

This report may be of interest to: Housing Committee

This report was initially submitted to the meeting of the Panel held on 25 October 1999

PERSONS ACCEPTED AS HOMELESS

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1. Purpose

- 1.1 To address concern raised at the Housing Committee on 31 August 1999 (Minute H28/00(b) refers), that a disproportionate number of homeless applicants from an Afro-Caribbean background were not being accepted as homeless to meet the Council's full duty under the relevant housing legislation.

2. Summary

- 2.1 Officers were asked to report on the seeming discrepancy in numbers of homeless applicants from the afro-caribbean ethnic group who have not been agreed for a full Housing Duty against the total number of applicants as a whole.
- 2.2 This paper shows that individual applications have not been treated less favourably.

3. Recommendations

- 3.1 That the report be noted.

4. **Background**

- 4.1 The Council follows the Commission for Racial Equality's Code of Practice in rented housing. This recommends that a housing organisation should adopt clear criteria for allocating or granting access to housing which will not discriminate against or disadvantage certain groups. Generally decisions in the social rented sector about access to housing should be predicated on the relative housing stress: i.e. the need of the individual tenant or applicant.
- 4.2 The Code of Practice requires that ethnic record-keeping systems should be set up which should be based on an ethnic classification system under which applicants for housing or housing services are asked to state their ethnic origins.
- 4.3 The Table, attached as an **Annex** to this report, shows the breakdown of decisions made on homeless applications between 1 April 1999 to 30 June 1999 categorised by ethnic group.

5. **Issues and Choices**

- 5.1 The statistics provided for the first quarter of this year show a total of 9 applications from individuals classifying themselves as afro-caribbean out of a total of 431 applications.
- 5.2 Taking a small number of applications over a limited period does not provide a clear picture overall of the way in which the service to a particular ethnic groups is delivered. There will be unique factors appertaining to each application which make it unsafe to make judgements for the whole group. Without detailed in-depth research no real conclusions can be made.
- 5.3 Some study of this group for this period and applications over time has shown that less applicants as a proportion from the Afro-Caribbean group do receive a full duty as opposed to other ethnic minority groups and the majority group as a whole. There are particular reasons for this, but this does not mean that the Council is indirectly discriminating against individuals from this group.
- 5.4 The Asylum and Immigration Act 1996 makes it obligatory for a Housing Authority to decide whether an applicant is a qualifying person under immigration legislation before applying the usual tests under homeless legislation. By its nature this test will bear disproportionately on people from ethnic minority backgrounds. One of the 9 applicants during this period shown did not pass this particular test and therefore the Council could not proceed.
- 5.5 The Homelessness legislation requires an applicant to be homeless and in priority need as steps towards a full duty being owed. The 3 applicants declared to be non-priority were individuals who although homeless were not in priority need, i.e. they did not have dependant children, a disability or poor health and were not over pensionable age.
- 5.6 In these circumstances it is more appropriate to compare the service given to these three individuals with that given to other single young people found to be non-priority rather than

compare to all applicants. There is nothing in these individual applications to show that they were treated less favourably than others in a similar position.

5.7 The remaining categories of decision are that applicants are not homeless or that a full duty is owed. This is not significantly different from other ethnic groups.

5.8 An Audit process is being developed within the Neighbourhood Services Directorate which will require detailed analysis of such issues in the near future.

6. **Implications**

6.1 Environmental

None.

6.2 Equalities

The Council follows the guidelines of the Commission for Racial Equalities Code of Practice in rented housing.

6.3 Financial

None.

6.4 Legal

The Council has legal duties under the Housing Act 1996 which determine this area of work.

6.5 Staff and Accommodation

None.

7. **Conclusions**

7.1 The Council does follow the guidance of the Commission for Racial Equality in rented housing. Officers are aware that this is a sensitive issue and applications are monitored accordingly. Numbers of applications from individuals from ethnic minority groups are low over this period and conclusions are difficult to make.

Background Papers: Housing Act 1996

Immigration and Asylum Act 1996

CRE Code of Practice in Rented Housing