

Charnwood Borough Council

Equality Impact Assessment 'Knowing the needs of your customers and employees'

■ 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 that provides services to the public, Charnwood Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

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

For the following protected characteristics:

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

What is prohibited?

1. Direct Discrimination
2. Indirect Discrimination
3. Harassment
4. Victimisation
5. Discrimination by association
6. Discrimination by perception
7. Pregnancy and maternity discrimination
8. Discrimination arising from disability
9. Failing to make reasonable adjustments

Note: Complete the action plan as you go through the questions

■ **Step 1 – Introductory information**

Title of the policy	Housing Allocations Policy
Name of lead officer and others undertaking this assessment	Katie Moore, Housing Needs Manager
Date EIA started	February 2020
Date EIA completed	March 2020

■ **Step 2 – Overview of policy/function being assessed:**

Outline: What is the purpose of this policy? (Specify aims and objectives)
Under Part VI of the Housing Act 1996, all Housing Authorities are required to have an allocations scheme for determining priorities and the procedures to be followed when allocating social housing. Charnwood Borough Council's Housing Allocations Policy outlines how the Council assesses applications for housing, determines eligibility, qualification and level of housing need, prioritises applications and allocates accommodation to applicants / nominates applicants for accommodation. It takes into consideration the Housing Act 1996, Part VI and other relevant legislation, regulations and guidance.
What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?
The policy impacts upon applicants for social housing within Charnwood. These include current tenants of Councils and Registered Providers applying to transfer their tenancy and new applicants for housing. This includes persons from vulnerable groups.
Which groups have been consulted as part of the creation or review of the policy?
<p>Consultation on the development of the current Housing Allocations Policy took place between March and September 2017. This included:</p> <ul style="list-style-type: none"> • Strategic and Private Sector Housing Service Staff Meetings • Lead Member for Strategic and Private Sector Housing • Cabinet Members Briefing • Policy Scrutiny • Homelessness Strategy Steering Group • Statutory and voluntary agencies • Registered Providers Liaison Forum • Housing Management Advisory Board • Housing Register Applicants Workshop <p>In addition an online survey monkey questionnaire was available for completion and promoted at these events, on the Choice Based Lettings website and the Council's website. A letter was sent to all Housing Register applicants to advise them of the survey and invite them to attend the workshop.</p> <p>The consultation took place with a wide range of stakeholder, including representatives from each of the protected characteristics and the Council received 133 responses to the consultation questionnaire.</p> <p>The current Housing Allocations Policy was implemented in April 2019.</p> <p>An internal review of the Housing Allocations Policy has been carried out following the first six months of use. Some minor amendments to the Policy are being proposed, in order to clarify aspects of the policy and to reflect recent case law judgements.</p>

Step 3 – What we already know and where there are gaps

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous Equality Impact Assessments
- Demographic information
- Anecdotal and other evidence

- Leicestershire Choice Based Lettings- Statement of Shared Policy EIA (2009)
- Charnwood Housing Allocations Policy EIA (2017)
- Decision reviews, complaints and compliments information received about the Service
- Equalities data of residents using the Service and or Scheme
- Demographic profile of Charnwood residents

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

Charnwood has a diverse population and a range of individuals with complex issues and differing housing needs / requirements who access / have the potential to access the Housing Register.

Step 4 – Do we need to seek the views of others? If so, who?

In light of the answers you have given in Step 2, do you need to consult with specific groups to identify needs / issues? If not please explain why.

Further equalities monitoring may be required in the future. However, at this stage of analysis it is felt the information currently held is sufficient to analyse trends and determine any barriers to individuals accessing the Housing Register.

Step 5 – Assessing the impact

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

	Comments
Age	<p>Neutral impact / positive impact identified</p> <p>The Council acknowledges that many younger persons, including 16 and 17 year olds and care leavers, may require support to sustain an independent tenancy and adjust to independent living. Consideration is given to whether any persons accepted onto the register are ready for independent living and have sufficient support in place to sustain a tenancy before they are permitted to bid for properties or are considered for an offer of accommodation. The Council liaises with Social Care to assess whether these applicants are ready for an independent tenancy / require support to sustain an independent tenancy and to ensure support is in place.</p> <p>The Council has a number of older persons' sheltered housing schemes, which include flats and bungalows. These are restricted to applicants who are above the age of 60 years. The</p>

justification for the use of age-based allocation criteria is that these schemes are designed to meet the needs of older persons, with services and facilities such as warden support, assistance alarms, mobility aids, communal facilities and shared activities for older persons.

There is an exemption to the Financial Means qualification criteria for applicants who are above the age of 60 years and who qualify for older person's sheltered accommodation schemes. These applicants are permitted to join the Housing Register if they do not meet the Financial Means based qualification criteria, but are only considered for older persons' sheltered accommodation schemes. The justification for this exemption is that the Council has a number of older person's sheltered accommodation schemes that are designed to meet the needs of older persons. The Council has a number of hard to let properties within its older person's sheltered accommodation schemes, whereas the availability of this type of accommodation in the private sector within Charnwood is extremely limited. This exemption will assist older persons to access sheltered accommodation that meets the needs of older persons within Charnwood.

The Council has a number of 1 bedroom bungalows that are not within older persons' sheltered housing schemes that have minimum age restrictions. These are restricted to applicants who are above the age of 60 years. A review of these age restrictions is being carried and consideration is being given to whether the accommodation meets the needs of older persons / whether minimum age criteria for these properties continues to be justified.

The Council has a number of 1 and 2 bedroom general needs flats that have minimum age restrictions. These are restricted to applicants who are above the age of 45 years. A review of these age restrictions is being carried and consideration is being given to whether the minimum age criteria for these properties continues to be justified.

Applicants who are under-occupying a Council or Registered Provider property and applying to downsize to smaller accommodation are classified as having a housing need and therefore qualify for the Housing Register. This group of applicants is likely to contain a high proportion of older persons (such as single persons and couples who continue to reside in larger family properties after their children have reached maturity and left the family home). This criteria will help such applicants to transfer to accommodation that may better suit their long-term housing needs (such as level access accommodation or older person's sheltered accommodation). In addition, this criteria will help to ensure that larger family properties become available for households that contain dependent children.

The Council has a number of 2 bedroom general needs 'duplex' flats. These properties have small combined kitchen

	<p>and living room areas and limited living space, so are not considered to be suitable in the long-term for households with dependent children. There is a minimum age criteria of 16 years for all household members for these properties. This is to prevent applicants with dependent children from being allocated accommodation that is not suitable for them in the long-term.</p> <p>Houses with more than 1 bedroom are restricted to applicants whose households contain dependent children. This is to ensure that these households are prioritised for available accommodation that is suitable for dependent children. The policy allows for other household types to be considered for these houses in exceptional circumstances (e.g. where other types of properties with more than 1 bedroom would not meet their needs).</p> <p>Applicants who need to move closer to relatives in order to give or receive assessed care or support and where moving would prevent significant physical, emotional or financial hardship are classified as having a housing need and therefore qualify for the Housing Register (provided they meet all of the other eligibility and qualification criteria). This group of applicants is likely to contain a high proportion of older persons who require care or support or persons who provide care and support to older relatives. The inclusion of this criteria helps to facilitate the provision of support to older applicants.</p>
<p>Disability (Physical, visual, hearing, learning disabilities, mental health)</p>	<p>Neutral impact / positive impact identified</p> <p>The Allocations Policy includes criteria that supports individuals with disabilities to secure accommodation that meets their housing needs:</p> <ul style="list-style-type: none"> • Applicants who have mobility issues and need to move to ground floor or level access accommodation (classed as a housing need) • Applicants who have mobility issues and need to move to accommodation that has level access showering facilities (classed as a housing need) • Applicants who have a significant physical or mental health condition that is directly affected by their accommodation and where a move to alternative accommodation would help to ease or resolve their condition (classed as a housing need) • Applicants who have a medical need for an additional bedroom, e.g. because they need an overnight carer or need to accommodate a substantial amount of medical equipment (classed as a housing need, taking into consideration when assessing bedroom eligibility) • Applicants who are living in supported or semi-independent accommodation and are ready to move to independent accommodation (classed as a housing need, band 2 priority awarded) • Applicants who have a progressive, chronic or life threatening medical condition and cannot be discharged

from hospital because they do not have any accommodation or their accommodation is unsuitable, for example because they cannot access toilet and/or bathing facilities in the property (classed as a housing need, band 1 priority)

- Applicants who have a progressive, chronic or life threatening medical condition and urgently need to move because their accommodation is unsuitable, for example because they cannot access toilet and/or bathing facilities in the property (classed as a housing need, band 1 priority)
- Applicants who have a progressive, chronic or life threatening medical condition and urgently need to move to accommodation with significant disabled adaptations, such as wheelchair standard accommodation (classed as a housing need, band 1 priority)
- Applicants who have a specialist need for adapted accommodation (policy allows these applicants to be given preference for adapted properties due to limited availability of this type of accommodation, policy allows direct matches to adapted properties due to limited availability of this type of accommodation, there is an exemption to the Financial Means criteria for applicants who have a specialist need for wheelchair standard accommodation that is not accessible or affordable in the private sector).

Applicants who need to move closer to relatives in order to give or receive assessed care or support and where moving would prevent significant physical, emotional or financial hardship are classified as having a housing need and therefore qualify for the Housing Register (provided they meet all of the other eligibility and qualification criteria). This group of applicants is likely to contain a high proportion of persons with disabilities who require care or support or persons who provide care and support to persons with disabilities. The inclusion of this criteria helps to facilitate the provision of support to persons with disabilities.

The Council has a number of 1 and 2 bedroom bungalows, some of which are classified as accessible for persons with medical / mobility needs. A review of the accessibility of these 1 and 2 bedroom bungalows is being carried out to ensure that accurate accessibility information can be specified on property adverts and applicants can be effectively prioritised for these properties based on accessibility need.

The Council acknowledges that some persons with significant mental health problems and/or learning difficulties may require support to sustain an independent tenancy and adjust to independent living. Consideration is given to whether any persons accepted onto the register are ready for independent living and have sufficient support in place to sustain a tenancy before they are permitted to bid for properties or are considered for an offer of accommodation. The Council liaises with Social

	<p>Care to assess whether these applicants are ready for an independent tenancy / require support to sustain an independent tenancy and to ensure support is in place.</p> <p>The policy includes a local connection qualification criteria, designed to ensure that the housing register meets the needs of local residents and the local community. This type of criteria potentially indirectly discriminates against persons who have mental health problems, as they are over-represented in homeless populations. As homeless persons are not resident in settled accommodation, they cannot meet the aspect of the criteria relating to settled residence. The policy therefore includes an exemption to the local connection criteria for applicants who are homeless and who did meet the local connection criteria through residence in settled accommodation immediately before they became homeless.</p>
<p>Gender Reassignment (Transgender)</p>	<p>Neutral impact / no impact identified.</p> <p>The gender of household members is taken into consideration when determining bedroom eligibility. The criteria has been designed to minimise situations where adult household members of different genders (who are not a couple in a relationship) share bedrooms. The assessment of bedroom eligibility is based on the applicant's identification of their own gender / the gender of their household members. The assessment of bedroom eligibility allows a separate bedroom for any household members over the age of 16 who are not of the same gender and not a couple in a relationship. Procedural guidance for assessing officers will clarify that where a household member is identified as non-gender binary, a separate bedroom should be allowed.</p>
<p>Race</p>	<p>Neutral impact / no impact identified.</p> <p>The policy includes local connection qualification criteria, designed to ensure that the housing register meets the needs of local residents and the local community. This type of criteria potentially discriminates against Gypsies and Travellers who have a nomadic lifestyle and as a result are unlikely to be able to establish a local connection through settled residence / through residence of close relatives. The policy therefore includes an exemption to the local connection criteria for this group.</p>
<p>Religion or Belief (Includes no belief)</p>	<p>Neutral impact / positive impact identified.</p> <p>The Council operates a Choice Based Lettings scheme under which applicants can express preference over the accommodation to be allocated to them, by bidding for advertised properties in their preferred areas. Applicants who wish to reside close to a place of worship in order to practice their religious beliefs have the ability to bid for properties near to their place of worship (subject to availability).</p>
<p>Sex</p>	<p>Neutral impact / no impact identified.</p>

<p>(Gender)</p>	<p>The gender of household members is taken into consideration when determining bedroom eligibility. The criteria has been designed to minimise situations where adult household members of different genders (who are not a couple in a relationship) share bedrooms. The assessment of bedroom eligibility is based on the applicant's identification of their own gender / the gender of their household members. The assessment of bedroom eligibility allows a separate bedroom for any household members over the age of 16 who are not of the same gender and not a couple in a relationship. Procedural guidance for assessing officers will clarify that where a household member is identified as non-gender binary, a separate bedroom should be allowed.</p> <p>The policy includes local connection qualification criteria, designed to ensure that the housing register meets the needs of local residents and the local community. This type of criteria potentially indirectly discriminates against women, as they are overrepresented amongst victims of domestic abuse. Applicants who have fled from another Council area due to domestic abuse, violence or threats of violence that are likely to be carried out are unlikely to meet the local connection criteria with the policy. The policy therefore includes an exemption for applicants who have fled domestic abuse, violence or threats of violence that are likely to be carried out and cannot safely reside within any of the council areas where they have a local connection.</p>
<p>Sexual Orientation</p>	<p>Neutral impact / no impact identified.</p> <p>None of the criteria in the Housing Allocations Policy have been identified as potentially having an impact based on the applicant's sexual orientation.</p>
<p>Other protected groups (Pregnancy & maternity, marriage & civil partnership)</p>	<p>Neutral impact / positive impact identified.</p> <p>Unborn children are taken into consideration when determining bedroom eligibility once the expected delivery date is within 3 months. This will assist pregnant women to secure accommodation that meets their longer-term needs and the longer-term needs of their unborn child.</p>
<p>Other socially excluded groups (Carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee Homelessness communities etc.)</p>	<p>Neutral impact / positive impact identified.</p> <p>The Housing Allocations Policy includes criteria that support the following socially excluded groups to secure accommodation that meets their needs:</p> <ul style="list-style-type: none"> • Applicants leaving local authority care (classed as a housing need, band 2 priority given, exemption to local connection criteria for some groups) • Applicants living in supported accommodation (classed as a housing need, band 2 priority given for some groups, exemption to local connection criteria for some groups)

- Applicants who are suffering violence, harassment or abuse (classed as a housing need, band 1 priority given, exemption to local connection criteria for some groups, exemption to financial means criteria for some groups)
- Homeless persons (classed as a housing need, band 1 priority given for some groups, exemption to local connection criteria for some groups)
- Applicants who have a need to move in order to give or receive assessed care or support (classed as a housing need)
- Applicants who have a need to move due to financial hardship (classed as a housing need)
- Armed forces members (additional priority given within bands for some groups, exemption to local connection criteria for some groups).

The policy includes local connection qualification criteria, designed to ensure that the housing register meets the needs of local residents and the local community. This criteria potentially disadvantages some groups:

- Homeless persons are not resident in settled accommodation, so they cannot meet the aspect of the criteria relating to settled residence. The policy is therefore being amended to include an exemption to the local connection criteria for applicants who are homeless and who did have a qualifying local connection through residence in settled accommodation immediately before they became homeless.
- Persons living in support accommodation are not resident in settled accommodation, so they cannot meet the aspect of the criteria relating to settled residence. The policy therefore includes an exemption to the local connection criteria for applicants who are residing in supported accommodation and who did have a qualifying local connection through residence in settled accommodation immediately before they became homeless.
- Young people in care are not resident in settled accommodation and care leavers may have no close relatives / may need to be accommodation away from their close relatives, so they are unlikely to meet the criteria relating to settled residence / residence of relatives. The policy therefore includes an exemption to the local connection criteria for Care Leavers who have been accommodated by Leicestershire County Council and for Care Leavers who have been accommodated by another Local Authority within Charnwood for at least 2 years. This current wording of this criteria in the policy does not include Care Leavers who are in full time education who are supported by care/leaving care teams up to the age of 25. The wording in the policy is therefore being amended slightly to include these Care Leavers.

- Applicants who have fled domestic abuse, violence or threats of violence that are likely to be carried out are unlikely to meet the local connection criteria. The policy therefore includes an exemption for applicants who have fled domestic abuse, violence or threats of violence that are likely to be carried out and cannot safely reside within any of the council areas where they have a local connection.

Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.

Please note:

- If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

Ensure review of age criteria for 45+ flats carried out to establish whether this continues to be justified

Ensure review of age criteria for 60+ bungalows carried out to establish whether this continues to be justified

Ensure review of accessibility of 1 and 2 bedroom bungalows carried out to enable accurate information in relation to accessibility to be specified on property adverts / to allow applicants for accessible properties to be prioritised based on accessibility need

Ensure effective processes in place for identifying suitability for independent accommodation and support required to assist with tenancy sustainment (for young persons and persons with mental health problems and/or learning disabilities).

Monitor decision reviews, complaints and compliments information received alongside equalities monitoring data for applications received to ensure any adverse impacts are identified and minimised.

Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).

It is the opinion that the Housing Allocations Policy complies with equality and diversity responsibilities. Where potential barriers are identified at this stage, it is recognised that it will be necessary to plan effectively to ensure adverse impact is not created for any particular groups.

We will continue to undertake analysis and monitoring to ensure discrimination and adverse impact does not occur.

■ Step 6- Monitoring, evaluation and review

Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?

- Decision reviews, complaints and compliments information received
- Equalities monitoring data of applications received.

How will the recommendations of this assessment be built into wider planning and review processes? E.g. policy reviews annual plans and use of performance management systems.

All recommendations made will be addressed in relevant service / team plans and monitored, as appropriate.

Step 7- Action Plan

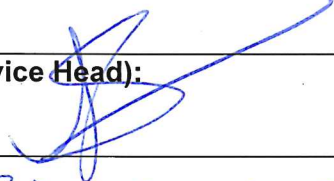
**Please include any identified concerns/actions/issues in this action plan:
The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan**

Reference Number	Action	Responsible Officer	Target Date
01	Ensure review of age criteria for 45+ flats carried out to establish whether this continues to be justified	Housing Needs Manager	31 st March 2021
02	Ensure review of age criteria for 60+ bungalows carried out to establish whether this continues to be justified	Housing Needs Manager	31 st March 2021
03	Ensure review of accessibility of 1 and 2 bedroom bungalows carried out to enable accurate information in relation to accessibility to be specified on property adverts / to allow applicants for accessible properties to be prioritised based on accessibility need	Housing Needs Manager	31 st March 2021
03	Ensure effective processes in place for identifying suitability for independent accommodation and support required to assist with tenancy sustainment for young applicants and applicants with significant mental health problems and/or learning difficulties	Housing Needs Manager	31 st March 2021
04	Monitor decision reviews, complaints and compliments information received alongside equalities monitoring data for applications received to ensure any adverse impacts are identified and minimised.	Housing Needs Manager	31 st March 2021

Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	✓	This EIA will be circulated to employees who work with the Housing Allocations Policy. This EIA will be published on the Council's website.
Service users	✓	
Partners and stakeholders	✓	
Others	✓	
To ensure ease of access, what other communication needs/concerns are There?		

■ Step 9- Conclusion (to be completed and signed by the **Service Head**)

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 (Service Head): 
Date: 13th March 2020

[Please send completed & signed assessment to Suzanne Kinder for publishing.](#)