

Equality Impact Assessment (EIA) Form **'Knowing your customers needs'**

Background

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

Legislation - Equality duty

As a local authority who provides services to the public, Melton has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance Equality of Opportunity
- Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership (when providing services)
5. Pregnancy and maternity (when providing services)
6. Race
7. Religion and belief
8. Sex
9. Sexual orientation

What is prohibited?

1. Direct discrimination, including by association and perception.
2. Indirect discrimination – now covers all characteristics.
3. Pregnancy and maternity discrimination.
4. Harassment.
5. Third party harassment.
6. Discrimination arising from disability.
7. Duty to make reasonable adjustments.

Title of the policy	Tenancy Policy
Is it new or existing?	Existing - leading on from the Tenancy Strategy
Date	3 rd January 2013
Officer undertaking EIA	Samantha Fern / Nicola Butcher
Who else is involved in undertaking this assessment?	-

1. Overview of policy/function being assessed

A. Outline: What is the purpose of this policy? (specify aims and objectives)
<ul style="list-style-type: none"> To meet statutory requirements of the Localism Act 2011 (section 150). The Localism Bill includes new powers relating to allocations and flexible tenancies; it requires local authorities to produce a Tenancy Strategy and from that a Tenancy Policy, which sit alongside the Housing Strategy; Homelessness Strategy; and Allocations Policy. To provide guidance on the use of the affordable rent tenure of housing and fixed term tenancies within Local Authority Stock. <p>The allocation of affordable housing will be in accordance with the Council's Allocations Policy which is subject to its own equalities monitoring and impact assessment. This impact assessment only relates to the policies within the tenancy policy, these are regarding the use of the affordable rent and fixed term tenancies.</p>
B. What specific groups is the policy designed to affect/impact?
<ul style="list-style-type: none"> Any member of the local community who may require affordable housing now or in the future, including people moving to the Borough or looking to stay within the Borough (e.g. emerging households) Those on the housing register Registered providers of affordable housing Partner organisations whose client groups may require access to affordable housing, including Probation, Adult Social Care and the third sector.
C. Which groups have been consulted as part of the creation or review of the policy?
<p>As part of the development of the Tenancy Strategy, from which the Tenancy Policy directly relates, the following groups were consulted.</p> <p>Tenancy Strategy Consultation:</p> <ul style="list-style-type: none"> Those on the housing register – 6 week consultation ending in April 2012 via online survey linked to the choice based lettings system, conducted in partnership with Blaby District and Charnwood Borough Councils. Consultation also advertised in tenants' newsletter and Melton Borough Council website to gauge views of others who may have an interest in preparation of draft tenancy strategy. Registered providers – consultation workshop in November 2011 in partnership with all Leicestershire district councils. Partner organisations – consultation workshop in November 2011 in partnership with all Leicestershire district councils. <p>Tenancy Policy, extended consultation:</p> <ul style="list-style-type: none"> Tenants Forum – Consultation at their meeting on 3rd September 2012 and 3rd December An article was also placed in the Christmas addition of the tenants' newsletter.

2. What we already know and where there are gaps

A. What existing information/data do you have/monitor about different diverse groups in relation to this policy? This could consist of previous EIA's, reports, consultation, surveys, demographic profiles etc.

- The housing register. Full equalities monitoring data (recorded under section 2 - Equal Opportunities) of the housing application form. This data is then accessible through the Abris database used to manage and report on the housing register. This data can be extensively cross referenced by specific household details and housing need information to profile equalities information.
- Analysis of termination of Melton borough Council tenancies by reason, duration and property type to inform potential impacts of fixed term tenancies.
- Outcomes of consultation exercises as described in 1c above.

B. What does this information/data tell you about diverse groups? If you do not hold or have access to any data/information on certain/all diverse groups, what do you need to begin collating/monitoring? (please list)

The profile of the housing register is similar to that of the Borough as a whole and does not identify any specific concerns.

The information on diverse groups has helped us to provide guidance on;

- the minimum length of tenancy we would prefer to be used for certain household groups
- what we expect providers to consider when developing their tenancy policies e.g., health and wellbeing of older people, in order to minimise adverse effects
- identify the actions the council would like to take, working with providers, to manage adverse impacts, for example, developing appropriate information and advice services

We could improve our information and data on existing tenants; those who are successful in attaining affordable housing, to assist in reviewing the equalities implications of affordable housing allocations; including fixed term tenancies and affordable rent. This information could then be utilised during future reviews of the allocations policy as well as the tenancy policy.

3. Do we need to seek the views of others and if so, who?

A. In light of the answers you have given in question 2, do you need to consult with specific groups? If not please explain why.

The tenancy policy relates directly to the tenancy strategy which was subject to a 6 week public consultation. As part of this consultation comments were specifically requested on any equality impacts of the strategy/policy and whether it could be adapted to promote equality. We specifically will consult with;

- The local community, particularly those with an interest in affordable housing, including those on our housing register
- All registered providers of affordable housing within the Borough as well as the Homes and Communities Agency
- Other partner organisations, including those whose clients are likely to require access to affordable housing, including adult social care, children's services, probation, the youth offending team and the third sector.

In addition the tenancy policy was further consulted upon with the Tenants Forum.

4. Assessing the impacts

	In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative on the groups specified and whether there is evidence of discrimination. Provide an explanation for your decisions. (please refer to the general duties on the front page)			
<u>Diversity Groups</u>	<u>Positive impacts</u> Intentional / Unintentional	<u>Negative impacts</u> Intentional / Unintentional	Is there evidence of direct/indirect discrimination?	<u>Comments/explanation</u> Use data to evidence
Age	<p>The tenancy strategy sets out that tenants should have greater security of tenure (lifetime) and sheltered housing and especially when seeking to move or transfer properties this is promoted within policy which seeks to offer secure tenancies on all exchanges, despite not being obliged to do so.</p> <p>Young people, particularly younger working households, may benefit from access to the new 'affordable rent' product and are more likely to accept shorter tenancies as a 'step up' into the housing market</p>	<p>A number of homes in the district are under-occupied. These are suitable for families for whom there is less accommodation available. It is likely that many of these are occupied by older people. The policy aims to address this to make better use of the stock.</p> <p>Moving home at the end of a fixed term tenancy because circumstances have changed may affect educational attainment.</p>	Yes	<p>Measures are included within the policy to incentivise older people who under occupy their accommodation to move to alternative housing which meets their needs, including housing designated for older people. This in turn is expected to free up general needs housing and make better use of the housing stock overall, having positive impacts on all groups.</p> <p>Furthermore, the elderly and older persons in designated or specialist housing, will not be affected by the introduction of fixed term tenancies since they are recognised as protected group in this instance.</p> <p>Households circumstances will be considered when determining their tenancy needs.</p>
Disability (physical, visual, hearing, learning disability, mental health)	There is a clear link between age and disability and housing designated for older people is also suitable for those with a need for such accommodation on the grounds of	A shorter than lifetime tenancy may be more stressful for some disabled households for whom there is more limited alternative adapted accommodation available.	No	As older age above The tenancy strategy sets out a system of presumption of renewal unless circumstances of the household have changed significantly, to reduce potential for stress for all households,

	disability. Therefore there are likely to be indirect positive impacts on those with a disability as described for age above.			including disabled households. The process of review at the end of a fixed term tenancy should help to ensure that the needs of the household continue to be met through their home, and that access to other services/adaptations can be enabled as required. Furthermore, households with a disabled member will not be affected by the introduction of fixed term tenancies since they are recognised as protected group in this instance.
Gender / Sex	Fixed term tenancies may enable a better use of housing stock to meet housing needs. Our intention is that this will enable us to meet the needs of homeless households in particular – these are typically women with children and pregnant women.	No issues identified	No	No comments
Religious Belief	No issues identified	Religious belief may affect a household's ability to take out a mortgage/loan and may impact the ability of a household with improved financial circumstances to afford or access market housing	No	Through the tenancy strategy, we asked providers to consider the impacts of their tenancy policies, including renewal on individuals and ability to access market housing, this would include needs based upon religious belief.
Racial Group	No issues identified	No issues identified	No	No comments
Sexual Orientation	No issues identified	No issues identified	No	No comments
Transgender	No issues identified	No issues identified	No	No comments
Other protected groups (pregnancy & maternity, marriage & civil partnership)	See gender above	No issues identified	No	No comments
Other socially				

<p>excluded groups</p> <p>Low Literacy and Vulnerable Households</p>	<p>No issues identified</p>	<p>Period of change and overall more complicated types of offers of housing, in terms of types of tenancies and charges may be confusing to some vulnerable households, including those with low literacy levels</p>	<p>No</p>	<p>In line with the tenancy strategy, the policy promotes high quality housing advice services to assist people to make informed housing choices.</p>
<p>Other socially excluded groups</p> <p>Rural Housing and Priority Neighbourhoods</p>	<p>No issues identified</p>	<p>There is limited affordable housing in rural communities. Fixed term tenancies may affect community stability and affordable rent may prevent some households from accessing this accommodation, or place them at greater risk of tenancy failure.</p> <p>There is a danger that priority neighbourhoods, particularly where there is a greater supply of social housing, will become the only neighbourhoods where low income and possibly vulnerable households can afford to live.</p>	<p>No</p>	<p>The tenancy strategy highlights the potential risks in relation to affordable rent and these are dutifully considered within the tenancy policy and its statement to negotiate with providers to seek to deliver predominately socially rented units, however on occasion affordable rent may need to be accepted, in order to continue providing much needed affordable housing and in respect of this rental levels will be appropriately monitored and discussed between providers and local authority.</p>
<p>All</p>	<p>The policy sets out that individual circumstances need to be taken into consideration in making tenancy decisions.</p>	<p>No issues identified</p>	<p>No</p>	<p>The policy states the need for all providers to consider the individual needs of all households when making decisions on the use of flexible tenancies, particularly elderly and disabled households, utilising information from and working with partner organisations particularly for those with housing related support needs.</p>

5. Action Plan

Please include any identified concerns/actions/issues in this action plan: <i>The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan</i>			
Question Number (Ref)	Action	Responsible Officer	Target Date
1	Comment on registered providers individual tenancy and affordable rent policies and equality impact assessments in order to minimise adverse impact.	Housing Policy Officer	As and when published and reviewed
2	Monitor equalities information from the housing register	Housing Policy Officer/Housing Options Manager	Annually
3	Annually review the tenancy policy in light of new data and information to ascertain that fixed term tenancies are an appropriate tool in meeting housing needs.	Housing Policy Officer/Housing Options Manager	Review 1 st April annually

6. Who needs to know about the outcomes of this assessment and how they will they be informed

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Internally (employees & EIA Scrutiny group)	✓	Tenancy Policy and EIA circulated to key officers and Policy taken to Tenants Forum.
Externally (service users, stakeholders etc)	✓ People on housing register/service users Registered Providers Partner Organisations (Adult Social Care, Probation, YOT, Social Services, Third sector)	Tenancy strategy and EIA, to which this directly relates, were published for 6 week consultation including being; <ul style="list-style-type: none"> • Displayed on Melton Borough Council website /press release/social media • Promoted on choice based lettings website • Sent to all registered providers of affordable housing currently operating or owning stock within the Melton Borough. • Sent to partner organisations.
Others		
To ensure ease of access, what other communication needs/concerns are there?		

7. Conclusion (to be completed and signed by the [Head of Service](#))

Please delete as appropriate
I agree / disagree with this assessment / action plan
If <i>disagree</i> , state action/s required, reasons and details of who is to carry them out with timescales:
Signed (Head of Service): H Rai
Date:

8. Internal Scrutiny (to be completed and signed by an independent [member of the third tier manager group](#))

Please delete as appropriate
I agree / disagree with this assessment
If <i>disagree</i> , state action/s required, reasons and details of who is to carry them out with timescales:
Signed (third tier manager):
Date:

[Please ensure that this EIA is publicised on the Internet](#)