

Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2017-18 Quarter 3
Name and details of policy, strategy, function, project, activity, or programme	<p>Rehousing Policy – Residents of Barandon Walk, Hurstway Walk and Testerton Walk</p> <p>Kensington and Chelsea Council seeks to use a Special Dispensation Rehousing Policy for residents of Barandon Walk, Hurstway Walk and Testerton Walk (“the Walkways Policy”) following the tragic events of the Grenfell Tower fire.</p> <p>This is an exceptional rehousing policy which has been formulated to address the housing needs of households who, immediately before the fire, lived in Barandon Walk, Hurstway Walk and Testerton Walk (“the Walkways”).</p> <p>It sits alongside the Council’s commitment to invest in the community, to refurbish residents’ homes and environment, and to work with the community to ensure it remains desirable and revitalised place to live, albeit with one with such tragic memories.</p> <p>The fire that occurred on 14 June 2017 was a humanitarian disaster on a scale unprecedented within the Royal Borough. The unprecedented loss of life and the harrowing events of the fire have deeply affected the entire community.</p> <p>The Council realises and acknowledges that those living in the Walkways were especially affected by the fire. They suffered trauma and loss on the night of 14 June 2017, and many of their lives have been irretrievably changed. In the immediate aftermath of the fire, all residents of the Walkways were evacuated from their homes due to the risk of danger from falling debris, damage caused to some Walkways blocks, and disruption to essential services within residents’ homes.</p> <p>Those evacuated were accommodated within emergency hotel accommodation and / or self-contained temporary accommodation.. Although it has been safe for Walkways residents to return to their homes since late June 2017, many have chosen to remain within Stage 1 or 2 accommodation.</p> <p>From listening to and supporting the residents of North Kensington since the fire, the Council understands and accepts that many residents do not feel able to return to their homes in the Walkways and instead wish to resettle in new accommodation.</p>

The Council must therefore proceed to identify and allocate settled accommodation to address the long-term housing needs of any Walkways residents who feel unable to return to their previous homes. The Council believes it is right that Walkways tenants should be accorded high priority for rehousing. However, it is also the case that meeting these needs will inevitably represent a considerable challenge and place further significant strain on the supply of social housing within the Royal Borough.

The Walkways Policy awards a high level of priority for rehousing to Council tenants and tenants of temporary accommodation placed in the Walkways by the Council pursuant to its duty to secure housing for the homeless.

The Walkways Policy is separate to the “Grenfell Rehousing Policy” adopted by the Council in July 2017, which addresses the housing needs of the former residents of Grenfell Tower and Grenfell Walk, whose homes were destroyed or made uninhabitable by the fire. Those households have been granted the highest priority for rehousing within the Borough, as well as a number of other enhancements to the usual applications process which reflect their urgent, exceptional and compelling circumstances. Residents qualifying for priority under the Grenfell Rehousing Policy are referred to as “Category A” applicants.

Legal framework

Under Part VI of the Housing Act 1996, the Council is required to have an Allocation Scheme, the purpose of which is to determine priorities in allocating housing and to set out the procedures to be followed when allocating housing accommodation.

The Council’s current Housing Allocation Scheme was adopted in February 2017. The Scheme determines the Council’s priorities and procedures to be followed in allocating housing accommodation under “normal” conditions. Under the Scheme, the Council operates a Housing Register, which is framed to ensure that reasonable preference, additional preference and / or local preference is given to a number of defined groups. These groups are then allocated properties through either choice-based letting or direct offers.

It is proposed that the Policy will be adopted pursuant to Section 1.11 of the current Allocation Scheme, which states:

Section 1.11 Special Dispensation Allocations

Section 4 of this Scheme explains how the Council prioritises residents for rehousing. However, the Council may also allocate properties outside of the priorities set out in section 4. For example, properties may be allocated through:

- **Local lettings plans (see section 7.8)**
- **Reciprocal arrangements with other local authorities or housing providers**
- **Temporary to permanent decants for secure tenants of the Council (where it is demonstrated that the temporarily decanted tenant cannot return to their original tenancy)**
- **Witness protection programmes and similar schemes to which the Council has become party.**

The Council will publish policies and procedures for the allocation of properties outside of the priorities set out in section 4, but still considered to be allocations within the Allocation Scheme

Pursuant to section 1.11, given the completely exceptional circumstances of the Grenfell fire, the Council proposes to use the Policy so that certain allocations may take place outside the usual priorities and points scheme. If used, the Policy will create an exception to its normal approach to allocations.

Overview of the Policy

The Policy is proposed to apply to all persons who, immediately before the fire, were living at Barandon Walk, Hurstway Walk and Testerton Walk as their main home and who fall within one of the following groups:

- Council introductory or secure tenants; or
- Statutorily homeless households placed by the Council in temporary accommodation on the Walkways, pursuant to the main housing duty under Part 7 of the Housing Act 1996 (s. 193).

Persons meeting these criteria are described as having “Walkways Priority”.

It is proposed that the Walkways Policy will not apply to leaseholders, private tenants or lodgers. Leaseholders will be covered by a separate policy. Private tenants, lodgers, and household members of Council introductory or secure tenants who wish to make separate living arrangements who formerly lived in the Walkways will be offered a full financial resettlement package to enable them to be rehoused in an affordable alternative private rented tenancy.

Section 3 of the Policy provides that all tenants who qualify under the Policy will be awarded 900 points on the Council’s Housing Register. This is a high priority status.

The result is that the only categories of people on the Register who will take higher priority over households with Walkways priority are:

- Former residents of Grenfell Tower and Grenfell Walk (“Category A priority”)

- Exceptional priority
- Emergency health and independence
- Serious risk of harm

Applicants can only apply for and be awarded Walkways Priority when they are residing in self-contained accommodation provided by the Council or when occupying their home in the Walkways. They cannot be awarded Walkways priority while continuing to reside in hotel or emergency accommodation. However, no time restriction will be placed on making an application for Walkways priority.

Section 4 of the Walkways Policy provides that all Walkways households will be assisted to complete an assessment to reflect their housing needs. They will also be asked to provide Equality and Diversity information in order to assist the Council in delivering its equality commitments when applying this policy.

Section 4 also provides that properties will be offered which are the same bedsize as the one where the household lived previously, unless there is an assessed need for additional space due to overcrowding in their previous home. Any applicants who require accessible housing will have a health and independence assessment conducted by the Council's housing department in accordance with the Allocation Policy.

Section 5 provides that, once on the housing register, applicants will be able to bid for properties via the Council's Choice Based Letting ("CBL") scheme. Certain applicants will be offered assisted choice, including residents who need support to look for suitable properties. Alternatively, in some cases temporary accommodation may be converted into permanent accommodation, if applicants wish to remain there.

If an applicant declines two suitable offers (triggered by a successful bid or suitable match under assisted choice), their priority for rehousing their priority may be reduced to 100 points. This is equivalent to the priority given to statutorily homeless households under the Allocation Scheme. Before a final decision is taken on removing Walkways Priority, there will be right of review by a person who is independent of the Council.

Section 6 provides for security of tenure. Households offered Council properties will be granted a secure tenancy which reflects their previous security of tenure, whether that was a 'lifetime' or flexible secure tenancy. Tenants offered a property with a registered provider (housing association) will be given an assured tenancy which is subject to the new landlord's tenancy terms and conditions. Upon the grant of tenancy, households will become responsible for paying the new rent and service charges.

Section 7 contains a commitment to continually monitor and improve the effect of the Policy and in particular to review the Policy after it has been in operation for a period of 3 months. As stated above, the Council will seek to gather reliable Equality and Diversity information about Walkways priority households as part of the housing needs

assessment process. This will be used, in addition to further information gathered about the impact on others on the Housing Register, to review the impact of the Policy at the 3-month milestone.

Tenants and lettings likely to be affected

It is not known with certainty how many individual people or households lived in the Walkways immediately before the fire. It has remained difficult to obtain further clarity around these issues in the aftermath of the fire.

In its report dated 31 October 2017, the Independent Grenfell Recovery Taskforce reported that 320 households affected by the Grenfell fire remained in hotel accommodation.

At present there are 110 Walkways households let by a Walkways council tenant residing in hotel accommodation or serviced apartments. It was previously thought that 163 households from the Walkways were accommodated in hotels, but the Council now believes that this number is actually lower, because some large households have been occupying several hotel rooms to accommodate all their family members. The numbers of Walkways households in hotel accommodation has varied over time, as some households have tried living in their homes before returning to hotels. Other families have divided, with some of their members remaining in hotel accommodation whilst some choose to return to the Walkways. The Council understands that some households choose to spend time in their homes at the Walkways during the day while returning to their temporary accommodation at night.

These factors have made it difficult to ascertain how many households have returned and are presently living full-time at their homes on the Walkways, or indeed how many of those households will want to stay there permanently rather than be rehoused elsewhere.

There are 127 properties within Barandon Walk, 100 properties within Testerton Walk and 140 dwellings within Hurstway Walk. The total breakdown of those properties is as follows:

Description of property	Barandon Walk	Testerton Walk	Hurstway Walk	Total
Studio	50	31	51	132
1 bedroom	22	18	24	64
2 bedroom	29	22	24	74
3 bedroom	26	29	40	95
4 bedrooms	0	0	1	1
Total	127	100	140	367

	Rented	Resident lease	Non-resident lease	Void *	Total
Barandon Walk	89	14	24	-	127
Testerton Walk	81	8	10	1	100
Hurstway Walk	100	22	16	2	140
Total	270	44	50	3	367
		94			

*** Void on 14 June 2017**

As of 14 June 2017, there were 89 secure tenanted properties in Barandon Walk, 100 secure tenanted properties in Hurstway Walk, and 81 secure tenanted properties in Testerton Walk, according to housing management records.

There is likely to be a strong correlation between the 110 Walkways households currently accommodated in emergency accommodation and the numbers of households for whom the Council will need to find new accommodation. That is because this group plainly includes many of the households who no longer feel able to live on the Walkways.

Any households who are not currently in hotel or self-contained temporary accommodation, including those who have returned to their former homes, will also be entitled under the Walkways Policy to apply for Walkways Priority if they so wish. Assuming there was at least one household within each property on the Walkways, the number above suggests there may be up to 160 additional secure tenants and their households which could qualify for Walkways Priority, although it is unknown precisely how many will want to take up this option.

It is therefore estimated that the Council will need to identify and allocate suitable long-term accommodation for between 110 and 270 households who will qualify for Walkways Priority. Almost 50% of existing residents live in properties that have two bedrooms or more.

The Council is presently still engaged in the process of rehousing into permanent homes former residents of Grenfell Tower and Grenfell Walk under the terms of the Grenfell Rehousing Policy. Newly formed households arising from original households residing in Grenfell Tower and Grenfell Walk means that a total of 208 households require rehousing under the Grenfell Rehousing Policy.

The Council is securing additional properties to increase its social housing stock over the short term by 300

properties. Therefore, all former residents of Grenfell Tower and Grenfell Walk will have the opportunity to move to a new permanent home that meets their needs.

To put this in context, only 460 properties in total were let by RBKC and registered providers in the Borough in 2015/16, compared to 502 lettings in 2014/15 (an 8% fall). Within this figure, 231 of the total properties let were either a studio or one bedroom property, equivalent to 50% of total lettings. Only 125 two bedroom properties were allocated (27%) and 104 three bedroom or larger properties (23%).

The Council will also need to identify an as yet unknown number of affordable private rented sector accommodation offers for lodgers and private tenants who were residing on the Walkways prior to the fire but do not feel able to remain. The Council does have significant experience of procuring accommodation in the private rented sector, which it uses for homelessness prevention and to provide accommodation to statutorily homeless households to whom the full homelessness duty has been accepted under Part VII of the Housing Act 1996. However, the supply of private rented accommodation within the Royal Borough is under severe strain, particularly due to affordability issues.

The Council's "*Temporary Accommodation Procurement Strategy 2017 to 2019*" reflects how most private rented accommodation in the Royal Borough and indeed many parts of London is unaffordable for the majority of households on low incomes. Residents dependent on local housing allowance suffer a substantial shortfall between the market rent payable for private rented accommodation and their housing benefit or universal credit. This problem is particularly acute for properties of two bedrooms and larger, and thus impacts disproportionately on larger households with children, the majority of which are headed by women. As a result, in October 2016 71.1% of the Royal Borough's statutorily homeless households were placed in temporary accommodation outside the Royal Borough (1,319 out of a total 1,903). Only 9.9% of the temporary accommodation procured by the Council since 2012 was located within the Royal Borough, although the overwhelming majority of those dwellings have been located in other parts of London.

Plainly, the supply of properties which typically becomes available for allocation annually within the Royal Borough will not be sufficient for the Council to meet the housing needs of all households qualifying under the Walkways Policy, Category A residents from Grenfell Tower and Grenfell Walk, as well as the needs of those who already have high priority on the Council's Housing Register.

The Council is also likely to face increased strain sourcing temporary accommodation within the Borough, as fewer Council-owned properties will be available and many of the affordable private rented properties will be given over to providing self-contained temporary housing to Category A and Walkways Priority households.

On 24 August 2017 the Royal Borough committed at least £76.5 million towards rehousing Grenfell survivors. This

	<p>includes £20 million committed to purchasing new homes in W10 and W11, and £15 - £16.5 million to find permanent homes for leaseholders whose homes in Grenfell Tower and Grenfell Walk were destroyed. 68 new build social housing homes on Kensington Row were acquired by the City of London Corporation, and along with the Council's purchase of the Grainger development on Hortensia Road and the bringing forth of the Council's redevelopment of its property on Tavistock Crescent, a total of 108 homes were made available in the first wave of stock increase for Category A households . The Royal Borough is engaged in searching for suitable properties for purchase to provide additional Council homes, and strenuous efforts are being made to source properties from the stock of registered providers and other local authorities within the Royal Borough and in neighbouring districts that can be nominated to Council residents.</p> <p>To date the Council has secured over 180 properties to meet the need for new homes following the fire. This figure includes properties newly purchased by the Council which will be used to grant secure tenancies, properties becoming available from within the Council's existing housing stock, and properties owned by other local authorities or registered providers which will be offered to Grenfell survivors.</p> <p>The allocation of these properties to Category A and/or Walkways Priority households may divert a considerable proportion of the annual housing stock away from the other applicants waiting on the Register and lead to a relative loss of priority for those households.</p> <p>The Council therefore accepts that, notwithstanding its efforts to procure additional properties, the introduction of this Policy is likely have an adverse impact on other applicants seeking accommodation through the Housing Allocation Scheme, including other homeless households to whom the Council has accepted (or will accept in the coming 12 months) the main housing duty under Part VII of the Housing Act 1996.</p> <p>Compared to the general population, residents with a housing need and who qualify for the Housing Register are likely to reflect an overrepresentation of people with protected characteristics (for example, disabled persons). Therefore, the Walkways Rehousing Policy is likely to have equality implications, which are an important consideration for the purposes of this equality impact assessment ("EIA").</p>
Lead Officers	Name: [REDACTED] Position: [REDACTED] Email: [REDACTED] Telephone No: [REDACTED]
Lead Borough	The Royal Borough of Kensington and Chelsea
Date of completion of	TBC upon completion of public consultation

<p>Section 02</p>	<p>Analysis of relevant data Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.</p>								
<p>Documents and data reviewed</p>	<p>The Council has faced significant data gaps in the preparation of this assessment and its records of the persons likely to be affected by the Policy are incomplete. This section explains those gaps and describes the information used in the preparation of this EIA.</p> <p><u>Households on the Housing Register</u></p> <p>Between April and June 2016 the Council prepared breakdowns of its available information regarding the characteristics and needs of persons applying for and allocated housing through its Housing Allocation Scheme. This data is annexed to this EIA as Appendices 1-4.</p> <p>This information was used in the preparation of a full EIA to inform the introduction of the amended Housing Allocation Scheme in February 2017. The Council accepts that this information is no longer current. However, it gives a representative and reliable overview of the types of households who typically qualify for an allocation of social housing within the Royal Borough under the existing Allocation Scheme. The data outlines the protected characteristics of persons who (prior to the introduction of the Grenfell Rehousing Policy) were awarded priority for housing and who are most likely to be directly affected in the coming months.</p> <p>In particular, in 2015/16 rounded % allocations to a number of relevant groups with protected characteristics were given as follows:</p> <table data-bbox="477 1085 1008 1244"> <tr> <td>Households with children</td> <td>29%</td> </tr> <tr> <td>60+</td> <td>5%</td> </tr> <tr> <td>Priority disabled</td> <td>6%</td> </tr> <tr> <td>Women (main applicant)</td> <td>60%</td> </tr> </table> <p>Priority disabled is not the same as a person having a disability within the meaning of the Equality Act 2010. The priority disabled group within the allocations data will comprise a smaller group or subset of people with a disability, because not every disability within the meaning of the Act will confer a high priority for an allocation. This is discussed in further detail below.</p>	Households with children	29%	60+	5%	Priority disabled	6%	Women (main applicant)	60%
Households with children	29%								
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Women (main applicant)	60%								

Note also that some 18% of lettings were to applicants requiring accessible accommodation, meaning that the proportion of rehoused households represented by residents requiring accessible accommodation was greater than their proportion on the Housing Register. Many of these applicants will be deemed disabled for the purposes of the Equality Act.

Women (main applicant) is not a defined group for the purposes of the Equality Act, but lettings data in relation to this group do provide a strong indication that women are disproportionately represented within households who received an allocation or were placed in temporary accommodation.

Households with Walkways Priority

The Council does not yet hold systematic information on the E&D profile of residents of the Walkways before the fire, though it is working to gather up to date information. Neither RBKC nor KCTMO held data in a readily-accessible or up-to-date form which could be used to inform this EIA regarding the number of residents who lived within the blocks or the extent to which they belonged to the protected groups. It has not yet been possible to collect this information in sufficient volume from households who will qualify for Walkways priority.

In the absence of information in this format, the Council has gathered a limited amount of information from records held by KCTMO in the context of its duties as landlord. As this data is personal to the former residents of the Walkways, there is a real risk that individuals may be identifiable if it were published and the information is sensitive personal information, it will not be released.

RBKC has also considered Census data as a tool to assist its understanding of the profile of affected residents. The most recent returns were completed in 2011 and therefore to an extent their value has been eroded by the passage of time. The data extracted from the returns does not relate to all protected characteristics but only on race/ethnicity, nationality, language and religion. The Census also recorded residents' own assessment of their health and capacity to manage day-to-day activities. Although this is not a medical assessment of disability, self-assessment data such as this has been used by the Office of National Statistics and others to provide a broad estimate of the numbers of persons nationwide who may be considered to have a disability.

For the purposes of this EIA, Census data provides only a starting point in considering the demographic characteristics of the households which will qualify for Walkways priority. An overview of the data is included at Appendix 5, together with an explanatory plan at Appendix 6.

The Census information has been drawn from Output Area level data. The boundary outlines of Output Areas on the plan at Appendix 6 are generalised rather than specific. However, it can be seen that the data from the Output Areas

included in Appendix 5 represent the Census returns collected at Grenfell Tower, Grenfell Walk, Testerton Walk, Hurstway Walk and Barandon Walk, all of which are located within the Lancaster West Estate. The Council therefore considers that this data provides a realistic overview of the mixture of residents living on the Estate which should be broadly reflected in the population which will qualify for Walkways priority.

Further, in other respects RBKC tenants and their households may reasonably be expected to reflect the E&D profile of residents of the Royal Borough generally, in particular the age profile derived from Census data set out at Appendix 7.

The following are relevant data which provide an indication of the profile of households qualifying for Walkways priority (expressed in whole percentages):

Children	17%
60+	17%
Health limiting day to day activities	20%
Carers	10%

It is noted that the criteria here used to measure disability are probably more in line with the definition of “disability” in the Equality Act 2010, whereas the priority disabled group within the allocations data is likely to be a smaller group, because not every disability within the meaning of the Act will confer a high priority. This is discussed below.

It is important to note that when Census returns are processed, in order to protect against disclosure of personal information, records are sometimes swapped between different geographic areas. This means that the accuracy of some counts is affected, particularly where small counts take place. However, the Council understands that where records are swapped, this is usually with neighbouring areas only. The overall result is that data from Output Areas should be treated as an estimate rather than an accurate record of the precise details of residents who returned forms. They are broadly representative of the area they cover.

Other data

As a form of cross-check the Council has considered statistics regarding the profile of the UK population as a whole, and assumed for the purposes of this EIA that, where no other data exists, they are a guideline to the profile of Walkways households. This includes Government Statistics on disability,¹ age and gender profile of the population,²

¹ <https://www.gov.uk/government/statistics/disability-facts-and-figures>.

² <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/articles/overviewoftheukpopulation/mar2017>;
<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/bulletins/annualmidyearpopulationestimates/latest>

and household composition³ available from the Office of National Statistics. The Council accepts that the emerging picture of the profile of Category A households will continue to change as further data is collected during implementation of the Policy.

Other evidence considered for the purposes of this EIA include the RBKC Housing Allocation Scheme (February 2017) and the RBKC Annual Lettings Paper 2015/16, which was published in November 2016 and contains the most recent statistics on lettings and allocations. The Council's Temporary Accommodation Procurement Strategy 2017 to 2019 provides some further recent data (March and October 2016) on the numbers and protected characteristics of households accommodated in temporary accommodation under Part VII of the Housing Act 1996. The Council also considered a number of previous EIAs which assessed the equality impact of previous versions of the Housing Allocation Scheme.

The Council has begun the process of requesting and collecting equalities data from Category A households, each of which is invited to provide this information upon signing up to new tenancies for their permanent homes. However only a small amount of this data has been collected by the Council to date, for about 19 households. Some households have been reluctant to provide this information due to the breakdown in their trust in the Council in the aftermath of the fire. Although the Council will continue to request data on a voluntary basis from households signing up to new tenancies, the Royal Borough does not believe that this data is presently broad enough to allow any conclusions to be drawn about the characteristics of households with Category A priority. There would also be a real risk that individuals may be identifiable from the data, potentially revealing sensitive personal information. It has therefore not been discussed in this EIA and will not be released.

New research

The Council accepts that the data sets available for this assessment were to a significant extent incomplete. Improved information is needed with regard to all of the protected characteristics of households who will qualify for Walkways Priority.

During implementation of the Walkways Policy, it will be possible to monitor the impact on other households on the Housing Register, specifically with the aim of quantifying the equality impact of the Policy. In particular, the main impact of the Walkways Policy will be on those households which have equivalent or lower levels of priority under the Housing Allocation Scheme. The precise impact remains to be seen. It is quite possible that a proportion of Walkways (and Category A) households may decline to express an interest in or accept offers of accommodation in certain properties which have a number of storeys and/or lifts due to their traumatic experiences during the fire. Such properties would then become available for allocation to other applicants on the Housing Register.

Section 4 of the Walkways Policy provides that all households will be asked to complete an E&D questionnaire as

³ <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/bulletins/familiesandhouseholds/2016>

	<p>part of their housing needs assessments. The data collected in the questionnaires will be kept confidential in accordance with data protection rules and anonymised for the purposes of policy analysis.</p> <p>The information will be used by the Council to help deliver the Royal Borough's commitment to equality of opportunity when applying the Policy. That means two things.</p> <p>Firstly, the Council wishes to better understand who the Walkways residents are, and to identify and meet their needs.</p> <p>The Council fully understands that this is an extremely painful time for the individuals and families affected by the fire, and aims to improve the delivery of the Policy so that it meets the needs of the community in the best way that it possibly can.</p> <p>Secondly, the Council is committed to monitoring and reviewing the impact which the Policy has on all other persons on the Housing Register, whose access to housing may be delayed as a result of the additional priority afforded to Walkways households. Information from the Housing Register as well as E&D information collected during the housing allocations process will be used for this purpose.</p>
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Section 03	Consultation
	Complete this section if you have decided to supplement existing data by carrying out additional consultation.
Consultation in each borough	<p>Consultation on the Policy</p> <p>The Council understands that the Grenfell Tower fire has had a devastating impact not only on the residents of Grenfell Tower and Grenfell Walk, but also on a wider community within the Royal Borough including those living in the Walkways. For that reason, since the summer the Council has been actively seeking the views and listening to the experiences of other individuals, groups and agencies who have been affected and who may have information, experiences and expertise to share. That includes the Government, particularly the Department for Communities and Local Government, neighbouring London Boroughs, Registered Providers of Social Housing, social services, and individuals and groups within the community who are working with affected households.</p> <p>The Council is grateful for the work of the Independent Grenfell Recovery Taskforce, particularly the practical support and suggestions its members have provided on how the Council, its leadership, elected members and staff can improve our efforts to deal with the aftermath of the fire. The Council has taken on board the Initial Report of the Taskforce published on 31 October 2017 and the initial recommendations contained therein. The Council will be</p>

	<p>working hard to act on these recommendations going forward, and looks forward to continuing to work with the Taskforce.</p> <p>The Council is fully committed to consulting on this Policy before and during its implementation. A draft version of the Walkways Policy was published on the Council’s website and debated at a public meeting of the Grenfell Scrutiny Committee which was held on 30 October 2017. The Council acknowledges that a number of concerns were expressed by residents, elected members of the Committee and members of the community. In response, Council has made a number of changes to the draft Policy which are intended to simplify and clarify residents’ entitlements and to address some of their worries.</p> <p>The amended draft Policy will be published on the Council’s website and will be subject to a six-week consultation that commenced on 15 November. This is accompanied by an FAQ document and consultation booklet. A consultation feedback form has been provided, which is intended to assist the community in expressing their views on the draft Policy. Participants will be invited to share whether they are a person who would qualify for Walkways priority and to provide equality and diversity data which the Council will use to identify groups who may be adversely affected and to help monitor the impact of the policy.</p> <p>The results of the consultation will be considered and further amendments may be made to the Walkways Policy before a final decision is taken on adoption.</p> <p>The Council is committed to continually improving the delivery of the Walkways Policy. Section 4 of the Policy expressly provides that Walkways households will be invited to contribute information on their needs.</p>
<p>Analysis of consultation outcomes for each borough</p>	<p>TBC upon completion of public consultation</p>

<p>Section 04</p>	<p>Scoping of Full EIA</p>
<p>Plan for completion</p>	<p>Timing: To be reviewed 3 months from the date of implementation of the Walkways Policy</p>

Scope of this EIA

This EIA analyses the anticipated implications of the Policy with a specific focus on two groups:

1. Residents of Barandon Walk, Testerton Walk and Hurstway Walk: both those who do, and those who do not qualify for Walkways priority (i.e. lodgers and private tenants); and
2. Households awarded reasonable preference and / or local preference under the Housing Allocation Scheme and who are waiting for allocation of accommodation on the Housing Register. The group worst affected is that which, if the Policy did not exist, would have been more likely to have received an allocation. In other words, broadly those with an equivalent or lower level of priority under the Allocation Scheme.

(1) Residents of Barandon Walk, Testerton Walk and Hurstway Walk

The Policy aims to honour the Council's commitment to allow all RBKC tenants from the Walkways and their households, if they wish, to move to new homes. The Council believes that it is right that the Policy should give them a high priority status to assist them and to ensure that their move can be facilitated as quickly as possible.

However, the Council recognises that, even within the Walkways households, some households will have greater needs than others and some may experience greater detriment than others while living in temporary accommodation. This EIA therefore considers the potential equality impact for any households who do qualify for Walkways Priority but may nonetheless have additional or particular needs which need to be addressed.

In addition, the Council recognises that there may be certain individuals who lived in the Walkways prior to the fire but who will not qualify for Walkways Priority. Those are persons who were not RBKC tenants or members of an RBKC tenant's household, i.e. persons who privately rented properties owned by leaseholders, and lodgers. The Council has committed itself to offering full compensation to leaseholders and a full resettlement package to other residents to enable them to be rehoused in the private rented sector elsewhere. This will provide them with an equivalent to what they had previously. This EIA considers whether that decision will cause any equality impacts for persons within this group.

(2) Other households on the Housing Register

Section 3 of the Policy provides that all Walkways priority households will be awarded 900 points. This is a high priority status equivalent to the "Supporting health and independence" priority status under the main Allocation Scheme.

Persons who will take precedence above households with Walkways Priority include the Category A households, which are each awarded 3,000 points and thus enjoy the highest priority for housing within the Royal Borough. In the exceptional circumstances of the fire, the Council believes it is beyond dispute that these households – comprised of persons who have lost their homes, and their loved ones and neighbours – should take a higher level of priority in the allocation of housing than the residents of the Walkways.

The second highest level of priority available under the Allocation Scheme is awarded to cases of “exceptional priority” or “emergency health and independence” priority (2,000 points), and applicants deemed at serious risk of harm (1,900 points). These are the maximum points available as in each case applicants cannot be awarded any further points under any other priority category. These points are awarded only in exceptional and compelling cases, and the Council often chooses to allocate accommodation to these applicants by way of direct offer in order to meet their respective needs more quickly.

“Exceptional priority” cases are those where there are compelling circumstances, exceptional housing need and no other suitable housing options are available.

“Emergency health and independence” points are only awarded to people who have a medical condition or disability which is assessed by the Council as affecting their health very severely, the Council is satisfied that their property is totally unsuitable for their needs and no other suitable housing options are available.

Applicants at serious risk of harm face a serious and immediate threat such as domestic violence or harassment. The Allocation Scheme gives an example of circumstances where a child will be taken into care if an adult is not rehoused to suitable accommodation. Only Children’s Services, Adult Services or the Police may apply for these points on behalf of applicants.

Any households qualifying for these priority categories will continue to enjoy a very high level of housing priority following implementation of the Walkways policies. They will take precedence over Walkways Priority households and there will be no equality implications for these groups.

Walkways Priority households will be awarded an equivalent level of priority to those awarded “supporting health and independence priority”. This is awarded to households where, in their current home, a disability or long-term health condition has a substantial impact on the independence of the applicant or a member of their household.

“Supporting health and independence priority” is only awarded where it can be demonstrated that a move to a more suitable home will have a substantial positive impact upon their ability to enter and leave their home or to access essential facilities within the home. The awarding of points is not considered for common medical problems which do

not have a substantial impact on independence in the current home, or when it cannot be proven that rehousing will play a critical role in addressing an applicant's health problems, or a critical role in improving the impact of necessary treatment. In practice, this priority is awarded to a limited number of applicants each year. For example, in June 2017 only 127 persons of a total 2,711 on the Housing Register had been awarded this priority (4.7%).

It is important to note that whereas the Walkways Policy provides that Walkways Priority applicants may not be awarded any additional priority category under the Allocation Scheme, this rule does not automatically apply to any of the other priority categories contained in the Scheme (other than the exceptional, emergency health and serious risk priority groups). With certain specific exceptions (further to the general exceptions above) such as the combination of emergency or supporting health and independence and homeless duty priorities, applicants can be awarded a combination of priorities.

No one may accrue more points than Category A households and it is not possible to accrue more points collectively (ie through combination of priorities) than the applicants who qualify for exceptional, emergency health and serious risk priority. To date, 44 households have been awarded one of these three priority categories.

In contrast however, applicants with combined priorities can accrue more points than Walkways priority households. To date, 34 households have a combined priority greater than 900 points. Further, a very small number of households awarded supporting health and independence priority have a *priority date* (date of application to the Register) earlier than a Walkways household's tenancy start date (taken as the Walkways *priority date*). This may have equality implications for Walkways Priority applicants affected by this, and this is considered within this EIA.

Finally, the Council recognises the reality that, by awarding a higher level of priority to Walkways Priority applicants, the Walkways Policy will inevitably have a general knock-on effect on households waiting for accommodation on the Housing Register. In 2015/16 there were 2,773 households qualifying on the Housing Register but only 460 properties let (including all properties let by direct offers and choice-based lettings, KCTMO and Registered Providers). Only 18 of those households (0.65%) qualified under exceptional, emergency health and serious risk priority, and only 86 (3.1%) under "supporting health and independence priority". It is clear that the Walkways Priority applicants will still enjoy higher priority than the vast majority of other households on the Register.

This EIA therefore considers the anticipated equality impact of the Policy on households qualifying through the Housing Register, which have a lower level of priority than Walkways Priority applicants.

Equality Impact Assessment – analysis

Protected characteristic	Walkways Rehousing Policy	Impact:
General / all protected groups	<p>The following analysis examines the main “protected characteristics” against the proposals within the Special Dispensation Policy. The likely or anticipated effects were assessed by checking each equality issue against the descriptions and results in the proposed Walkways Policy.</p> <p>Following implementation of the Walkways Policy, households on the existing housing register with the most significant housing needs will still take precedence over Walkways Priority applicants and thus there will be no equality impacts for this group. This will include a number of cases where housing need is based on protected characteristics, in particular disability or age (exceptional and emergency needs priority) and sex (serious risk of harm in cases of domestic violence, which disproportionately affects women).</p> <p>Most if not all persons awarded “supporting health and independence” priority will be considered disabled within the meaning of the Equality Act 2010, and have significant housing needs. As they will have equivalent priority to Walkways Priority applicants, they may suffer some disadvantage in terms of increased competition for properties. However, this impact will be mitigated by the Allocation Scheme, which will continue to afford them a high level of priority and allows them to accrue additional priority points if they have additional housing needs. Further, accessible properties are first offered to residents with mobility problems who require them; therefore accessible properties will be offered to disabled residents awarded Supporting Health and Independence before they are offered to Walkways residents with no mobility problems.</p> <p>For all other groups with protected characteristics who are currently waiting for accommodation on the Housing Register, the Walkways Policy may have an adverse impact by awarding a high level of priority to Walkways Priority applicants. Their relative levels of priority are likely to be demoted or postponed as a result. This will include cases where households have housing needs related to their protected characteristic, particularly those including children, older people and persons with disabilities who do not qualify for supporting health, emergency or exceptional priority.</p>	<p>Positive, Negative, Neutral</p> <p>Neutral for highest priority groups on the Housing Register</p> <p>Neutral to negative for groups with equivalent priority on the Housing Register</p> <p>Negative for lower-priority groups on the Housing Register</p>

	<p>Although the Allocation Scheme will continue to apply (subject to the Walkways Policy) and in this way safeguard the rights of these households to access housing, strain on housing supply within the Borough will lead to additional waiting times for households on the Housing Register. The additional strain on supply is to an extent an unavoidable consequence of the exceptional circumstances following the Grenfell Tower fire, and the Council will inevitably face difficulty mitigating its effect on housing applicants across the Borough.</p> <p>In order to quantify the adverse impact of the Walkways Policy on relevant groups, it is necessary to compare the E&D profile of:</p> <ul style="list-style-type: none"> (i) Walkways Priority households; and (ii) Other households on the Housing Register but in particular those other households which have an equivalent level of priority to Walkways Priority households <u>and</u> (iii) Other households on the Housing Register who would have obtained an allocation, but for the Walkways Policy. <p>Overall, this comparison suggests that equivalent percentages of older people (age 60+) will receive allocations under both the Allocation Scheme and the Walkways Policy: about 17%.</p> <p>The likely percentage of people benefitting from the Walkways Policy with a disability (19%) is lower than the percentage of people with a disability waiting for accommodation on the Housing Register (up to 30%). However, it is difficult to gauge how many allocations are linked to disability priority, so this is not a complete comparison. This point is considered further below.</p> <p>There is no reason to think that Walkways Priority households are less ethnically diverse than those enjoying high priority on the Council's Housing Register. Indeed, the opposite would appear to be true.</p> <p>The current data does not allow a comparison of the extent to which women are represented in the two groups. However, women-led households (60%) and households with children (29%) are very strongly represented in allocations. Similar figures are seen in households in temporary accommodation (49.8% and</p>	
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		<p>75.8% respectively), as compared with the incidence of these groups in the population as a whole. On that basis, this EIA assumes that there will be an adverse impact on women, with a corresponding adverse impact on children, one of whose primary needs is for adequate housing.</p> <p>The Council acknowledges that the adverse impacts outlined above echo those which stem from the Grenfell Rehousing Policy adopted in July 2017. It is thus possible that this Policy will deepen and lengthen the adverse effects of the Grenfell Rehousing Policy by way of a cumulative impact. The combined impact of the Grenfell and Walkways policies will therefore need to be carefully monitored and evaluated during implementation.</p> <p>Within the group of residents from the Walkways, the Walkways Policy does not confer any advantage on leaseholders, private tenants and lodgers. However, this effect will be mitigated by other policies which will, at least, compensate leaseholders for the value of their lease assessed prior to the fire and resettlement policies enabling private tenants and lodgers to be rehoused away from the Walkways into a replacement private sector tenancy. There is no evidence to suggest that any group with protected characteristics is particularly strongly represented amongst leaseholders, private tenants and lodgers.</p> <p>Within the pool of households who do qualify for Walkways Priority, these residents are not afforded the highest level of priority within the Borough and may be outbid by other applicants on the Housing Register if they are assessed as having higher needs or awarded multiple priority categories. Insofar as this causes any disadvantage, the Walkways Policy nonetheless safeguards their right to be rehoused and still affords them a relatively high level of priority when compared with all other households on the Housing Register. The primary disadvantage caused will be having to wait somewhat longer in temporary accommodation prior to receiving an offer of social housing.</p>	
	Age	<p style="text-align: right;">Data provided at Appendix 1 and 7</p> <p>It is not yet known with certainty how many households qualifying for Walkways Priority include members under the age of 18 or persons over the age of 60. It is also unknown how many will be considered 'young households' where the lead</p>	

	<p>applicant / prospective tenant is aged between 16 and 24.</p> <p>It has not been possible to extract 2011 Census data showing the age of residents specific to the Lancaster West Estate. However the Office for National Statistics (“ONS”) has published data for each local authority area in England which showed that, in 2011, 16.9% of the population of RBKC as a whole was under the age of 18. 10.5% of the population was aged between 16 and 24, although it is not possible to speculate how many of those individuals formed young households. 17.3% of the whole population of the Royal Borough was over 60 years of age.</p> <p><i>Households with children</i></p> <p>In March 2016, 69.2% of all households in temporary accommodation were households with children under 18 (1,300 of a total 1,879). As of April 2016, 52% of all households on the Housing Register were households were dependent children. In the year 2015/16, 29.1% of all lettings were to households with children.</p> <p>These figures suggest that families with children are represented on the Housing Register (52%) and in temporary accommodation (69.2%), and receive allocated properties (29.1%), in much greater proportion than the incidence of children in the overall population of the Royal Borough (16.9%).</p> <p>According to Kensington and Chelsea Tenant Management Organisation (TMO) housing management data, of Walkway households with secure tenancies (270), 54 households are recorded as containing children aged 16 or under: 20% of all Walkways secure tenanted households.</p> <table style="margin-left: 40px;"> <tr> <td>No children</td> <td>216 properties</td> </tr> <tr> <td>1 child</td> <td>25 properties</td> </tr> <tr> <td>2 children</td> <td>18 properties</td> </tr> <tr> <td>3 children</td> <td>7 properties</td> </tr> <tr> <td>4 children</td> <td>3 properties</td> </tr> <tr> <td>5 children</td> <td>1 property</td> </tr> <tr> <td>Total</td> <td>270 properties</td> </tr> </table>	No children	216 properties	1 child	25 properties	2 children	18 properties	3 children	7 properties	4 children	3 properties	5 children	1 property	Total	270 properties	<p>Neutral / positive for Walkways households</p> <p>Negative for applicants on the Housing Register</p> <p>Neutral for lodgers and private tenants from the Walkways</p>
No children	216 properties															
1 child	25 properties															
2 children	18 properties															
3 children	7 properties															
4 children	3 properties															
5 children	1 property															
Total	270 properties															

		<p>27 properties within the Walkways were used to provide temporary accommodation, which is more likely to include children (69.2%), albeit there were far fewer of these than properties let on secure, introductory or fixed term tenancies.</p> <p>These numbers suggest that there will be a much lower proportion of households with children qualifying for Walkways Priority than those placed in temporary accommodation generally. Further, the numbers of households with children that might qualify for Walkways Priority will be lower than those receiving an allocation under the Housing Register (29.1%). 17 of the 44 households awarded exceptional priority, emergency health and independence priority, or serious risk of harm priority (as of 27 November 2017) have children aged 18 or under, equating to 38.6% of households awarded the highest priorities under the main Allocation Scheme. Retaining a priority for rehousing greater than that awarded to Walkways households mitigates against a potential detrimental impact felt by the highest priority households with children.</p> <p>It is inevitable that by granting higher priority to Walkways Priority applicants, households with dependent children qualifying under the Housing Register are likely to suffer disadvantage as a result. These families will face additional waiting time for allocation of properties due to the increased strain placed on housing supply and the additional priority afforded to Walkways households.</p> <p>The additional strain is particularly likely to restrict the availability of properties with 2 or more bedrooms, the vast majority of which are required for households with 1 or more children. The Walkways Policy provides that Walkways Priority applicants will be entitled to properties of the same size as those previously occupied unless they are overcrowded in which case they will be allocated a property that meets the needs of their household, under the bedsize provisions of the Housing Allocation Scheme (but also including non-dependents aged 21 or over). There are large numbers of 2 bed (74) and 3 bed (95) properties on the Walkways, which will need to be replaced for any households who choose to leave them. This rule will apply regardless of whether households were under-occupying these large properties before the fire (which is particularly likely to</p>	
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	<p>benefit older households, whose children have grown and left home). Walkways Priority households which were previously overcrowded will be allocated a property that meets their current needs. This provides a relative advantage insofar as, under the Allocation Scheme, only 200 points are awarded for overcrowding which is often insufficient of itself for a successful bid under choice-based lettings.</p> <p>By affording these advantages to the Walkways Priority applicants, households with children on the Housing Register are highly likely to be relatively disadvantaged insofar as they will face additional competition to be allocated a property.</p> <p>There may be an addition impact for households with children who have been placed in temporary accommodation insofar as there are likely to be fewer Council-owned properties available within the Borough for use as temporary accommodation. As a result, homeless families are perhaps more likely to be placed outside the Borough in temporary accommodation, notwithstanding the Council's exercise of its <i>Criteria for placement of applicants into temporary accommodation</i>, the policy by which households are provided with suitable temporary accommodation. Children within these households might experience disruption to their education by changing schools or facing commutes to school, and to be separated from local support networks and / or their extended families.</p> <p>The Council will need to carefully monitor and review the impact of the Policy on families waiting on the Housing Register and in temporary accommodation, bearing in mind its duties to safeguard and promote the welfare of children, one of whose principal needs is for adequate housing and with further consequences for the other principal needs of children such as access to family and support networks within the Royal Borough.</p> <p><i>Young Households</i></p> <p>In April 2016 7% (194) of the total number of households on the Housing Register (2767) featured a lead applicant / prospective tenant under the age of 25. However between 2014 and 2016, the annual average percentage of lettings to young households was 12%. These figures indicate that young households are prioritised for rehousing under the Allocation Scheme at a level above their</p>	<p>Negative for applicants on Housing</p>

		<p>health and independence priority”, given the incidence of disability rises with age (see below). Any such households which also qualify for additional priority points (overcrowding, vacating homes (under occupation)) will enjoy a relative priority over Walkways Priority households insofar as they can accrue additional points to give them higher priority. This should help to mitigate the impact of the Walkways Policy on non-Walkways older households.</p> <p>Conversely, it is possible that Walkways Priority households may suffer some disadvantage insofar as they may be outbid by any ‘ordinary’ housing applicants who accrue more than 900 points. This may be particularly problematic in circumstances where (for example) the household includes children, the elderly, persons with disabilities or there is overcrowding. Depending on the circumstances, the level of prioritisation may be justifiable on the basis that the ‘ordinary’ applicant has a higher level of need, or will free up a large property for a family who needs it by downsizing. If however there was a case of unusual or exceptional hardship, the Director of Housing has delegated authority to amend or waive the Policy, and this could be used in appropriate cases to ensure fairness between Walkways households and ‘ordinary’ applicants. In any event the Walkways Policy will continue to afford Walkways Priority applicants a relative level of high priority.</p> <p>These particular aspects of the Policy will need to be subject to further monitoring and review. Consideration may need to be given to withholding from the general pool of properties available to Walkways Priority households specific properties that meet the needs of Housing Register applicants for accessible accommodation.</p>	
	Disability	<p>Background data</p> <p style="text-align: right;">Data provided at Appendices 2 and 5</p> <p>A proportion of the applicants towards whom the Council has accepted a full housing duty may be considered to be disabled. In 2015-16 5.8% (26) of total lettings (445) were to applicants with Emergency or High ‘Health and Independence’ priority (awarded after an assessment of medical and / or healthcare information submitted in support of the application). As of September 2016, the Housing Register included several categories of persons who may be considered disabled. This included those with “supporting health and</p>	

	<p>independence priority” (86 or 3.1%), mobility transfer schemes (10 or 0.4%), and those waiting for sheltered accommodation (10.9%), being 14.4% of applicants (out of a total of 2,773).</p> <p>It must be borne in mind however that disabled statutorily homeless applicants do not appear on the Housing Register within a “health and independence” priority: instead they fall within the “homeless duty” priority category. Section 189(1) of 1996 Housing Act defines “priority need” for the purposes of a homelessness application in terms of “vulnerability”. In June 2016, 23% (425) of homeless households placed in temporary accommodation were accepted as vulnerable by reason of physical disability, mental illness, old age or other reason. Applying this percentage to the numbers of “duty accepted” households on the Register in September 2016, this would suggest that an additional, approximate 420 (15.15%) applicants could be considered “vulnerable”. This would bring the total percentage of <u>potentially</u> disabled applicants on the Register up to about 30%. This is higher than the average incidence of disability within the general population (see below).</p> <p>It is difficult to estimate how many allocations of properties are made annually to persons with a disability. In 2015/16 only 6% of allocations were made to households with emergency or high health and independence priority. However, an unknown number will have been allocated housing as “homeless duty” priority cases. Of the total number of properties allocated in 2015-16 (445), 18.2% (81) were accessible in varying degrees. However, clearly, not everyone who is considered disabled is assessed as having need for an adapted property, e.g. those with mental illness or learning disability.</p> <p>Only a very small number of applicants are awarded “emergency health and independence”, which carries the award of 2,000 points. There were 2 such applicants on the Housing Register in April 2016 and there appears to have been only 1 such allocation annually in 2013-14, 2014-15 and 2015-16. Therefore, it can be assumed that most disabled applicants for housing will have a lower level of priority for rehousing than Walkways Priority applicants, with a small number (3.1%) having a relatively equivalent level of priority.</p>	
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37 applicants to the Housing Register have been awarded supporting health and independence priority plus another priority that in total is greater than Walkways priority. The combinations are as follows.

Points total	No. cases	Priority combination	Points combination
1800	1	2 x medical	900 + 900
1650	1	Medical + under occ + paid work	900 + 700 + 50
1600	10	Medical + under occ	900 + 700
1150	1	Medical + overcrowding + paid work	900 + 200 + 50
1100	4	Medical + overcrowding	900 + 200
1050	1	Medical + homelessness + paid work	900 + 100 + 50
1000	9	Medical + homelessness	900 + 100
950	7	Medical + paid work	900 + 50
	34	Combined medical cases	

All Walkways residents, including those with disabilities, will be at a relative disadvantage compared to these combined priority cases.

When it comes to Walkways households, the Council does not hold reliable data on how many residents or members of their families could be considered disabled.

Within the 2011 Census respondents were asked to comment on their perceptions of their health and their ability to manage day-to-day activities. Within an area that included Grenfell Tower, Grenfell Walk and the Walkways,

		<p>8.4% described their health as “bad” or “very bad”, and 19.7% said their day-to-day activities were limited ‘a little’ or ‘a lot’.</p> <p>This latter figure appears to echo national statistics on disability. Central Government figures from 2011-2012 estimated that 11.6 million people in the UK lived with disabilities (about 18.35% in a total population of 63.2 million).⁴ The incidence of disability rises steeply with age. In 2011-2012 around 6% of children were disabled, compared to 16% of working age adults and 45% of adults over State Pension age. Taking these figures as a guide to the possible numbers of Walkways Priority household members who may be considered disabled, it is likely that there will be greater demand for accessible or adapted properties under the Housing Allocation Scheme as a whole than under the Walkways Policy.</p> <p>Information collected from KCTMO indicated that at Barandon Walk, 5 residents were recorded as having mental health difficulties and 1 as having a hearing impairment and mobility difficulty. At Testerton Walk, 1 resident was recorded as having a physical disability and another a mobility difficulty. At Hurstway Walk, 2 residents were recorded as having mental health difficulties, 1 a mobility difficulty, 1 a hearing impairment, and 1 as having both a physical and learning disability. The Council recognises that this information is limited and was not collected in order to provide a comprehensive E&D profile of residents, and considers that it is almost certainly a significant underestimation of disability amongst the individuals who will now qualify for Walkways priority. At best these figures indicate only that <u>at least</u> 5 households will need to be rehoused to properties suitable for persons with mobility difficulties, and at least 11 may need assistance which reflects their particular disability.</p> <p>Analysis</p> <p>The Council undertakes ‘suitability recommendations’ for all applicants and</p>	<p>Neutral / Positive for Walkways households</p> <p>Negative for Housing Register applicants</p>

⁴ <https://www.gov.uk/government/publications/disability-facts-and-figures/disability-facts-and-figures#>.

	<p>household members it has a duty to house (either temporarily or into settled accommodation). Suitability recommendations consider the needs of the household, including medical and healthcare needs, to ensure that accommodation provided is suitable with regard to affordability, size, location (particularly with regard to the need to sustain existing support networks), accessibility, and that it promotes independence. This process will apply equally to both Walkways Priority and other Housing Register households.</p> <p>Medical assessments, resulting in suitability recommendations, are undertaken for all applicants and household members where a health problem or disability may inform the type of housing that should be offered to them, irrespective of their priority for housing or their priority need under the homelessness legislation. Accommodation may be adapted in accordance with recommendations by an Occupational Therapist if required. Disability Facilities Grant are available to all applicants to fund adaptations.</p> <p>It is not anticipated that there are any barriers in place to applications for, and allocations of, suitable properties to Walkways households which include a person with disabilities.</p> <p>However, households on the Housing Register which include a person with a disability are likely to suffer disadvantage through their relative loss or dilution of priority. This will not impact on the households awarded “Emergency Health and Independence” priority, who will continue to hold a higher priority for housing. Although only a tiny number of cases fall within this category, by definition they include the persons with the most serious disabilities and most compelling housing need. There should therefore be no adverse impact for persons who are assessed to have the most pressing needs.</p> <p>The Walkways Policy will impact to an extent on households which qualify “supporting health and independence” insofar as their relative level of priority will be diluted. Whereas there were 127 applicants with this status in September 2017, up to 230 additional households will now be entitled to apply for an equivalent level of priority.</p>	
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		be outbid by 'ordinary' applicants who are able to accrue additional points under multiple priority categories. This is most likely to affect any Walkways Priority household which includes a person with a disability who might otherwise have qualified "supporting health and independence". Although there is perhaps some potential here for disadvantage, the Council believes this will be mitigated by the relative high level of priority which is guaranteed to Walkways Priority applicants. Unlike other Housing Register applicants who qualify for "supporting health and independence", they will have suitable accommodation available to them either within their home on the Walkways or in Stage 2 accommodation during the bidding process. The Council also retains a discretion to waive the Walkways Policy in exceptional circumstances, were there a case where particular hardship is caused by the Policy.	
	Gender reassignment	The Council does not assess applications or allocate housing having regard to gender reassignment. It does not collect information on its systems of transgender people and it is not likely that this will be available in the future. The Council does not envisage a disproportionate impact (negatively or positively) on these grounds resulting from the Walkways Policy.	Neutral
	Marriage and Civil Partnership	The information held by the Council does not distinguish between different types of partnership. It is not anticipated that the operation of the Walkways Policy will negatively or positively impact on a household due to them being single, married, or in a Civil partnership.	Neutral
	Pregnancy and maternity	<p>The Council only holds information on pregnancy and maternity on its administrative systems where it is the primary reason for the household's housing need, or when an applicant chooses to disclose this. By its nature it is a transitory situation and therefore difficult to use to accurately assess any equality impacts. There is nothing to indicate that this characteristic impedes applicants from accessing the service or being fairly assessed under the Allocation Scheme.</p> <p>It is not known whether or how many households who will qualify for Walkways Priority include persons who are pregnant. However, the Council accepts that as any such household will be awarded a high priority, pregnant people waiting on the Housing Register may suffer relative disadvantage through longer waiting times and the general shortage of properties with 2 or more bedrooms.</p>	<p>Neutral for Walkways households</p> <p>Negative for Housing Register applicants</p>

	Race / ethnicity	<p style="text-align: right; color: blue;">Data provided at Appendices 3 and 5</p> <p>For the purposes of the Housing Act 1996, Part VII (allocation of accommodation) and Part VI (homelessness), the Council is required to verify that an applicant is eligible for assistance. In simple terms, an applicant must have access to public funds in England in order to be able to access assistance with housing, beyond advice. Therefore, while the Part VI and Part VII processes and application forms <u>ask</u> applicants to confirm their ethnicity, there is no <u>requirement</u> to provide it because it is immigration status rather than ethnicity which determines eligibility.</p> <p>It is apparent from the lack of availability of data on ethnicity that the Council's Housing Department has not focused on collecting data on ethnicity or that residents have declined to provide this information (see Appendix 3 sections 1 and 2). In particular, it can be seen that large numbers of applicants were registered as 'ethnicity not recorded'. As a result, the Housing Department's data on ethnicity is regarded as incomplete.</p> <p>Census data from the Lancaster West Estate, although collected in 2011 and therefore out-of-date, is more useful insofar as respondents were expressly required to provide information about their ethnicity. It can be seen from Appendix 5 that – within an area including Grenfell Tower, Grenfell Walk and the Walkways – that 37.2% described themselves as White, 25.5% as Black/African/Caribbean/Black British, and 12.4% as Asian/Asian British.</p> <p>This information indicates that Black and Minority Ethnic households appear over-represented in the Walkways compared to their relative make-up of the Kensington and Chelsea population as a whole (see Appendix 3, section 3). To an extent, this reproduces the overrepresentation of BME households within those in housing need, a pattern which is repeated across London.</p> <p>As both the Allocation Scheme and the Walkways Policy prioritise and allocate housing according to an applicant's housing need, allowing for all categories of need to be re-housed, it is not felt that there are any identifiable barriers to rehousing on the grounds of race or ethnicity. Nor is there any reason to think that BME households will be represented within Walkways households to a</p>	Neutral

		<p>lesser extent than under the Housing Register as a whole.</p> <p>The Walkways Policy is subject to s. 160ZA of the Housing Act 1996, which provides in essence that persons without access to public funds and/or subject to immigration control are not entitled to benefit from the Walkways Policy. This is in line with the provisions of the Allocation Policy.</p> <p>The Council retains a discretion in exceptional cases to accept housing applicants from persons or households in housing need, who do not fulfil the three years' local residence requirement imposed by section 1.8 of the Housing Allocation Scheme. Although every case will be considered on a case-by-case basis, the Council does not anticipate that this will arise frequently in respect of any applications resident at the Walkways before the fire, because any applicant who was not an RBKC tenant before the fire will instead be offered a resettlement package within the private rented sector. Although persons who have recently migrated to the UK may be more likely to find themselves in this position, it is unlikely that this will have any discriminatory effects against the BME group as a whole. Further, such persons will receive a settlement package in any event and any discriminatory effects could be mitigated by way of the exercise of discretion in exceptional cases.</p>	
	Religion/belief (including non-belief)	<p style="text-align: right;">Data provided at Appendix 5</p> <p>The data tabled at Appendix 5 indicates that residents of the Lancaster West Estate in 2011 were religiously diverse. The three biggest groups were 47% Christian, 28.4% Muslim and 11.8% no religion.</p> <p>The Council does not assess applications or allocate housing having regard to religion / belief (or lack thereof) and does not collate information on its administrative systems on the religion or beliefs of applicants. At the time of preparation of the EIA in support of the February 2017 Allocation Scheme there was no evidence of any adverse impact on these grounds.</p> <p>There is also no evidence that cohorts defined by religion or belief will be disproportionately affected by the Policy and / or the Housing Allocation Scheme, although where larger families are associated with a particular religion or belief they might be affected in the way as has been outlined with regard to</p>	Neutral

		households with dependent children, insofar as there is likely to be an overall shortage of properties with 2 or more bedrooms and a shortage of properties to be used for temporary accommodation within the Royal Borough. It is recommended that monitoring and review of the implementation of the Walkways Policy should consider whether there is any correlation between religion or belief and barriers to housing allocation.	
	Sex / gender	<p style="text-align: right;">Data provided at Appendices 1 and 4</p> <p>The gender profile of lead applicants / prospective tenants qualifying for Walkways Priority is not known. The Policy does not contain any mechanism that benefits male-led households over female-led households, or vice versa. The suitability recommendation and the number of bedrooms allocated to a household is not determined by the gender of the applicant, parent or guardian. Therefore, within the pool of households who will qualify for Walkways Priority it is not thought that any indirect discrimination will occur.</p> <p>There is no evidence available to suggest that lodgers and/or private tenants from the Walkways include disproportionate numbers of either men or women, or of female-led households with children. It is believed that the Walkways Policy will also have a neutral impact upon them.</p> <p>The situation differs when comparing Walkways Priority households to others on the Housing Register.</p> <p>Of the total (2767) applicants waiting on the Housing Register in April 2016, 69.5% (1923) were female-led and 30.5% male-led. When considering the subset of this group who were single applicants rather than households, there were also more females (16.9% - 439) than males (15.7% - 408).</p> <p>For housing allocations, in 2015-16 60.7% of lets were to female main applicants and 39.3% to male main applicants. Single male applicants were however more likely to be housed: 27.9% male (124) versus 20.9% female (93). The EIA prepared in support of the February 2017 Housing Allocation Scheme provided a detailed analysis of the various factors behind that pattern.</p> <p>When it comes to single-parent families however, women feature very strongly.</p>	<p>Neutral for Walkways households</p> <p>Negative for Housing Register applicants</p>

	<p>Of all the families with children on the Housing Register in April 2016 (1445), 72.4% (1046) were led by a single parent. This translated to 38% of the total applicant households on the Housing Register (2767).</p> <p>Nationally in the UK, the vast majority of lone parents with resident children are women. That is reflected within RBKC's allocations: in 2015-16 24% (228) of all lettings were to single women with children but only 0.5% (5) to single men with children.</p> <p>This trend is also reflected within the households in temporary accommodation. In June 2016 75.8% of households in temporary accommodation (1,424 of total 1,879) included dependent children or a pregnant person. A very large number of those households are female led: 49.8% of households in temporary accommodation in March 2016 (936 of 1,879) were composed of a single woman with dependent children.</p> <p>It is therefore clear that the vast majority of single-parent households allocated housing by the Royal Borough are led by women rather than men. It is likely to follow that women are very strongly represented within allocations under the Allocation Scheme, as compared with the population of the Royal Borough as a whole. While the population of former residents of the Walkways is likely to reflect this longstanding trend in housing allocations, it is at present unclear to what extent or whether this trend will be present to the same extent as currently exists under the Housing Register.</p> <p>Insofar as households on the Housing Register will be disadvantaged by the additional priority afforded to Walkways Priority applicants, the burden is far more likely to impact on and disadvantage women. It is therefore likely that the Walkways Policy may indirectly discriminate against women, who are single parents trying to access social housing.</p> <p>It can however be said that the Walkways Policy will not disadvantage women who have experienced serious violence. Although historically women have been more likely than men to be awarded "serious risk of harm" priority, these applicants will continue to enjoy a higher level of priority than Walkways Residents (and almost all other residents, other than Category A households). The Walkways Policy will have a neutral impact on this group.</p>	
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		The impact of the introduction of the Walkways Policy on women, particularly female single parents with dependent children, should be carefully monitored and reviewed to consider whether any disadvantage can be removed, minimised and / or justified.	
	Sexual Orientation	The Council does not assess applications or allocate housing having regard to an applicant's (or household member's) sexual orientation, and does not collate information on its administrative systems on sexual orientation. There are no known reasons why residents of any particular sexual orientation would be negatively impacted as a result of the Walkways Policy.	Neutral

Section 05	Analysis of impact and outcomes
Analysis	<p>What has your consultation (if undertaken) and analysis of data shown? You will need to make an informed assessment about the actual or likely impact that the policy, proposal or service will have on each of the protected characteristic groups by using the information you have gathered. The weight given to each protected characteristic should be proportionate to the relevant policy (see guidance).</p> <p>1. Is there reason to believe that certain groups will be over or under represented as service users/recipients as a result of this decision?</p> <p>The available data regarding the operation of the Housing Register and housing allocations by the Council shows that the certain groups with protected characteristics are currently over-represented in the high priority groups and allocations. Information regarding the individual and / or households who will qualify for Walkways Priority is less accurate. However, there is reason to believe that these groups will also be strongly represented and may therefore be over-represented as beneficiaries of the Walkways Policy. Nevertheless, a comparison between those who will gain and lose as a result of the Walkways Policy indicates a negative outcome for the following groups represented on the Housing Register:</p> <ul style="list-style-type: none"> • Families with children • Young households • Older people • People with disabilities • Women

2. Is there reason to believe that different groups have different needs, experiences, issues or priorities in relation to this decision?

All households qualifying for Walkways priority have recently experienced an exceptionally traumatic series of events. Many residents witnessed first-hand the dreadful events of the night of the fire, and may face mental health difficulties as a result of their experiences. Many lost neighbours, friends, support networks and a sense of community. All residents were displaced from their homes for a period in the immediate aftermath, and many have now remained away from their homes for many months as they feel unable to return. The Council also appreciates that many residents were deeply dissatisfied with the Council's response in the immediate aftermath of the fire, and it respects those views. More generally, there is a level of anger within Walkways households that is entirely understandable. It is an urgent priority for the Council to respond to these needs and legitimate feelings in these exceptional circumstances.

It is for these reasons that the Council believes it is right to distinguish Walkways households from other households on the Housing Register who also have needs for rehousing, by guaranteeing them a right to be rehoused to a property of their choice and by awarding them a high level of priority in order to achieve this. The bidding process has also been enhanced to the extent that residents will be entitled to refuse at least one successful bid/offer and to appeal decisions about suitability to an independent adjudicator.

There is a risk that some residents will have difficulty accessing Council services and / or understanding the Walkways Policy. There are many residents for whom English is not a first language (see Appendix 5), who experience mental health difficulties, are older or otherwise find it difficult to interact with social services. In the aftermath of the fire many residents have been accommodated either by the Council or by friends and relatives away from the Lancaster West Estate, thereby undermining their access to local or to culturally-specific support networks.

The Walkways Policy has been designed to be as straightforward and as easy to understand as possible, providing clarity and managing people's expectations. Copies are available in a variety of languages, and a plain English presentation of the policy's objectives has been published. It aims to ensure that households can identify their best housing option through a housing needs assessment, which may also be used to identify other support from which households may benefit. It provides a degree of flexibility in terms of allowing households to identify the properties in which they are interested via CBL, and will permit households to apply for Walkways Priority and begin bidding on properties only when they are ready to do so.

3. Do you have evidence through internal research, monitoring or through external reports, to support your answers to questions 1 and 2?

The Council has relatively good (albeit slightly outdated) information regarding those households on the Housing Register and who are allocated housing under the Allocation Scheme. We monitor via the P1E who makes up our duty accepted households and have medical information about any physically or mentally vulnerable households. Some protected characteristics have no data – e.g. gender reassignment and sexuality – either via the census or locally compiled information. When possible ethnicity is captured, however some households are reluctant to disclose this or their faith, so these records are not as complete as other characteristics.

The Council's information about Walkways households is currently limited, and needs to be improved as soon as possible. The Walkways Policy therefore expressly provides for collection of E&D data during the implementation phase as households' needs are assessed and properties allocated. The Council is also requesting E&D data during the process of public consultation on the Walkways Policy in order to assist in meeting its equality obligations.

4. Have you consulted with relevant individuals, groups and organisations as to their experiences, issues or priorities in relation to this decision?

Six weeks' public consultation is planned beginning on 15 November 2017.

5. Is there public concern that the function or policy as outlined in this decision would operate in a discriminatory way?

The Council is aware that there has been significant public concern regarding its response in the immediate aftermath of the fire, and that there is considerable interest in ensuring that Category A and Walkways residents are properly and speedily rehoused. There have been extraordinary levels of pain and anger amongst the community following the fire, and the recent Initial Report of the Independent Grenfell Recovery Taskforce outlined various practical ways in which the Council can improve its response going forward.

The Council, particularly its Housing Department, is seeking to listen to those views and to ensure that the affected residents and community are involved in consultation going forward. The Council will publish the Walkways Policy and associated consultation documents on its website and will endeavour to promote transparency in the rehousing process.

6. Is there reason to believe that this decision will better promote equality of opportunity?

We believe that the Walkways Policy will promote equality of opportunity among Walkways households, which will each be granted a high level of priority for rehousing and will not be subject to any time limits in applying to the Housing Register. Although the same entitlements are not extended to private tenants, lodgers and newly formed households splitting from original tenanted and leasehold properties, the Council will ensure that these individuals are properly compensated or resettled into an equivalent private rented tenancy if they wish.

However, it is accepted that the Walkways Policy is likely to disadvantage other households on the Housing Register, particularly those who are homeless in priority need (which disproportionately include women), have disabilities and/or children. That disadvantage is as a result of the additional strain on the supply of social housing within the Borough and / or the relative loss of priority of certain groups. However, the Walkways Policy will not impact on Category A households or those with the most pressing housing needs within the Borough: exceptional housing need, at risk of harm, and with emergency health and independent priority. Those with high health and independence priority will also enjoy an equivalent level of priority to ensure their needs are also met.

7. Is there reason to believe this decision will increase the accessibility of the service provided?

Walkways Priority households will clearly have improved access to housing by way of their additional priority, and increased choice over their house when compared to the usual allocations process. Access by other persons on the housing register will inevitably decrease as waiting times increase for housing allocation. The cumulative impact caused by the Grenfell Rehousing Policy will be temporary insofar as the Council has committed to rehousing all Category A households within 12 months.

Access to the Housing Register will not be restricted within this period as all persons qualifying will still be entitled to register for rehousing. The Council will continue to accept homelessness applications and all persons to whom the full duty is accepted will still be entitled to suitable temporary accommodation under Part VII of the Housing Act 1996.

8. Is there reason to believe this decision will increase the Council's reputation as an equal opportunities employer?

N/A

9. If this decision is taken is there reason to believe that it will have an adverse impact on any particular group?

Yes. Those on the housing register who are most likely to be adversely effected by the Walkways Policy include households with children, young households, older households, households which include a person with a disability and women in particular female-led households.

The Walkways Policy may indirectly discriminate against these protected groups insofar as (a) the Council has adopted a provision, criterion or practice, (b) will apply it to persons with whom they do not share a protected characteristic, (c) it puts other persons who have the same protected characteristics at a particular

disadvantage when compared with persons with whom they do not share the protected characteristic, (d) and in fact it puts them at that disadvantage (s. 19 Equality Act 2010). The particular disadvantage is that these groups will suffer a relative loss of priority for rehousing and will have to wait longer to be rehoused, in circumstances where as a result they will suffer greater detriment than a person who is not (for example) a child, head of a young household, elderly, disabled, a single parent or at risk of violence.

There is an additional risk that the quality (versus the quantity) of available accommodation may be affected insofar as it is anticipated that there will be exceptionally high demand among Walkways Priority households (and Category A households) for particular types of accommodation which are required by protected groups e.g. accessible, level access and ground floor properties.

10. If the answer to 9 was yes, is the adverse impact lawful and justified?

Yes. In the aftermath of the fire the Council has been faced with an unprecedented crisis in which hundreds of its residents have an urgent and compelling need for rehousing. There is also a unique need for the community to be healed and reintegrated with service providers including the Council. Although the Council takes the view that it is right that Category A households be given the highest level of priority in the Borough, it is also the case that the Walkways Priority households have considerable needs which should be given a high level of priority relative to other applicants on the Housing Register, so that they can begin their journey to their new homes and to recovery from their experiences as soon as possible.

The Council has considered whether it would be possible to mitigate the impact of the Walkways Policy on other households by reserving a certain proportion of its housing stock to be retained and used to make offers to those on the waiting list in accordance with the Housing Allocation Scheme. However, on balance we take the view that the benefits of doing so are outweighed by the overriding need to provide a speedy response and rehousing, the need for maximum flexibility in managing housing stock so that offers may be made to Walkways Priority (and Category A) households as quickly as possible, and their right to choice upheld.

Following the capture of more accurate E&D data and monitoring of the impact of the Walkways Policy on other households on the Housing Register, further consideration will be given to potential areas in which mitigation measures may be appropriate. The Council will continue closely to monitor the impact and consider further mitigating strategies.

The Council retains a discretion in certain circumstances to allocate properties outside the scope of the Allocation Scheme to households on the Housing Register who have very high or exceptional priority. This may be used in cases where (a) the priority of a Walkways Priority household (which cannot accrue more than 900 points), is overtaken by other households on the Housing Register; (b) other households on the Housing Register suffer particular hardship or disadvantage as a result of the additional competition for properties; or

	<p>(c) any other appropriate cases which may arise.</p> <p>The Council will therefore be willing to make exceptions for households with exceptional housing need in certain circumstances. These exceptions will be considered on a case-by-case basis, although they are expected to be rare.</p> <p>11. What future monitoring and evaluation will be used to measure the impact of this decision? See Section 3 above. We will continue to compile information in the course of implementing the Walkways Policy. That will include monitoring the impact of the Walkways Policy on the allocation of properties to households on the Housing Register, in particular those who are awarded the highest priority available under the Allocation Scheme. This is to better understand any unforeseen indirect discrimination that may be being experienced as a result.</p>

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	See answer Sections 2 and 3, the summary analysis for “General / all protected groups” and the answer to Questions 9 and 10 above. The Council is committed to implementing the Walkways Policy in a fair and just way, and to mitigating the impact on other households to the greatest extent possible.

Section 07	Action Plan					
Action Plan	Note: You will only need to use this section if you have identified actions as a result of your analysis					
	Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan
	Collect E&D information about Walkways households to	Households asked to complete E&D questionnaire during housing	Immediately		Better equipped to identify and assess housing needs of	

	<p>assess equality impact</p> <p>Further action is required to improve monitoring of applicant protected characteristics (e.g. on ethnicity)</p>	<p>needs assessment</p> <p>Amendments to current monitoring forms will be recommended; for example, the addition of 'prefer not to say' answer to ensure issue is being addressed.</p>	<p>Ongoing</p>	<p>Assistant Director – Special Projects, Special Projects Lead, Housing Options and Allocations Manager, Homelessness Team Manager, Business Performance Manager</p>	<p>Walkways households</p> <p>Better equipped to identify any unforeseen indirect discrimination that may be being experienced as a result of the policy.</p>	
	<p>Update information on E&D profile of applicants on housing register</p>	<p>Continue monitoring data through CHR and PE1</p>	<p>Ongoing</p>		<p>Better equipped to identify any unforeseen indirect discrimination that may be being experienced as a result of the Allocation Scheme. Necessary for review of Allocation Scheme.</p>	
	<p>Consult with Walkways households regarding their experience of the rehousing policy and the rehousing process</p>					

	<p>Consult with other affected stakeholders</p> <p>Monitor impact of Policy on applicants on Housing Register</p> <p>Monitor impact of Policy on households in temporary accommodation</p> <p>Ensure review of policy and impacted is completed 3 months after implementation</p>						
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Section 08	
Chief Officers' sign-off	Name: [REDACTED] Position: [REDACTED] Email: Telephone No:
Key Decision Report (if relevant)	TBC upon completion of public consultation
Lead Equality Manager (where involved)	Name: [REDACTED] Position: Date advice / guidance given:

Email:
Telephone No: