



London Borough of Barnet,
2 Bristol Avenue,
Colindale,
London NW9 4EW
12 August 2019
Our ref: 5463128

Thank you for your request received on 12 July 2019, for the following information:

Could you please provide me a copy of the following information?

- 1. Internal guidance on how to conduct vulnerability test for women making a homelessness application based on domestic violence (vulnerability due to DV);**
- 2. Internal guidance on how to apply the Habitual Residence Test to EEA nationals/EEA family members who are fleeing domestic violence;**
- 3. Questionnaire use to establish whether an EEA nationals/EEA family members who are fleeing domestic violence is a Habitual Resident.**

Could you also please provide me the following information for the years 2017 and 2018?

- 1. The total number of women making homelessness application due to domestic violence;**
- 2. The total number of women making homelessness application due to domestic violence who have been found ineligible to receive homelessness support given their immigration status;**
- 3. The total number of women making homelessness application due to domestic violence who have not been considered priority need / failed in the vulnerability test.**

We have processed this request under the Freedom of Information Act 2000.

Response

The council holds the information requested and it is attached/ the answers to your questions are below

Could you please provide me a copy of the following information?

- 1. Internal guidance on how to conduct vulnerability test for women making a homelessness application based on domestic violence (vulnerability due to DV);***

See attached

2. Internal guidance on how to apply the Habitual Residence Test to EEA nationals/EEA family members who are fleeing domestic violence;

3. Questionnaire use to establish whether an EEA nationals/EEA family members who are fleeing domestic violence is a Habitual Resident.

Statute and the Homeless Code of Guidance governs how assessments of vulnerability should be conducted. Barnet homes also has its own procedure for assessing applications relating to domestic abuse. Barnet Homes Housing Options staff have to complete domestic abuse training and also have training on immigration status and eligibility.

Could you also please provide me the following information for the years 2017 and 2018?

1. The total number of women making homelessness application due to domestic violence;

Barnet Homes received 283 applications relating to domestic abuse from 1/4/18 – 31/3/19. Homeless data for 2017/18 is incomplete as Barnet Homes transitioned to a new housing database to implement the new requirements of the Homeless Reduction Act.

2. The total number of women making homelessness application due to domestic violence who have been found ineligible to receive homelessness support given their immigration status;

We are currently not able to run reports on the information requested and would have to review 283 cases manually to retrieve the information. This would require reviewing case notes and decision letters and recording outcomes on a spreadsheet. See Refusal Notice below.

3. The total number of women making homelessness application due to domestic violence who have not been considered priority need / failed in the vulnerability test.

See Refusal Notice below,

Refusal Notice

Section 12 of the Freedom of Information Act 2000 allows a public authority to refuse a request if the cost of providing the information to the applicant would exceed the 'appropriate limit' as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004:

"12 Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit".

The Regulations provide that the appropriate limit to be applied to requests received by local authorities is £450 (equivalent to 2.5 days of work). In estimating the cost of

complying with a request for information, an authority can only take into account any reasonable costs incurred in:

“(a) determining whether it holds the information, (b) locating the information, or a document which may contain the information, (c) retrieving the information, or a document which may contain the information, and (d) extracting the information from a document containing it”.

In our view, to meet your request would take approximately 10 minutes per case which is equivalent to 47 hours work and above the time limit.

Advice and Assistance

In order to bring your request under the 18 hour limit, you would need to restrict the time period to 3 months

Housing services (including homelessness, allocations, housing repairs and so forth) are provided by Barnet Homes who are an Arm's Length Management Organisation (ALMO) who manage the council's housing stock and associated services on the council's behalf. They are a public authority under Freedom of Information Act 2000 and so you may make a FOI request to them. Their contact details are:

Email: talk2us@barnethomes.org

Post: The Data Controller

Barnet Homes

2 Bristol Avenue,

Colindale,

London NW9 4EW

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.