

# Equality Analysis (EIA) Form

## A) Description

**Name of service, function, policy (or other) being assessed**

Housing Allocation policy for Herefordshire

**Directorate or organisation responsible (and service, if it is a policy)**

AWB Strategic Housing

**Date of assessment**

February 2018

**Names and job titles of people carrying out the assessment**

Trea Connon, Strategic Housing Officer

**Accountable person**

Martin Samuels, Director of Adult and Wellbeing

**What are the aims or main purpose of the service, function or policy? What does it provide and how does it provide it?**

Under Part 6 of the Housing Act 1996 the council is required to have a policy to determine the priorities, and procedure to be followed in allocating housing. For a non-stock holding authority such as Herefordshire the allocation of accommodation is undertaken when nominating applicants to registered providers in the county.

The policy is based on the reasonable preference categories which are set by law and require council's to ensure that applicants in these categories are given a 'head start' in securing social housing.

The policy establishes the qualifying criteria for inclusion on the housing register and the main criteria for allocating housing. It also sets out the procedures for the policy's operation and explains the relationship between it and housing providers' own policies and practices.

The key aims of this policy are to:

- ensure consistency in the way in which applicants access affordable and social rented housing through the council's housing register
- ensure and promote equality of opportunity in accessing the council's housing register
- ensure that the housing register and nomination process is understandable and transparent to applicants
- meet the legal requirements for the allocation of social housing
- provide some choice of affordable rental homes to meet applicants needs
- support better use of existing housing stock within the county
- help to prevent homelessness and minimise the use of temporary accommodation
- contribute to the development of sustainable communities.

These aims will be delivered by:

- Operating a housing allocation policy where applicants are placed in bands according to their level of need;
- Providing support and advice for customers when they need it;
- Providing applicants with straightforward and realistic information on supply and demand and the prospect of re-housing both within the social sector and private rented accommodation;
- Ensuring that every application for the housing register is dealt with fairly and consistently, so promoting equality of opportunity;
- Facilitating mobility to meet household needs.

#### **Location or any other relevant information**

#### **List any key policies or procedures to be reviewed as part of this assessment.**

The guidance and working procedures for the housing register and allocations will need to be reviewed following approval of the policy and prior to implementation.

The policy will be reviewed after 12 months of operation to ensure that it is meeting the stated objectives.

#### **Who is intended to benefit from the service, function or policy?**

Local resident households in housing need and the wider community. Applicants in need will be given the opportunity to access social housing through nomination to vacant properties owned or managed by registered providers. It will provide some choice to applicants, although this is restricted by the limited turnover of some types of properties in some areas of the county. The definition of housing need within the allocation policy has been increased to reflect adequately the reasonable preference categories.

There are a number of specific groups who are expected to benefit from the change in policy. These include certain groups who currently do not qualify for the housing register but who are generally accepted as having a housing need, as identified in the Code of Guidance, such as those lacking or sharing facilities with non-family households.

There are some groups whose access to the register or to some priority for housing will be reduced as the local connection qualifying period has been extended to two years to reflect government guidance. This will adversely affect people moving into the county, although in some circumstances, such as fleeing domestic violence, the qualification period will be relaxed. The banding criteria have also been amended or replaced to reflect legislation, upcoming statutory changes, such as the implementation of the Homelessness Reduction Act (2017) and a small number of local priorities. These changes will not affect those in the protected characteristic groups directly though it is possible that a small number of individuals in these groups may be adversely affected.

Applicants' chance of securing social housing should be primarily dependent on their level of housing need. Generally this should not be affected by the possession of a protected characteristic, unless that characteristic is a determinant of potential housing need, as in the case of the need to move on disability grounds. The 1996 Act requires an allocation policy to give reasonable preference where there is a need to move on medical/welfare grounds and this is reflected in the policy.

#### **Who are the stakeholders? What is their interest?**

Potential social housing tenants and some existing social housing tenants. Their interest relates to access to the register and ability to bid for available social housing properties.

Registered Providers (aka Housing Associations) who own and manage the social housing

stock in Herefordshire. The Providers are required to cooperate to such an extent as is reasonable in offering accommodation to people with priority under the housing authority's allocation scheme.

Providers need to let their social housing stock efficiently and generally to those in housing need.

## B) Partnerships and Procurement

If you contract out services or work in partnership with other organisations, Herefordshire Council remains responsible for ensuring that the quality of provision/delivery meets the requirements of the Equality Act 2010, i.e.

- Eliminates unlawful discrimination, harassment and victimisation
- Advances equality of opportunity between different groups
- Fosters good relations between different groups

**What information do you give to the partner/contractor in order to ensure that they meet the requirements of the Act? What information do you monitor from the partner/contractor in order to ensure that they meet the requirements of the Act?**

Herefordshire Council expects all partners to ensure that they comply with the Equality Act 2010 and have their own Equality policies available.

The housing register team will monitor various aspects of the scheme including applicants to the register, exclusions and those who successfully bid for social housing.

**Are there any concerns at this stage that indicate the possibility of inequalities/negative impacts? For example: complaints, comments, research, and outcomes of a scrutiny review. Please describe:**

There is some concern that the procedure arising from the dissolution of the Home Point partnership and the potential complexity for new applicants may have a negative impact. The current system is already fairly complex and it is not clear that applicants understand it fully. The Allocation policy gives more detailed information about the procedures and the interplay between the council's procedures and policy and those of the providers which should act as a counterbalance to the increased routes into social housing.

Research in 2004 about Choice Based Lettings (CBL) schemes identified that barriers to the bidding system tended to relate to recent immigrants not speaking English to a high standard. This policy is likely to have a similar impact on those who do not read or speak English well as it is relatively complex to understand and will require applicants to bid for most available properties, as required under CBL schemes.

Taking a broad view of the term 'Disability' the National Evaluation (2004) suggests that CBL may impact on:

- Very elderly or infirm
- People with learning difficulties
- People with limited literacy
- People with mental health issues.

Research undertaken by the Joseph Rowntree Foundation (2012) in a northern rural local authority area found that:

- vulnerable groups were not disadvantaged by CBL
- there were disproportionately fewer older persons bidding and a high numbers of older persons requiring assistance to bid.

Application to the register and bidding for properties will largely be an online process. Generally older and disabled people may be less likely to have IT access in the home, and, in some cases, may have greater difficulty visiting public offices where IT facilities are available. Herefordshire is predominantly a rural county with 95 per cent of the land area classified as 'rural', and 53 per cent of the population live in these rural areas. This can make accessing services more difficult.

The current online application process has proved difficult for some applicants. This is largely due to the need to complete a housing options questionnaire as an integral part of the application. The questionnaire will be retained, as this provides useful individualised housing advice but it will be a standalone tool, separate from the online application.

## C) Information

### What information (monitoring or consultation data) have you got and what is it telling you?

The monitoring information that we currently have is limited. We are able to monitor for age, so that it is possible to state that there are 191 applications from people aged 65 or over out of a register currently standing at 1228. 776 applications are headed by a female and there are 1082 white British applicants.

However, other data, particularly in relation to the characteristics of successful applicants, has proven difficult to obtain. Although there are indications that the council is meeting most of its statutory duties, improvement in data collection and analysis is required to ensure that this is the case.

## D) Assessment/Analysis

### Describe your key findings (eg. negative, positive or neutral impacts - actual or potential). Also your assessment of risk.

Strand/community	Impact
Race	The policy is considered to have a neutral impact although there may be barriers, which may have a racial or nationality dimension, relating to recent immigrants who do not speak English to a high standard.
Disability	<p>Those with disabilities where their current housing circumstances have a significant impact on their health and wellbeing will benefit from high priority under the proposed scheme.</p> <p>Information is available in different formats for those with sight impairments.</p> <p>Generally, older and disabled people may be less likely to have IT access in the home and in some cases may have greater difficulty in accessing public offices.</p>

Age	<p>Older social housing tenants under-occupying their properties will no longer have a high level of priority. Research in preparing the policy indicated that this group were over-represented in the successful applicants and this was likely to be having a detrimental effect on those in the reasonable preference categories.</p> <p>Those in need of sheltered accommodation due to medical need will be assisted within the policy.</p> <p>Generally, older and disabled people may be less likely to have IT access in the home and in some cases may have greater difficulty in accessing public offices.</p>
Gender	Married, civil partners and co-habiting couples, same sex couples, and siblings, who wish to live together, can make applications.
Faith/religion	Further data will need to be collected to assess impact. However initially the Policy is considered to be neutral.
Marriage/civil partnership	It is not considered that that the policy will impact negatively on this group.
Gender reassignment	Further data will need to be collected to assess impact. However initially the Policy is considered to be neutral.
Sexual orientation	Further data will need to be collected to assess impact. However initially the Policy is considered to be neutral. Same sex couples can make joint applications.
Pregnant women & women on maternity leave	Pregnant women are protected under the Homelessness legislation, which is reflected within the banding.

## E) Consultation

**Did you carry out any consultation?**

**Yes**

**Who was consulted?**

Registered provider partners and colleagues internally.

**Describe other research, studies or information used to assist with the assessment and your key findings.**

Piloting Choice-Based Lettings: An evaluation, ODPM 2004  
North Yorkshire Home Choice Evaluation, JRF 2014

**Do you use diversity monitoring categories?** Some currently. More will be monitored with the introduction of the new policy  
*(if No you should use this as an action as we are required by law to monitor diversity categories)*

**If yes, which categories?**

- Age
- Disability
- Gender Reassignment
- Marriage & Civil Partnership
- Pregnancy & Maternity
- Race
- Religion & Belief
- Sex
- Sexual Orientation

**What do you do with the diversity monitoring data you gather? Is this information published? And if so, where?**

Currently not collecting diversity monitoring data. This will form part of the monitoring process following introduction of the new policy and the future arrangements for allocations.

**F) Conclusions**

	<b>Action/objective/target OR justification</b>	<b>Resources required</b>	<b>Timescale</b>	<b>I/R/S/J</b>
a)	Establish effective diversity monitoring indicators and protocols	Staff time, internal and partners	August 2018	S
b)	Ensure that continued support is available for groups most likely to be impacted by the use of IT.	Staff time	August 2018	S
c)	Review the effectiveness of the current provision of translation services through the IT system	Staff time	August 2018	S
d)				

**(I)** *Taking immediate effect.*

**(R)** *Recommended to Council/Directors through a Committee or other Report\*.*

**(S)** *Added to the Service Plan.*

**(J)** *To be brought to the attention of the Equality Manager.*

\*Summarise your findings in the report. Make the full assessment available for further information.

NB: Make sure your final document is suitable for publishing in the public domain.