



Message from the Chief Executive.

Quick Links

PRACTITIONER GROUPS

[North West Equality & Diversity Network for Housing Practitioners](#)

[Yorkshire and East Midlands Diversity Discussion Forum](#)

[North East Equality & Diversity Network](#)

[South & South West Equality & Diversity Forum](#)

[Midlands Equalities Forum](#)

this issue

Latest From the Network **P.1**

Equality & Diversity News **P.3**

Publications **P.6**

Practitioner Groups **P.8**

Upcoming Events **P.9**

“Bedroom Tax” declared “unlawfully discriminatory” – implications & specialist briefing

Regular readers will know that HDN has been connecting welfare reform to the equalities agenda and in particular the adverse impact that some of these reforms will have on the lives of many disabled people. Readers may also be aware of the strong link HDN established earlier this year with a consortium of ex EHRC senior lawyers (HREC – Human Rights and Equality Consultancy) to provide speedy and comprehensive legal analysis and practical legal advice/briefings for HDN member organisations.

The recent ruling by a Scottish tribunal that the “bedroom tax” is unlawfully discriminatory has not as yet had the front page impact that many had anticipated but this should not under-estimate its potential significance.

In terms of the basic facts, the claimant, who suffers from multiple sclerosis, lives in a two bedroom flat which was specifically adapted to meet her care needs as a disabled person. The main bedroom was adapted for her to sleep in and to hold her medical equipment. Consequently her husband had to sleep in a separate bedroom. Her husband provided personal care for her during the night. The claimant who was receiving for Housing Benefit was told in February by Glasgow Council that her HB would be reduced from April when the Bedroom Tax came into force. She applied for and was refused Discretionary Housing Payment and ran into arrears with her rent in July.

She challenged this decision and argued that her HB should cover her for the two bedrooms as she is unable to share a bedroom with her partner “because of her disability”. Nevertheless Glasgow Council applied the 14 per cent deduction for her “spare” bedroom under the Bedroom Tax Regulations. The claimant successfully challenged the decision to reduce her HB. The tribunal agreed with her that the reduction in her benefits was a breach of her human rights.

In terms of implications for the Bedroom Tax:

- This recent decision was made by the first-tier tribunal. This means that it does not set a formal legal precedent, however it will be very persuasive in similar cases. It

will certainly give hope to the lawyers acting for many other claimants who will rely on it. It will also mean that any judge who is asked to consider the Bedroom Tax does not need to be worried about being the first to put their head above the parapet.

- The DWP have not yet stated publicly whether they will appeal the decision, but they are widely expected to do so as the decision will cause a lot of confusion to claimants and councils alike who are dealing with the Bedroom Tax.

As a result of this decision, a special briefing for HDN Member organisations has been prepared by our legal consortium partners HREC and which includes specific legal and practical advice for claimants or those involved in existing or considering launching challenges relating to bedroom tax. For this special briefing please email carla@housingdiversitynetwork.co.uk

Age discrimination and allocation policies

In recent weeks we have received separate enquiries from different organisations who were concerned that their allocation policies which included age designated criteria on different blocks of flats across their housing stock could potentially open them up to age discrimination claims.

We have again obtained an opinion from our legal consortium partners which we have also run past the HCA. It is clear that this does pose a significant risk of legal challenge. If you think that your organisation is potentially exposed and would benefit from a copy of this initial legal opinion, please email carla@housingdiversitynetwork.co.uk

Joint HDN and CIH Equality & Diversity 2013 Conference

This was a hugely enjoyable and successful Conference chaired by Lorraine Gradwell former Chief Executive of Breakthrough UK - one of our many recent partner organisations specialising in disability issues. As a result of conference feedback, we are planning to work with the CIH and Inside Housing to promote a media campaign around disability related harassment, safeguarding and the EHRC's "Hidden in Plain Sight" report following a powerful presentation at the conference from David Renwick, Group Chief Executive of Ocean Housing Group - one of whose tenants was a murder victim featured in "Hidden in Plain Sight".

The Business Case for Diversity in Governance, Manchester 26th November

HDN, in partnership with Aksa Homes, are holding an event from 10.00 to 13.00 on Tuesday 26th November in Manchester exploring the business case for a diverse Board. The event will share the learning and experience from Aksa and draw on research from outside of the sector. Places are only £20+VAT each for HDN members but are limited to two per organisation and on a first come first served basis. Places for non-members are £60+VAT each.

For more information about forthcoming events including regional DNA events, please contact Andrew Petrie, our Business Development Manager on 01484 652606 or email him at andrew@housingdiversitynetwork.co.uk

Best wishes



Clifton Robinson, Chief Executive HDN

For further information on any of the above, please email me at Clifton@housingdiversitynetwork.co.uk

Quick Links

E & D NEWS

[Home Office posters branded 'racist'](#)

[Housing organisation launches £1.5m jobs scheme](#)

[Care minister warns of sheltered housing 'market failure'](#)

['Escalating human cost' of welfare reform highlighted in Manchester](#)

[Tribunal for resolving tenant and landlord disputes to be set up](#)

[UN expert says UK government 'most aggressive' in 11 missions](#)

[NHS trust told to alert landlords after suicide](#)

[Nottingham landlords draw up bedroom tax eviction protocol](#)

Equality & Diversity News.

Manchester housing providers have highlighted the 'escalating human cost' of welfare reform five months after the bedroom tax came into effect.

Inside Housing, 5th September 2013

Home Office posters branded 'racist'

Inside Housing, 3rd September 2013

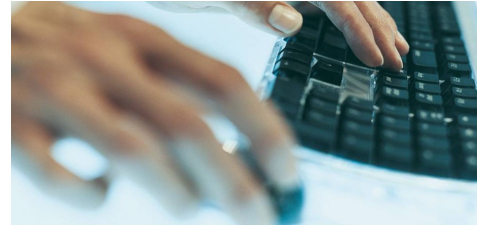
A homelessness charity had said a Home Office poster campaign telling immigrants to seek advice on 'going home' is racist. The adverts have been on display in Glasgow and London in immigration reporting centres from the end of July to the beginning of October. The Government said the posters deliver 'sensitive advice and assistance to help [immigrants] return home with dignity'. But Glasgow-based Positive Action in Housing said the displays were 'racist and xenophobic'. Positive Action in Housing's director Robina Qureshi said: 'As we all should know, "go home" is a well-known racist taunt that has been used for decades in this country by fascists and racists against those of us from immigrant communities.http://www.insidehousing.co.uk/care/home-office-posters-branded-racist/6528388.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3034275_IH-Care+and+Support-030913-JK&dm_i=1HH2,1T19F,81190P,6GHLL,1

www.insidehousing.co.uk/care/home-office-posters-branded-racist/6528388.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3034275_IH-Care+and+Support-030913-JK&dm_i=1HH2,1T19F,81190P,6GHLL,1

Housing organisation launches £1.5m jobs scheme

Inside Housing, 4th September 2013

A housing group has launched a £1.5 million scheme in disadvantaged communities to create apprenticeships and jobs. Wheatley Group's scheme will support 300 people from across Central Scotland and has been welcomed by Angela Constance, minister for



youth employment. Contractors and suppliers will be urged and incentivised to take the 'Wheatley Pledge' – giving their commitment to create new jobs and apprenticeships for people living in the area. The apprenticeships can be traditional in the form of trades, such as plumbing or joinery, or modern in areas including IT, business or environmental work. Companies who sign up will receive a wage incentive from the Wheatley Group for any new apprenticeship or job they create.

http://www.insidehousing.co.uk/care/housing-organisation-launches-%C2%A315m-jobs-scheme/6528394.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3055340_IH-Tenancies-090913-JK&dm_i=1HH2,1THIK,81190P,6I9GL,1

[utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3055340_IH-Tenancies-090913-JK&dm_i=1HH2,1THIK,81190P,6I9GL,1](http://www.insidehousing.co.uk/care/housing-organisation-launches-%C2%A315m-jobs-scheme/6528394.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3055340_IH-Tenancies-090913-JK&dm_i=1HH2,1THIK,81190P,6I9GL,1)

[JK&dm_i=1HH2,1THIK,81190P,6I9GL,1](http://www.insidehousing.co.uk/care/housing-organisation-launches-%C2%A315m-jobs-scheme/6528394.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3055340_IH-Tenancies-090913-JK&dm_i=1HH2,1THIK,81190P,6I9GL,1)

Care minister warns of sheltered housing 'market failure'

Inside Housing, 4th September 2013

Norman Lamb has warned of a 'market failure' in developing sheltered housing for elderly people. He said there were very few 'players in the market' willing to develop specialised housing for older people despite 'burgeoning demand'. He made the comments during a Q&A session after speaking in London at the launch of a report by local government thinktank Localis on health integration. Mr Lamb said, 'I can't understand why there is this market failure. We have an impact fund to try and prime the market to get specialised housing going but there is that discussion happening now in government thankfully.'

http://www.insidehousing.co.uk/care/care-minister-warns-of-sheltered-housing-market-failure/6528399.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3059272_IH-Care+and+Support-100913-JK&dm_i=1HH2,1TKJS,81190P,6IL88,1

[utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3059272_IH-Care+and+Support-100913-JK&dm_i=1HH2,1TKJS,81190P,6IL88,1](http://www.insidehousing.co.uk/care/care-minister-warns-of-sheltered-housing-market-failure/6528399.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3059272_IH-Care+and+Support-100913-JK&dm_i=1HH2,1TKJS,81190P,6IL88,1)

[JK&dm_i=1HH2,1TKJS,81190P,6IL88,1](http://www.insidehousing.co.uk/care/care-minister-warns-of-sheltered-housing-market-failure/6528399.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3059272_IH-Care+and+Support-100913-JK&dm_i=1HH2,1TKJS,81190P,6IL88,1)

[Charity threatens legal action over tenants benefit cuts](#)

['Vigorous' examination of bedroom tax after landslide vote](#)

[Voluntary sector concerns about the Transparency of Lobbying Bill](#)

[Chief executive pay gap widens](#)

'Escalating human cost' of welfare reform highlighted in Manchester

Inside Housing, 5th September 2013

Manchester housing providers have highlighted the 'escalating human cost' of welfare reform five months after the bedroom tax came into effect.

Meeting at the council's economy scrutiny committee, providers warned rent collection had dropped, with only seven percent of bedroom tax hit tenants unable to pay their rent. Northwards Housing estimated £500,000 in rent arrears, as housing associations reported that reduced revenue would see them push more resources towards rent collection and away from other areas of their work. http://www.insidehousing.co.uk/regulation/escalating-human-cost-of-welfare-reform-highlighted-in-manchester/6528409.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3059272_IH-Care+and+Support-100913-JK&dm_i=1HH2,1TKJS,81190P,6IL88,1

Tribunal for resolving tenant and landlord disputes to be set up

Inside Housing, 9th September 2013

A new tribunal will be set up in Scotland to act as a specialist decision maker for disputes between landlords and tenants in the private rented sector, disappointing an industry body that is calling for the inclusion of the social sector too. The Scottish government said on Friday that jurisdiction for civil cases will be transferred from the sheriff courts to the PRS tribunal as part of plans to be included in its forthcoming housing bill. However, the Chartered Institute of Housing Scotland said it was 'naturally disappointed' that the tribunal won't include social rented housing cases at this stage.

http://www.insidehousing.co.uk/regulation/tribunal-for-resolving-tenant-and-landlord-disputes-to-be-set-up/6528459.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3055340_IH-Tenancies-090913-JK&dm_i=1HH2,1THIK,81190P,6I9GL,1

UN expert says UK government 'most aggressive' in 11 missions

Inside Housing, 12th September 2013

An under-fire UN inspector said she had never faced such an 'aggressive' reaction from a government, after a report she wrote was branded an 'absolute disgrace' by a senior Tory politician. Former housing minister Grant Shapps has written

to the UN, calling for an investigation into special rapporteur Raquel Rolnik for political bias. She presented her preliminary findings yesterday after a two week trip around the UK, recommending the immediate suspension and review of the bedroom tax on human rights grounds. 'It was the first time a government has been so aggressive,' she said in an interview with *Inside Housing*. http://www.insidehousing.co.uk/regulation/un-expert-says-uk-government-most-aggressive-in-11-missions/6528551.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3082684_IH-Tenancies-160913-CK&dm_i=1HH2,1U2M4,81190P,6KF7V,1

NHS trust told to alert landlords after suicide

Inside Housing, 12th September 2013

A coroner has recommended a London hospital trust passes information about vulnerable patients to social landlords after a mentally-ill social tenant committed suicide because he was evicted. The tenant was being treated by Central and North West London NHS Foundation Trust for mental health issues but this was not known to 33,000-home landlord Genesis. The coroner has issued a 'rule 43' letter, which coroners can issue if they identify steps that could prevent similar future fatalities, to Claire Murdock, the hospital trust's chief executive. The letter suggests the introduction of an assessment process to inform other agencies that a patient is vulnerable.

http://www.insidehousing.co.uk/care/nhs-trust-told-to-alert-landlords-after-suicide/6528523.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3082684_IH-Tenancies-160913-CK&dm_i=1HH2,1U2M4,81190P,6KF7V,1

Nottingham landlords draw up bedroom tax eviction protocol

Inside Housing, 13th September 2013

Nottingham's largest social landlords are introducing a city-wide eviction prevention

protocol for dealing with tenants hit by the bedroom tax. Asra Housing Group, Nottingham Council, Nottingham City Homes and Nottingham Community Housing Association have signed up to the policy in order to control rising arrears and to ensure tenants receive consistent advice from landlords across the city. The measure, which will offer tenants 'every option to prevent evictions', is also intended to protect those affected by the under-occupancy penalty that are in particular hardship. Cases include a woman who uses a spare room for kidney dialysis machine, and a family which, after paying weekly debts, has only £20 a week to live on and is living off breakfast cereal. http://www.insidehousing.co.uk/regulation/nottingham-landlords-draw-up-bedroom-tax-eviction-protocol/6528541.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3082684_IH-tenancies-160913-CK&dm_i=1HH2,1U2M4,81190P,6KF7V,1

Charity threatens legal action over tenants benefit cuts

Inside Housing, 16th September 2013

A Bristol charity is threatening legal action saying its residents have unfairly had their benefits cut. Bristol Foundation Housing runs hostels that house vulnerable adults, including people with drug problems, mental health issues and those taking refuge from domestic violence. The organisation relies on money from enhanced housing benefit to support people living in its hostels and flats, which is paid for by the council. After carrying out a review that found BFH did not provide the level of support it said it did, the council withheld benefits for the residents but the residents' association says the interview process that led the council to withdraw the funds was unlawful.

http://www.insidehousing.co.uk/legal/charity-threatens-legal-action-over-tenants-benefit-cuts/6528583.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3082684_IH-tenancies-160913-CK&dm_i=1HH2,1U2M4,81190P,6KF7V,1

'Vigorous' examination of bedroom tax after landslide vote

Inside Housing, 17th September 2013

The Liberal Democrats will 'vigorously evaluate' the impact of the bedroom tax, after a motion slamming it passed by a landslide. Only two members voted against the grassroots motion calling for an 'immediate evaluation' after a series of speeches condemning it. The motion, which is now official party policy, condemns the bedroom tax for 'discriminating against the most vulnerable in

society.' It says the policy fails to appreciate the needs of disabled people, and notes that outside of London there is not enough policy. The motion, tabled by grassroots Northumbrian member Julie Porksen, commits to not withdrawing the benefits of those on waiting lists for suitable social housing.

http://www.insidehousing.co.uk/regulation/vigorous-examination-of-bedroom-tax-after-landslide-vote/6528602.article?utm_medium=email&utm_source=Ocean+Media+&utm_campaign=3086040_IH-care-170913-CK&dm_i=1HH2,1U57C,81190P,6KPDA,1

Voluntary sector concerns about the Transparency of Lobbying Bill

Equality and Diversity Forum, 24th September 2013

The Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Bill introduces a statutory register of consultant lobbyists and establishes a Registrar to enforce the registration requirements. It regulates more closely election campaign spending by those not standing for election or registered as political parties and it strengthens the legal requirements placed on trade unions in relation to their obligation to keep their list of members up to date. On 2 September, Compact Voice wrote to the Minister for Political and Constitutional Reform raising concerns that the provisions in the Bill compromise the independence of voluntary sector organisations. Following this, the Government announced that it 'will act on amendments to the Transparency Bill after a meeting with the National Council for Voluntary Organisations (NCVO)'.

<http://www.edf.org.uk/blog/?p=29207>

Chief executive pay gap widens

Inside Housing, 27th September 2013

The gender pay gap at the very top of the UK's largest housing associations jumped over the past year. Inside Housing's annual chief executive salary survey reveals that just 22 of the 100 biggest organisations by stock are run by women, who, on average, were paid nearly £10,000 less than their male counterparts in 2012/13. Female chief executives received average total pay packets of £159,844 in 2012/13, while male chief executives received an average of £169,771. In 2011/12, when 18 female chief executives were surveyed, the gender pay gap stood at £5,905. Female housing heads took home an average total salary of £157,798 and male bosses received an average of £163,703. Total salaries include chief executives' basic salaries, car allowances and bonuses.

http://www.insidehousing.co.uk/regulation/chief-executive-pay-gap-widens/6528766.article?CMP=&et_cid=50676&et_rid=5328299&Linkid=%c2%a310%2c000+less+than+their+male+counterparts

PUBLICATIONS

[The Gender Impact of Welfare Reform](#)

[Universal Credit: early progress](#)

[Homes for forgotten families](#)

[Work for the dole](#)

[Challenging Times, Changing Lives](#)

[A high cost to pay](#)

Publications

The help to buy scheme has left the majority of families priced out of owning a home, according to new research.

Shelter, September 2013

The Gender Impact of Welfare Reform

The Scottish Government, August 2013

Many women risk losing their financial independence as a result of the welfare reforms, the Scottish Government has said. According to a report, the coalition's benefit changes could mark a return to the 'male breadwinner' model, with financial resources and power concentrated in the hands of men. Curbs on child benefit, cuts to child tax credits, the abolition of the Health in Pregnancy Grant and the benefit cap, meant women were disproportionately affected by the welfare changes, the report said. 'Overall welfare reform has a significantly gendered impact – with women being negatively impacted by a large number of the changes introduced.'

<http://www.scotland.gov.uk/Resource/0043/00432337.pdf>

Universal Credit: early progress

National Audit Office, September 2013

The implementation of universal credit suffered from 'weak management, ineffective control and poor governance,' a watchdog has found. A critical report published today by the National Audit Office has found flaws in the way the £2.4 billion flagship welfare project has been managed. Under universal credit a number of benefits, including housing benefit, will be combined into one monthly payment administered by a large IT system. The NAO concluded the Department for Work and Pensions was too ambitious in its timetable and scope for the programme and has not achieved value for money in its early implementation. Responding to the report, Grainia Long, chief executive of the Chartered Institute of

Housing, said: 'We need to know that people can rely on getting fast, accurate decisions about benefits, and that they can be paid reliably and on time. Unfortunately the NAO's report makes it clear that the government is currently nowhere near achieving this.' <http://www.nao.org.uk/wp-content/uploads/2013/09/10132-001-Universal-credit.pdf>

Homes for forgotten families

Shelter, September 2013

The help to buy scheme has left the majority of families priced out of owning a home, according to new research. A report by Shelter said the mortgage guarantees of help to buy to be rolled out in January will leave more than three in four families (78 per cent) on low or average incomes still incapable of affording the monthly mortgage repayments on a family-sized home – even if they have a deposit. Many families will therefore have no choice but to spend years in private lets, paying out 'dead money' in rent and facing the prospect of insecure short-term tenancy contracts, the document said. The report warns that if the trend continues, one in four families on low or middle incomes will be privately renting by 2020.

[http://england.shelter.org.uk/_data/assets/pdf_file/0014/702023/Shelter - Homes for forgotten families.pdf](http://england.shelter.org.uk/_data/assets/pdf_file/0014/702023/Shelter_-_Homes_for_forgotten_families.pdf)

Work for the dole

The Taxpayers' Alliance, September 2013

A report by the Taxpayers' Alliance has suggested Universal Credit claimants should have a mandatory 30 hour per week work or training commitment or lose their benefit, based on the US system. The Taxpayers Alliance report suggests a return to work programme is the 'next step' to cut the number of unemployed people in the UK and claimants could be subject to the programme after claiming universal credit for three months. *Work for the Dole* by Chris Philip, entrepreneur and former Camden counsellor, suggests that the proposed scheme could lead to annual savings of £3.51 billion and help 345,000 people off benefits over time. The compulsory activity would be suitable to their physical condition and the length of time before someone is referred onto the scheme would be subject to their previous National Insurance (NI) contributions. <http://www.taxpayersalliance.com/workforthedole.pdf>

Challenging Times, Changing Lives

Riverside Housing Association, September 2013

Tenants found it harder to heat their homes last winter due to a 'steady erosion of the gap between income and expenditure', a study has found. A research project by housing association Riverside, which follows the lives of 18 households, illustrates the impact of rising fuel costs on low-income families. The research, entitled *Challenging times, changing lives*, found two-thirds of the households struggled to heat their homes last winter and more than half rationed their use of heating. David Orr, chief executive of the National Housing Federation, welcomed the report. He said: 'It [the research] is beginning to reveal the painful reality of everyday life for people struggling on very low incomes, in areas where jobs are scarce on the ground.'

[http://www.cchpr.landecon.cam.ac.uk/Downloads/Longitudinal FULL report Final v2.pdf](http://www.cchpr.landecon.cam.ac.uk/Downloads/Longitudinal_FULL_report_Final_v2.pdf)

A high cost to pay

Homeless Link, September 2013

The government's benefit sanctions have disproportionately affected homeless people, research reveals. A study published in September suggests nearly one in three, 31 per cent, homeless people on job seekers allowance have faced penalties, compared to just 3 per cent of typical claimants. The survey of umbrella body Homeless Link's member organisations indicates homeless people are being sanctioned while facing poor mental health and learning difficulties. Rick Henderson, chief executive of Homeless Link, said: 'The welfare system should provide a safety net to protect people at risk of falling into destitution and support them into work. This report highlights the fact that the sanctions regime is doing very little to help homeless people towards the long-term goal of independence and stability.'

http://homeless.org.uk/sites/default/files/site-downloads/A%20High%20Cost%20to%20Pay%20Sept13_0.pdf



National Housing Diversity Network Accreditation (DNA)

We all want to improve our customers lives, through genuine partnerships, by delivering excellence. HDN have developed a forward thinking and outcome based accreditation model, preparing you for significant change and future success.

**Contact us now to find out
more about DNA.**

www.housingdiversitynetwork.co.uk

01484 652 606

info@housingdiversitynetwork.co.uk



Practitioner Group Updates

If you or any of your colleagues are interested in joining any of the groups, please contact carla@housingdiversitynetwork.co.uk. As a practitioner you are welcome to attend any of the meetings and be added to all 5 email groups.

Dates for the next meetings are:

North West Equality & Diversity Network for Housing Practitioners

The next Network Group meeting will be held on **11th December 2013** at New Charter Housing Trust, Ashton-under-Lyne.

Yorkshire and East Midlands Diversity Discussion Forum

The next meeting will be held on the **17th October 2013**, Sheffield Homes, Sheffield.

North East Equality & Diversity Network for Housing Practitioners

The next meeting will be held on the **24th October 2013** at Bernicia Group, Ashington, Northumberland.

South & South West Equality & Diversity Forum

The next Forum meeting will be held on the **23rd October 2013** at Homes in Sedgemoor, Somerset.

Midlands Equalities Forum

The next meeting will be held on **03rd December 2013** at Solihull Community Housing, Solihull.

... access to work supporting vulnerable people ... welfare reform ... customer profiling ... worklessness ... engaging with hard to reach customers ...



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Contact us now to find out more about DNA.

www.housingdiversitynetwork.co.uk

0870 143 2732 dna@housingdiversitynetwork.co.uk



Upcoming Events

- **Board Mentoring Workshop - Business Case for Diversity**
9th November 2013, Watford
- **HDN Workshop with Aksa Homes - The Business Case for Diversity: Good Governance**
26th November 2013, Manchester

For further information on the above events please contact carla@housingdiversitynetwork.co.uk .



The Housing Diversity Network's Equality & Diversity Briefings are produced in association with the Centre for Local Economic Strategies (CLES). For further information on CLES please visit their website at www.cles.org.uk, contact Matthew Jackson on 0161 233 1928 or email

MatthewJackson@cles.org.uk