

LEGAL SERVICES

**Director of Law
Miss Tasnim Shawkat**

Elizabeth Prochaska
Legal Director
Equality and Human Rights Commission
By email only:
Sarfraz.Khan@equalityhumanrights.com

My reference: JSM/30110586
Your reference:

Please ask for: Janette Mullins

15 March 2018

Dear Ms Prochaska

RE: RBKC's Wider Grenfell Housing Policy -

Council Officers have carefully reviewed your letter of 27 February and note the concerns you have raised about issues such as the length of time former Grenfell residents have spent in hotels and the wider Grenfell Housing Policy. Rather than address these issues in depth in a letter the Council wishes to invite you to a meeting with Officers so that they can brief you and answer your questions directly. The Council would welcome the Commission's input and assistance in relation to its response to the Grenfell tragedy. Please contact me to arrange this meeting.

Meanwhile, pending further engagement on the issues you raise, please find below responses to the **Information and answers requested** at the end of your letter:

1. Please provide full and precise details (including relevant records) of how the section 149 EA 2010 duty was considered by the Council prior to the approval of the WGRP.

Please find attached the Equality Impact Assessment (EIA) completed for the draft Walkways Rehousing Policy that was subject to public consultation between 23 November and 5 January 2018. The EIA is currently being updated to take into account the revisions to the draft policy (now the Wider Grenfell Rehousing Policy ("WGRP")) following the public consultation.

2. The Commission expects that the matters raised in this letter require proactive monitoring and review resulting in the publication of a thorough equality impact assessment. Please indicate when the Council propose to carry out an equality impact assessment and what areas the equality impact assessment will focus on?

As stated above, the Council is currently updating the EIA and agrees that it will require proactive monitoring and review. The Council intends to carry out a full Equality review 3 months after the policy's coming into force, but this is not by way of a limitation. The EIA address all protected characteristics, but will focus particularly on disability, age, gender and ethnicity. The EIA also focuses on the impact upon tenants who potentially might qualify for the Wider Grenfell Rehousing Policy, and the impact upon residents registered on the Council's Housing Register at the time of the Grenfell Tower tragedy. Officers would

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welcome a discussion with you about the best ways to monitor and review the Equality impacts.

3. Please confirm that the equality impact assessment will consider the disability and race-related impact of the WGRP requirement for residents living in emergency accommodation to move to temporary accommodation or return to their previous homes in the Wider Grenfell area and the impact of the two suitable offers rule under the WGRP.

Yes, the EIA will consider this issue. As you noted in your letter, the WGRP contains a discretion for the Director of Housing to amend or waive the policy, and in exercising this discretion will of course be exercised with care on a case by case basis.

4. Please identify what steps the Council will take now to monitor and mitigate the potential adverse equality impact, especially in terms of disability and race, of ceasing to fund the cost of temporary accommodation under the WGRP after 30 June 2018?

The Council has not made a decision about funding after 30 June 2018, but will do so in the near future. In making that decision it will have due regard to the relevant Equality needs and impacts.

The Council's current position is that tenants of the Walkways, Treadgold House and Bramley House residing in emergency or self-contained accommodation will be responsible for paying their rent for their secure tenancy (or paying for their temporary accommodation provided under Part VII 1996 Housing Act if accommodated in such accommodation in the relevant residential blocks at the time of the Grenfell Tower tragedy), in accordance with the Council's Temporary Accommodation Charging Policy for the period up to 30 June 2018.

5. Please clarify precisely what information and assistance will be available and when for people covered by the WGRP, especially disabled people and those lacking the ability to communicate in the English language, and for people not covered by the WGRP, such as private tenants living in the Wider Grenfell area who were also displaced from their homes by the fire. For example, what steps will the Council take to identify sources of independent housing advice and assistance? Will it provide funding, where required, to enable people to access such support? Please clarify if individuals can expect to receive such support throughout the rehousing process?

The Council provides and continues to provide tailored advice to tenants who qualify for Wider Grenfell Rehousing priority, and for residents who do not. Interpretation facilities (oral and written) are provided for residents who prefer not to communicate in English, and support is provided for residents with hearing or visual impairments. Tailored advice is also provided to persons with disabilities (employing healthcare support where appropriate, for example those residents with mental health problems and / or learning disabilities) both in terms of accessing advice and with regard to the housing options available to them in order to seek suitable housing. The definition of suitable housing is provided by housing primary and secondary legislation and within case law. We would also note that the WGRP provides significant safeguards in relation to the "two offer" provisions at sections 5.4-5.5, including internal reviews and independent adjudication, and further the effect at the end of such process is limited to removal of "time priority", not the points awarded. Again, Officers would welcome a discussion with you about the best way to provide advice to residents.

6. In terms of progress in rehousing displaced residents to date, please state from the date of this letter how many:

- (a) people of each group (both in terms of households and total numbers of adults and children respectively) are living in emergency or temporary accommodation?
- (b) have been identified as requiring specific disability-related housing needs or alternative language needs?

- (c) have moved back to the Wider Grenfell area? 7
 - (d) have moved from emergency to temporary accommodation?
 - (e) of the displaced residents are private tenants, lodgers and their families?
 - (f) How many of those in e above have found alternative rented accommodation?
7. Will the Council commit to collecting and publishing monthly statistical updates of the information requested in 6 above?

The figures above have been published for the Grenfell Recovery Scrutiny Committee and will continued to be published on a regular basis on this section of the Council's website (at least).

https://www.rbkc.gov.uk/committees/Committees/CommitteesFrom2013Onwards/tabid/145/ctl/ViewCMIS_CommitteeDetails/mid/605/id/1590/Default.aspx

As set out above Officers would like to meet with you to discuss these issues and would welcome your input to the process.

I look forward to hearing from you.

Yours sincerely



Janette Mullins
Senior Solicitor (Housing and Litigation)
for and on behalf of the Director of Law