishing to stay in or around Enfield in

finding their own accommodation through our Find Your Own Home Scheme. The limited number of properties that the Council secures either as temporary or permanent housing in or around Enfield will be reserved for households meeting the criteria set out from 4.4.1 onwards.

We will consider the factors below when determining the suitability of the location of the accommodation. The household may be asked to provide additional or updated information relating to their current circumstances to assist the Council in its determination.

In considering these factors the overriding issue is the availability of housing that is affordable to the household. For most households this will be the main factor in determining the suitability of an offer of accommodation.

We will refer to these factors when we explain to a household why they are being offered particular accommodation, and why an alternative was not offered if there is more than one property available.

4.4.1. Employment

When a member of the household or someone who is reasonably expected to live with the household, is in paid employment, we will consider the need to reach their normal workplace from the accommodation being considered. This also applies to people who have a confirmed start date of employment or are enrolled on a work readiness programme in Enfield.

We will give priority for accommodation in Enfield and its vicinity to households where a member of the household or someone who is reasonably expected to reside with the household, is in paid employment and a move out of Enfield would result in termination of this employment *with no prospects of finding employment in the new location*.

4.4.2. Caring responsibilities

We will consider caring responsibilities on an individual basis when determining what would be a reasonable location for the household to live.

We will consider households with members who are registered carers in receipt of carer's allowance and provide care for a member of the family who is not part of the household but who resides in Enfield. We will give priority for accommodation in Enfield and its vicinity to the carer's household if the person being cared for would require statutory health and social support if the care ceased.

4.4.3. Education

We will take the age of the child and the stage of their education into consideration. If households include children who will take statutory exams within an academic year, we will aim to assist them in finding accommodation within a reasonable travelling distance from their school. This includes children enrolled in GCSE, AS or A level courses or post 16 vocational qualifications in schools based in Enfield. Households that include children who are not taking statutory exams within an academic year may

have to move further away. In such a case, we would advise that the children change schools.

We will give priority for accommodation in Enfield and its vicinity to households with children taking statutory exams within the academic year. We will also give special consideration to households with children with Special Educational Needs and Disabilities (SEND) who are receiving educational support from Enfield Council. We will give priority for accommodation in Enfield and its vicinity if changing school would be detrimental to their education and well-being (for example, if they could not receive special educational needs support elsewhere). In some specific cases the family could benefit from a coordinated move to another area, if a move would allow the family to live closer to specialist educational support. Housing services will work in partnership with children's services to determine this.

4.4.4. *Children subject to a child protection plan*

We will consider any cases where children are subject to a child protection plan on an individual basis. Social workers will advise on these cases, in order that we consider all safeguarding concerns and determine whether the household should be prioritised to stay in the borough. In some cases, the children may benefit from a move out of the borough, as that could eliminate the threat to their well-being.

4.4.5. *Adults in education*

We will take into account the needs of any adult in the household who is in education. This includes adults in higher or adult education, vocational and professional training, or a recognised apprenticeship.

4.4.6. *Medical facilities, medical and health issues*

We will take into account individual medical and health needs. We will consider any ongoing treatments and the implications of transferring to healthcare providers closer to new accommodation.

When determining suitability with regard to the household's medical needs, we will consider whether the medical condition itself makes the housing and location offered unsuitable. If the household cites previously unidentified medical grounds as the reason for refusing the accommodation, we will ask the household to submit evidence within a reasonable time period.

We will give priority for accommodation in Enfield and its vicinity to households with members who meet at least one of the following conditions:

- have a severe and enduring physical or mental health condition requiring regular specialist care that a move from Enfield and its vicinity would significantly disrupt
- have an enduring physical or mental health problem where a loss of local support network would severely impact their well-being

4.4.7. *Services, amenities and transport*

We will consider accessibility to local services, amenities and transport.

4.4.8. Wider community support networks

We understand that some households rely on local support networks in their daily lives more strongly than others. The nature of the support varies. It includes but is not limited to childcare, membership of a religious community, or support for recovering drug addicts. We will consider any such circumstances on an individual basis. Therefore, we will take into account situations where a loss of local support networks would be significantly detrimental to the wellbeing of the household.

5. Support for Households

We will offer all households who move out of the borough and its vicinity relocation support. This is when households are moving further away than a neighbouring borough. The level of support will depend on the individual and collective needs of the household and the location. This may include financial support to enable a permanent move.

Relocation support may include information on:

- local schools
- Special Educational Needs support
- local child care
- local GPs
- housing benefit as well as any other benefits the household may be entitled to
- information on their new local council, Council Tax, registering to vote and relevant local services
- community care services and social groups
- where relevant, information on local employment opportunities
- guaranteeing rent payments to landlords for up to a year where a resident is not able to provide evidence of income

6. Right to Review

Households have a statutory right to request an internal review regarding decisions we make on several issues. One of these is suitability of accommodation. If the outcome of the review is in the household's favour, this means that the decision to end our duty is set aside and we will then make a further offer of accommodation.

If the household is not satisfied with the outcome of the review, they can appeal to the County Court, but only if the Council has made a legal error when making the decision. An appeal must be brought within 21 days of notification. If the applicant has not been notified of the outcome within the prescribed time period, an appeal must be brought within 21 days of when they should have been notified.

The following reasons are **unlikely** to be considered as acceptable reasons for refusal:

- the quality of decoration/furniture

- provision of parking
- lack of access to a garden
- any medical condition that is not directly impacted by the particular accommodation offered
- geographical location

7. Tackling fraud

It is an offence for any resident to knowingly make a false statement intended to induce the Council to believe that they or any others are entitled to accommodation. Where we suspect that a fraud may have been committed, this matter will be investigated and may lead to criminal proceedings being instigated.

Enfield Equality Impact Assessment (EqIA)

Introduction

The purpose of an Equality Impact Assessment (EqIA) is to help Enfield Council make sure it does not discriminate against service users, residents and staff, and that we promote equality where possible. Completing the assessment is a way to make sure everyone involved in a decision or activity thinks carefully about the likely impact of their work and that we take appropriate action in response to this analysis.

The EqIA provides a way to systematically assess and record the likely equality impact of an activity, policy, strategy, budget change or any other decision.

The assessment helps us to focus on the impact on people who share one of the different nine protected characteristics as defined by the Equality Act 2010 as well as on people who are disadvantaged due to socio-economic factors. The assessment involves anticipating the consequences of the activity or decision on different groups of people and making sure that:

- unlawful discrimination is eliminated
- opportunities for advancing equal opportunities are maximised
- opportunities for fostering good relations are maximised.

The EqIA is carried out by completing this form. To complete it you will need to:

- use local or national research which relates to how the activity/ policy/ strategy/ budget change or decision being made may impact on different people in different ways based on their protected characteristic or socio-economic status;
- where possible, analyse any equality data we have on the people in Enfield who will be affected eg equality data on service users and/or equality data on the Enfield population;
- refer to the engagement and/ or consultation you have carried out with stakeholders, including the community and/or voluntary and community sector groups you consulted and their views. Consider what this engagement showed us about the likely impact of the activity/ policy/ strategy/ budget change or decision on different groups.

The results of the EqIA should be used to inform the proposal/ recommended decision and changes should be made to the proposal/ recommended decision as a result of the assessment where required. Any ongoing/ future mitigating actions required should be set out in the action plan at the end of the assessment.

Section 1 – Equality analysis details

Title of service activity / policy/ strategy/ budget change/ decision that you are assessing	TA Transfer Programme
Team/ Department	Housing Advisory Service
Executive Director	Joanne Drew
Cabinet Member	Cllr Savva
Author(s) name(s) and contact details	Richard Sorensen
Committee name and date of decision	Portfolio Decision October 2023

Date the EqIA was reviewed by the Corporate Strategy Service	
Name of Head of Service responsible for implementing the EqIA actions (if any)	Richard Sorensen
Name of Director who has approved the EqIA	Joanne Drew

The completed EqIA should be included as an appendix to relevant EMT/ Delegated Authority/ Cabinet/ Council reports regarding the service activity/ policy/ strategy/ budget change/ decision. Decision-makers should be confident that a robust EqIA has taken place, that any necessary mitigating action has been taken and that there are robust arrangements in place to ensure any necessary ongoing actions are delivered.

Section 2 – Summary of proposal

Please give a brief summary of the proposed service change / policy/ strategy/ budget change/project plan/ key decision

Please summarise briefly:

What is the proposed decision or change?

What are the reasons for the decision or change?

What outcomes are you hoping to achieve from this change?

Who will be impacted by the project or change - staff, service users, or the wider community?

1. We are proposing to change the way in which longer term temporary accommodation is managed to enable the service to focus on securing permanent homes and to reduce the cost to the Council.
2. Longer term temporary accommodation will be provided by Housing Gateway Ltd and Capital Letters. Residents will be issued with a license to occupy the property.
3. One of the key barriers faced by residents in moving out of temporary accommodation is the financial cost. Whilst they are in TA, residents are entitled to full Housing Benefit, and this is not means tested. When they move to the private rented sector their housing costs are met through Universal Credit and are means tested. The effect of this is that TA has become the lowest cost form of housing and the benefits system effectively traps people in TA.
4. Accommodation provided by Housing Gateway would not be regarded as TA for benefit purposes. This means that residents would be treated as though they are in the private rented sector whilst they are in these properties. This in turn would remove the financial barrier to moving to other more stable tenures.
5. Separating the housing management function from homelessness casework will ensure a greater focus on the quality of accommodation being offered and improve the overall experience of residents.
6. Equally the new arrangements will enable caseworkers to focus on supporting residents into permanent accommodation, without the distraction of raising repairs or liaising with temporary accommodation landlords.
7. Because residents will be treated as if they were in private rented accommodation an increased number of households will become subject to the benefit cap. There are currently 3189 households in temporary accommodation. Analysis is based on the 2489 households for whom we hold financial information. Of the 2489 households, 956 households are exempt from the benefit cap. 823 households are likely to be benefit capped with an average loss of income of £4 per week.

Section 3 – Equality analysis

This section asks you to consider the potential differential impact of the proposed decision or change on different protected characteristics, and what mitigating actions should be taken to avoid or counteract any negative impact.

According to the Equality Act 2010, protected characteristics are aspects of a person's identity that make them who they are. The law defines 9 protected characteristics:

1. Age
2. Disability
3. Gender reassignment.
4. Marriage and civil partnership.
5. Pregnancy and maternity.
6. Race
7. Religion or belief.
8. Sex
9. Sexual orientation.

At Enfield Council, we also consider socio-economic status as an additional characteristic.

“Differential impact” means that people of a particular protected characteristic (eg people of a particular age, people with a disability, people of a particular gender, or people from a particular race and religion) will be significantly more affected by the change than other groups. Please consider both potential positive and negative impacts and provide evidence to explain why this group might be particularly affected. If there is no differential impact for that group, briefly explain why this is not applicable.

Please consider how the proposed change will affect staff, service users or members of the wider community who share one of the following protected characteristics.

Detailed information and guidance on how to carry out an Equality Impact Assessment is available here. (link to guidance document once approved)

Age

This can refer to people of a specific age e.g. 18-year olds, or age range e.g. 0-18 year olds.

Will the proposed change to service/policy/budget have a **differential impact [positive or negative]** on people of a specific age or age group (e.g. older or younger people)?

Please provide evidence to explain why this group may be particularly affected.

There is no differential impact on any particular age group. There is a differential impact on households with children as there is a greater shortage of supply of affordable family sized accommodation locally. Within the 1582 households the following ages were recorded:

Age	No
0-4	1
12-15	9
16-17	82
18-20	147
21-24	219
25-29	265
30-44	710
45-59	365
5-7	1
60-64	63
65-74	60
75-84	7
85-89	2
90 and over	3

In the 2021 Census, Enfield's age structure shows the working-age population to be 216,693 which is 65.7% of the population. People under the age of 16 represent 20.5% of the population, and over 65s represent 13.7% of the population.

This means that there is a disproportionate impact on working age households and older people are underrepresented within the households approaching the Council for assistance.

There are around 2900 households in more settled temporary accommodation. The breakdown of ages of the lead applicant for whom we hold data is set out below:

Age	No	%
18-25	179	6.26%
26-35	733	25.62%
36-45	936	32.72%
46-55	691	24.15%
56-65	252	8.81%
66-75	51	1.78%
75+	19	0.66%

Older people are exempt from the benefit cap as this only applies to working age households. There is therefore a disproportionate impact on households of working age.

Mitigating actions to be taken

Work with households affected by the benefit cap to secure employment and/or disability benefits.

Ongoing monitoring of the impact of the new policy and a review after six months

Disability

A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on the person's ability to carry out normal day-day activities.

This could include: physical impairment, hearing impairment, visual impairment, learning difficulties, long-standing illness or health condition, mental illness, substance abuse or other impairments.

Will the proposed change to service/policy/budget have a **differential impact [positive or negative]** on people with disabilities?

Please provide evidence to explain why this group may be particularly affected.

The analysis is based on the 1582 households for whom the council has accepted a duty in the first four months of 2023. During this period 198 households included someone with a physical disability, 32 had a learning disability and 210 had disabilities caused by their mental health.

There is a positive differential impact on people with a physical or mental disability as they are not subject to the benefit cap, provided they are in receipt of disability benefits.

Mitigating actions to be taken

Ongoing monitoring of the impact of the new policy and a review after six months

Gender Reassignment

This refers to people who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on transgender people?

Please provide evidence to explain why this group may be particularly affected.

There is no differential impact on people who are or have reassigned their sex. Analysis is based on the 2489 households in temporary accommodation for whom we hold financial information. Of the 2489 households, 14 people stated that their gender was different to that assigned at birth and a further 25 declined to answer the question.

8 people are affected by the benefit cap, and we do not hold the financial data on the remaining individuals. We will monitor the impact of the new management arrangements in order to minimise the potential impact.

Mitigating actions to be taken

Ensure that data collection on households is strengthened and monitoring arrangements put in place to ensure that we have a better understanding on the impact of the new arrangements.

Ongoing monitoring of the impact of the new policy and a review after six months

Marriage and Civil Partnership

Marriage and civil partnerships are different ways of legally recognising relationships. The formation of a civil partnership must remain secular, where-as a marriage can be conducted through either religious or civil ceremonies. In the U.K both marriages and civil partnerships can be same sex or mixed sex. Civil partners must be treated the same as married couples on a wide range of legal matters.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people in a marriage or civil partnership?

Please provide evidence to explain why this group may be particularly affected.

There is no differential impact on households based on the status of their relationships. The benefits regulations do not distinguish between cohabitation, marriage and civil partnerships. This means that there is no differential impact between these groups.

New entrants to temporary accommodation:

In the first four months of 2023 the Council accepted a duty towards 1582 households. The

breakdown of these households is as follows:

Co-habiting	49
Divorced	28
Married	188
Separated	39
Single	724
Widowed	7

Single parents make up over 85% of all households that have had their benefits capped, according to Department for Work and Pensions data. Single people with or without children also make up majority of households in temporary accommodation.

There are around 2900 households currently living in settled temporary accommodation. Of these, 629 are couples with the remainder being single people with or without children. Single people, with or without children, will therefore be disproportionately impacted by the change in management arrangements for temporary accommodation. The impact for single parents will be higher as they are more likely to be subject to the benefit cap.

Mitigating actions to be taken

Work with households affected by the benefit cap to secure employment and/or disability benefits.

Ongoing monitoring of the impact of the new policy and a review after six months

Pregnancy and maternity

Pregnancy refers to the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on pregnancy and maternity?

Please provide evidence to explain why this group may be particularly affected.

There is no differential impact on people who are pregnant or expecting a baby. The analysis is based on the 1582 households for whom the council has accepted a duty in the first four months of 2023. 107 women had had a baby in the previous 12 months and a further 95 were pregnant.

One household is potentially affected by the benefit cap.

Mitigating actions to be taken

Work with households affected by the benefit cap to secure employment and/or disability benefits.

Ongoing monitoring of the impact of the new policy and a review after six months.

Ethnicity

This refers to a group of people defined by their race, colour, and nationality (including citizenship), ethnic or national origins.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people of a certain race?

Please provide evidence to explain why this group may be particularly affected.

The new policy will therefore a differential impact on minority ethnic groups with only 14% of households being white British. This compares against the 2021 Census data where 52% of Enfield's population is white.

The impact of the benefit cap is predominantly on larger households. There is considerable variation in the impact on different minority groups, but this is largely driven by the size of the household.

	No of Households	Not Exempt from the cap	Will become Benefit Capped	Average weekly loss
Not held	1559	773	343	-£11.00
Any other ethnic group	137	64	38	-£9.07
Asian or Asian British - Bangladeshi	23	10	4	-£5.48
Asian or Asian British - Indian	9	5	1	-£2.32
Asian or Asian British - Other	3	0	0	£0.00
Asian or Asian British - Pakistani	19	11	5	-£18.28
Black or Black British - African	375	180	90	-£9.17
Black or Black British - Caribbean	145	63	28	-£7.88
Black or Black British - Other	49	24	11	-£9.59
Don't know / refused	468	227	105	-£8.73
Mixed - Other	27	6	2	-£9.72
Mixed - White and Asian	5	2	1	-£23.83
Mixed - White and Black African	35	20	12	-£9.85
Mixed - White and Black Caribbean	29	12	7	-£10.42
Other ethnic group: Arab	19	10	5	-£6.69
White - British	220	104	37	-£8.95
White - Irish	1	0	0	£0.00
White Other - Greek/ Greek Cypriot	1	0	0	£0.00
White Other - Gypsy/Roma	7	4	3	-£4.58
White Other - Irish Traveller	1	0	0	£0.00
White Other - Kurdish	1	1	1	-£7.88
White Other - Other	30	4	3	-£4.55
White Other - Turkish	13	0	0	£0.00
White Other - Turkish/Cypriot	2	0	0	£0.00

There is a clear need to work with households affected by the cap to enable them to secure employment or disability benefits to mitigate the impact of the benefit cap.

Mitigating actions to be taken

Work with households affected by the benefit cap to secure employment and/or disability benefits.

Ongoing monitoring of the impact of the new policy and a review after six months.

Religion and belief

Religion refers to a person's faith (e.g. Buddhism, Islam, Christianity, Judaism, Sikhism, Hinduism). Belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people who follow a religion or belief, including lack of belief?

Please provide evidence to explain why this group may be particularly affected.

Christian households are the largest single group with 533 (33.7%) identifying as Christian. 397 households declined to answer (25.1%). The next largest groups are Muslim households with 373 (23.5%) identifying as Muslim, and 198 (12.5%) stating that they had no religion.

	No	%
Christian	533	33.7%
Prefer not to say	397	25.1%
Muslim	373	23.6%
No Religion	198	12.5%
Other	69	4.4%
Hindu	4	0.3%
Jewish	2	0.1%
Sikh	2	0.1%
Rastafarian	2	0.1%

This compares with the 2021 census data which found:

Christian - 153,015 people or 46.4%

Buddhist - 1,716 people or 0.5%

Hindu - 10,231 people or 3.1%

Jewish - 3,713 people or 1.1%

Muslim - 61,477 people or 18.6%

Sikh - 1,199 people or 0.4%

Other - 98,633 people or 29.9%

There is therefore likely to be a slightly greater impact on Muslim households as they are more likely to be in need of accommodation and a slightly lower impact on Christian households.

The data currently held is not sufficiently robust and we are unable to draw conclusions on the financial impact by religion or belief.

Mitigating actions to be taken

Increase the proportion of households for whom we hold data.

Work with households affected by the benefit cap to secure employment and/or disability benefits.

Ongoing monitoring of the impact of the new policy and a review after six months

Sex

Sex refers to whether you are a female or male.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on females or males?

Please provide evidence to explain why this group may be particularly affected.

73% (2357 households) of households living in temporary accommodation are headed by a woman.

There is therefore a disproportionate impact on women as women make up 52% of Enfield's population but 73% of those to whom the council has provided accommodation. 16% of households headed by a man are likely to become benefit capped whilst 23% of households headed by a woman are likely to become benefit capped.

There are several factors impacting on these figures. Couples with children are more likely to have a least one person in employment, exempting them from the benefit cap. Around a quarter of male households are single men without children meaning that they are unlikely to become capped.

Mitigating actions to be taken

Work with households affected by the benefit cap to secure employment and/or disability benefits.

Ongoing monitoring of the impact of the new policy and a review after six months

Sexual Orientation

This refers to whether a person is sexually attracted to people of the same sex or a different sex to themselves. Please consider the impact on people who identify as heterosexual, bisexual, gay, lesbian, non-binary or asexual.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people with a particular sexual orientation?

Please provide evidence to explain why this group may be particularly affected.

The analysis is based on the 1582 households for whom the council has accepted a duty in the first four months of 2023. During this period 5 people identified as not being heterosexual and another 25 decline to say. There is no identifiable differential impact on people with a particular sexual orientation.

Data on households in more settled forms of temporary accommodation is more scarce and there is insufficient data to draw a conclusion. Many of the households in temporary accommodation have been living there since before the introduction of the Homelessness Reduction Act meaning that the equalities data was not collected in key areas.

Mitigating actions to be taken

We are in the process of implementing a new case management system. A core aspect of this is to improve the collection and use of equalities data including for sexual orientation.

Ongoing monitoring of the impact of the new policy and a review after six months

Socio-economic deprivation

This refers to people who are disadvantaged due to socio-economic factors e.g. unemployment, low income, low academic qualifications or living in a deprived area, social housing or unstable housing.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people who are socio-economically disadvantaged?

Please provide evidence to explain why this group may be particularly affected.

Homeless households are largely at the bottom end of the income spectrum. This means that households in temporary accommodation are largely dependent on benefits. The freeze on Local Housing Allowance has meant that the local private rented sector is unaffordable for the majority of households. The growing gap between benefits and rents is set out below.

There is therefore a disproportionate impact on low-income households in temporary accommodation.

Around 750 households will become benefit capped under the proposed changes.

However, only 250 households would be more than £10 per week worse off.

Mitigating actions to be taken.

Work with households affected by the benefit cap to secure employment and/or disability benefits.

Ongoing monitoring of the impact of the new policy and a review after six months.

Section 4 – Monitoring and review

How do you intend to monitor and review the effects of this proposal?

Who will be responsible for assessing the effects of this proposal?

Monitoring outcomes for households affected by the Benefit Cap will form part of the monthly performance challenge meetings for the Housing Advisory Service.

Equalities data will be linked to data on placements to ensure that there are no unintended consequences and monitored through the performance challenge meetings.

Section 5 – Action plan for mitigating actions

Any actions that are already completed should be captured in the equality analysis section above. Any actions that will be implemented once the decision has been made should be captured here.

Identified Issue	Action Required	Lead officer	Timescale/By When	Costs	Review Date/Comments
Households who would be benefit capped	Employment support	Lucretia Thomas	Ongoing	Beam contract £64k pa	Jan 2024
Ongoing monitoring	Link equalities data to placement data to enable ongoing monitoring	Lian Brian Preacher	Ongoing	N/A	Monthly
Lack of robust data	Improve the collection of equalities data	Matthew Waldron	April 2024	N/A	Jan 2024