

## Initial equality impact assessment screening form

This form is an equality screening process to determine the relevance of equality to an activity, and a decision whether or not a full EIA would be appropriate or proportionate.

<b>Directorate:</b>	EG&NR
<b>Service Area:</b>	Housing Services
<b>Activity being screened:</b>	<p>Proposed changes to the Allocation Policy for social housing within the Tees Valley partnership. Partners include,</p> <ul style="list-style-type: none"> <li>• Darlington Borough Council</li> <li>• Hartlepool Borough Council</li> <li>• Middlesbrough Council</li> <li>• Redcar and Cleveland Borough Council</li> <li>• Stockton-On-Tees Borough Council</li> <li>• Beyond Housing</li> <li>• Home Group</li> <li>• North Star</li> </ul>
<b>Officer(s) carrying out the screening:</b>	Janette McMain – Housing Manager
<b>What are you proposing to do?</b>	<p>Implementation of the following changes,</p> <p>(a) Removal of additional preference for low paid workers;</p> <p>(b) Amending some of the criteria for a priority band award in line with the Homelessness Reduction Act 2017 and in line with local needs; Specifically</p> <ol style="list-style-type: none"> <li>1. Awarding an equal level of priority to applicants who are overcrowded</li> <li>2. Updating the housing allocation policy's banding structure to recognise changes in legislation with the introduction of the Homelessness Reduction Act 2017 and reflect changes in housing needs across the Tees Valley</li> </ol> <p>(c) Amending how reduced preference is applied for applicants with less serious rent arrears and anti-social behaviour</p>

<p><b>Why are you proposing this? What are the desired outcomes?</b></p>	<p>The allocation for social housing within the Tees Valley is currently carried out through the Tees Valley Common Allocation Policy.</p> <p>Recently, Thirteen Housing Group have made the decision to leave the current partnership.</p> <p>In addition to this, the introduction of new legislation through the Homelessness Reduction Act, which became effective from 2018 now highlights new statutory duties for the local authorities.</p> <p>These two events have prompted a review of the allocation policy, which has been in place in its current form since 2012, and now needs to meet the following requirements,</p> <ul style="list-style-type: none"> <li>(a) To enable the Council to meet its commitments in respect of the Tees Valley Lettings Partnership.</li> <li>(b) To ensure consistency of policy across the sub region, ensuring clarity, transparency and fairness for applicants.</li> <li>(c) To ensure that the policy is aligned with the legislative requirements – Homelessness Reduction Act 2017 and therefore meeting our statutory requirements.</li> <li>(d) To ensure that the policy is reflective of stakeholder feedback provided during the consultation process.</li> </ul>
<p><b>Does the activity involve a significant commitment or removal of resources? Please give details</b></p>	<p>No</p>

**Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or any other socially excluded groups?**


**As part of this assessment, please consider the following questions:**

- **To what extent is this service used by particular groups of people with protected characteristics?**
- **Does the activity relate to functions that previous consultation has identified as important?**

- Do different groups have different needs or experiences in the area the activity relates to?

If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate.

Protected characteristic	Yes	No	Don't know/ Info not available
Age			✓
Disability			✓
Sex (gender)			✓
Race			✓
Sexual Orientation			✓
Religion or belief			✓
Gender reassignment			✓
Pregnancy or maternity			✓
Marriage or civil partnership			✓
<b>Other</b>			
Carer (unpaid family or friend)			✓
Low Income			✓
Rural Location			✓
<b>Does the activity relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.</b>	No		
<b>Will the activity have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.</b>	<b>All organisation in the Tees Valley partnership</b>  <b>Organisation that support people with housing issues including people with protected characteristics</b>		
<b>Decision (Please tick one option)</b>	EIA not relevant or proportionate:		Continue to full EIA: ✓

<b>Reason for Decision</b>	<b>To identify the potential impacts of these proposals on protected characteristic groups</b>
<b>Signed (Assistant Director)</b>	
<b>Date</b>	<b>16/09/19</b>



# Equality Impact Assessment Record Form

This form is to be used for recording the Equality Impact Assessment (EIA) of Council activities. It should be used in conjunction with the guidance on carrying out EIA in **Annex 2** of the Equality Scheme. The activities that may be subject to EIA are set out in the guidance.

EIA is particularly important in supporting the Council to make fair decisions. The Public Sector Equality Duty requires the Council to have regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.

Using this form will help Council officers to carry out EIA in an effective and transparent way and provide decision-makers with full information on the potential impact of their decisions. EIAs are public documents, accompany reports going to Councillors for decisions and are published with committee papers on our website and are available in hard copy at the relevant meeting.

<b>Title of activity:</b>	Housing Allocations Policy Review	
<b>Name of Directorate and Service Area:</b>	EG&NR – Housing Services	
<b>Lead Officer and contact details</b>	Janette McMain Housing Manager <a href="mailto:Janette.mcmain@darlington.gov.uk">Janette.mcmain@darlington.gov.uk</a>	
<b>Assistant Director accountable for this EIA</b>	Pauline Mitchell	
<b>Who else will be involved in carrying out the EIA:</b>		
<b>When did the EIA process start?</b>		<i>September 2018</i>

## Section 2 – The Activity and Supporting Information

**Details of the activity** (describe briefly - including the main purpose and aims) (e.g. are you starting a new service, changing how you do something, stopping doing something?)

A review of the Tees Valley Common Allocations Policy has been undertaken and led to the following proposals

- (a) Removal of additional preference for low paid workers;
- (b) Amending some of the criteria for a priority band award in line with the Homelessness Reduction Act 2017 and in line with local needs; specifically,
  - 1. Awarding an equal level of priority to applicants who are overcrowded
  - 2. Updating the housing allocation policy's banding structure to recognise changes in legislation with the introduction of the Homelessness Reduction Act 2017 and reflect changes in housing needs across the Tees Valley
- (c) Remove reduced preference is applied for applicants with less serious rent arrears and anti-social behaviour

The proposals were consulted on between 3 June to 12 July 2019, by questionnaire via the following methods,

- Compass, DBC website and intranet
- Third sector partners to work with their client groups
- Voluntary and public-sector organisations
- Housing partners
- Staff members
- Residents
- Social Media

**Why is this being proposed? What are the aims? What does the Council hope to achieve by it?** (e.g. to save money, meet increased demand, do things more efficiently)

The aims of the proposed changes are as follows,

### **(a) Removal of additional preference for low paid workers**

The Code of Guidance issued by the Government in June 2012 urged local authorities to consider how they could use their allocation policies to support households in low paid employment and contributing to their community. Preference was therefore given to applicants in low paid employment, in addition to any housing need priority band that they have been awarded.

During the review this policy was found to be being applied inconsistently across the sub-region by different partners. In addition, it was found that where the policy was applied it was not effectively achieving fair outcomes.

To ensure fairness and consistency in applying the allocations policy across all the partner organisations, it proposed that applicants in a priority band should compete on their housing need only, regardless of employment status and so remove additional preference for people in low paid employment from the policy.

Applicants will therefore be assessed on their housing need, it will have no detrimental effect on households who are benefit dependant

**b) Amending some of the criteria for a priority band award in line with the Homelessness Reduction Act 2017 and in line with local needs**

**Under occupancy.** Additional Preference is currently awarded to transferring tenants (of partner landlords) who are under-occupying their homes and who are subject to a reduction in Housing Benefit, within Band 1 and Band 2. Band 1 is awarded if the tenant is under-occupying by two or more rooms and Band 2 is awarded if the tenant is under-occupying by one room. All partners wish to continue to support their tenants who are under-occupying their property and are financially affected, however they wish to achieve this in a fair and consistent manner, and so it is proposed that, whilst differing banding will continue to be awarded to tenants (of partner landlords) depending on the number of bedrooms they are under-occupying, the additional preference will no longer be applied and applicants will be assessed on their housing need.

**Overcrowding** The current policy gives two different levels of priority to applicants who are overcrowded. Band 2 is for those who are three or more bed spaces short of requirements and Band 3 is for those who are one or two bed spaces short of requirements. To ensure overcrowding is recognised as a serious housing need it is proposed that all applicants who are overcrowded should be awarded an equal level of priority.

**Banding.** In line with legislation, specific housing needs must be included within the allocations policy. Once assessed, applicants are awarded a band relevant to their housing needs and each band represents differing housing need criteria. The current five-tiered banding structure has been reviewed to recognise changes in legislation with the introduction of the Homelessness Reduction Act 2017. It has also been simplified to reflect changes in housing need across the Tees Valley. The proposed changes are,

Current Policy	Proposed Changes
<p><b>Band 1 +</b>  <b>Home loss through regeneration</b>                      People losing their home due to a recognised regeneration scheme within any one of the local authorities within the sub region</p>	<p><b>Band 1+</b> will be removed and incorporated in Band1                      because the review found that the number of applicants meeting the criteria for this band was negligible and it was therefore adding unnecessary administration and resources</p>
<p><b>Band 1</b>  <b>Statutory homeless and homeless prevention (Statutorily homeless and in priority need)</b></p> <ul style="list-style-type: none"> <li>• Owed the homeless prevention or relief duty</li> <li>• At risk of domestic abuse</li> <li>• Leaving HM Armed Forces</li> <li>• Urgent medical</li> <li>• Unsafe/insanitary housing conditions</li> <li>• Under-occupation (2 rooms)</li> </ul>	<p><b>Band 1</b> will become <u>urgent</u> housing needs to include anyone owed a statutory homeless duty</p> <ul style="list-style-type: none"> <li>• Statutory Homeless (including those owed prevention and relief duties)</li> <li>• Domestic Abuse</li> <li>• HM Forces</li> <li>• Decants – applicants who need to move from existing social housing due to demolition or significant refurbishment</li> </ul>

<p><b>Band 2</b> <b>High housing need</b></p> <ul style="list-style-type: none"> <li>• High medical need</li> <li>• Overcrowding (3 or more bed spaces short)</li> <li>• Under-occupation (1 room)</li> <li>• Hardship</li> <li>• Sharing facilities</li> </ul>	<p><b>Band 2</b> will become <u>high</u> housing needs</p> <ul style="list-style-type: none"> <li>• Urgent Medical</li> <li>• Ready for independent Living</li> <li>• Care Leaver/Child in Need</li> <li>• Adoptive parents/foster carers</li> <li>• Unsafe and insanitary housing conditions</li> <li>• Under occupation 2 bedrooms</li> </ul>
<p><b>Band 3</b> <b>Other housing needs &amp; efficient use of the housing stock</b></p> <ul style="list-style-type: none"> <li>• People leaving 'tied' accommodation within the sub region</li> <li>• Relationship breakdown</li> <li>• Overcrowding (1 or 2 bed spaces short)</li> </ul>	<p><b>Band 3</b> will become a medium housing needs</p> <ul style="list-style-type: none"> <li>• High medical needs</li> <li>• Overcrowding</li> <li>• Under occupation 1 bedroom</li> <li>• Hardship</li> <li>• Sharing facilities</li> </ul>
<p><b>Band 4</b> <b>No or low-level housing need</b></p> <ul style="list-style-type: none"> <li>• People who are adequately housed; or</li> <li>• Refused a reasonable offer of accommodation or worsened own circumstances</li> </ul>	<p><b>Band 4</b> Low housing need will have no changes</p>

During consultation on this proposal, we received a number of responses that stated that applicants effected by domestic abuse and HM Forces leavers should remain in band 1. As a result of this feedback the proposal was amended to allow these areas to remain in Band 1.

**c) Amending how reduced preference is applied for applicants with less serious rent arrears and anti-social behaviour**

An applicant (or members of their household) with, rent arrears of under £1,500 or a history of mid to low-level behaviour issues), can currently register on the scheme and bid on advertised properties. However, until a positive change in behaviour can be demonstrated (for example, they have complied with a repayment plan for arrears or modified their behaviour), they will be considered after applicants with a record of good behaviour (in the same band). This is called reduced preference

The process of reduced preference is confusing for applicants, as the current policy allows them to bid on properties however they will be over looked for offers by housing providers. To provide clarity and ensure applicants have a better and clearer understanding of their application, it is proposed that such applicants will now have their application suspended from bidding until they have complied with a repayment plan



for arrears or have modified their behaviour. Applicants who have been suspended will be notified of the decision and the reasons for this decision will be given in writing. An applicant will be able to request a review of the decision to suspend their application. Each case will be considered on an individual basis and exceptional circumstances will be considered

**What will change? What will be different for service users/ customers and/ or staff?**

The proposed changes will ensure the Tees Valley partnership will deliver a consistent approach to applicants within the whole of the region.  
 It will enable applicants to have a clearer understanding of the system, to be fairer and more transparent. Applicants applying throughout the sub-region will be dealt with in a consistent manner.

**What data, research and other evidence or information is available which is relevant to the EIA?**

Consultation document attached

**Engagement and consultation** (What engagement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Consultation took place between 3 June and 12 July 2019 through:

- (a) The Compass website;
- (b) Partner organisations websites;
- (c) E-mail to all third sector, voluntary and public-sector organisations across Tees Valley;
- (d) An on-line questionnaire for staff and residents to complete and shared across the Tees Valley by press teams and through social media.

465 Responses were received to the consultation across Tees Valley, 51% of which were from residents. From those who gave their postcodes, 31% were Hartlepool residents, 22% Redcar & Cleveland, 18% Stockton, 17% Darlington and 12% from Middlesbrough.

Of the other responders, 52% were from staff members of the Tees Valley Letting Partnership's current partners. 13% from Darlington Borough Council, 7% from Beyond Housing, 6% from Hartlepool Borough Council, 6% from North Star, 4% from Stockton Borough Council, 3% from Redcar and Cleveland Borough Council and 2% from Middlesbrough Council. These numbers include single responses on behalf of a whole team. The results from the consultation are summarised and attached

**What impact will this activity have on the Council's budget?** (e.g. cost neutral, increased costs or reduced costs? If so, by how much? Explain briefly why this is the case)

None

## Section 3: Assessment

How will the activity affect people with protected characteristics?	No Impact	Positive impact	Negative impact	Why will it have this effect? (refer to evidence from engagement, consultation and/or service user data or demographic information, etc)
<b>Age</b>		✓		<p>Removal of the additional preference for low paid workers has ensured that applicants of all age groups are assessed on housing need.</p> <p>Currently additional preference is applied to people in low paid employment of a working age group.</p>
<b>Disability</b> <b>(Mobility Impairment, Visual impairment, Hearing impairment, Learning Disability, Mental Health, Long Term Limiting Illness, Multiple Impairments, Other – Specify)</b>	✓			<p>None identified</p> <p>The current policy identifies applicants with disabilities and places them in high priority banding based on their housing need. This will continue.</p>
<b>Sex (Gender)</b>	✓			<p>None identified.</p> <p>The proposals for change are on an applicant's housing need regardless of sex.</p>
<b>Race</b>	✓			<p>None identified</p> <p>The proposals for change are on an applicant's housing need regardless of gender</p>

<b>Gender Reassignment</b>	✓			None identified – as above
<b>Sexual Orientation</b>	✓			None identified – as above
<b>Religion or belief</b>	✓			None identified The proposals for change are on an applicant's housing need regardless of religion or belief
<b>Pregnancy or maternity</b>	✓			None identified The proposals for change are on an applicant's housing need
<b>Marriage or civil partnership</b>	✓			None identified The proposals for change are on an applicant's housing need
<b>How will the activity affect people who:</b>	<b>No impact</b>	<b>Positive Impact</b>	<b>Negative Impact</b>	<b>Why will it have this effect?</b> (Refer to evidence from engagement, consultation and/or service user data or demographic information, etc)
<b>Live in a rural location?</b>	✓			Preference is given to applicants already living in that rural village.
<b>Are carers?</b>	✓			None identified
<b>Are on a low income?</b>			✓	Applicants will now be considered on housing need and affordability.  This change may effect a small proportion of working families on low income, however, this impact is mitigated by their priority banding within the policy

			<p>Ensuring that we consider low income families as a whole not only families in low paid employment.</p>
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## Section 4: Cumulative Impacts

<p><b>Cumulative Impacts – will the activity affect anyone more because of a combination of protected characteristics?</b> (e.g. older women or young gay men – state what you think the effect might be and why, providing evidence from engagement, consultation and/or service user data or demographic information, etc)</p> <p><b>Are there any other activities of which you are aware which might also impact on the same protected characteristics?</b></p>
<p>Nothing identified</p>

## Section 5: Analysis

<p><b>a) How will the activity help to eliminate discrimination, harassment and victimisation?</b></p>
<p>The Homelessness Reduction Act 2017 is primarily focused around homeless prevention and support for people at risk of being homeless. Complying with legislation will ensure we can support those applicants with vulnerabilities, including people with protected characteristics</p> <p>The proposals to the policy will deliver a consistent approach throughout the Tees Valley, being more open and fair and transparent.</p>
<p><b>b) How will the activity help to advance equality of opportunity?</b></p>
<p>This will ensure fairness by ensuring consistent approach throughout the partnership</p>
<p><b>c) How will the activity help to foster good relations?</b></p>
<p>Consistency of equality and fairness to be delivered by all partners throughout the Tees Valley</p>
<p><b>During the engagement/ consultation process were there any suggestions on how to avoid, minimise or mitigate any negative impacts? If so, please give details.</b></p>
<p></p>

It was suggested that applicants leaving the armed forces or suffering domestic abuse be treated with high priority.

## Section 6 - Sign-off when assessment is completed

Officer Completing the Form:		
Signed	Name:	Janette McMain
	Date:	11.09.19
	Job Title:	Housing Manager
Assistant Director:		
Signed	Name:	<i>P. Mitchell</i>
	Date:	16/09/19
	Service:	Housing and Building Services

## Section 7 – Reporting of Findings and Recommendations to Decision Makers

<p><b>Next Steps to address the anticipated impact</b> (Select one of the following options and explain why this has been chosen – remember we have a duty to make reasonable adjustments so that disabled people can access services and work for us)</p>
<p>a) <b>No negative impact on people because of their Protected Characteristics and therefore no major change is needed to the activity</b> (There is no potential for discrimination or adverse impact identified)</p>
<p>b) <input checked="" type="checkbox"/> <b>Negative impact identified – recommend continuing with the activity</b></p>
<p>c) <b>Negative impact identified - adjust the activity in light of the identified impact to avoid, minimise or mitigate the impact</b> (The EIA identifies potential problems or missed opportunities. The Council will change the proposal to reduce or remove these adverse impacts, or it will achieve the aim in another way which will not make things worse for people)</p>
<p>d) <b>Actual or potential unlawful discrimination – stop and remove the activity</b> (The EIA identifies actual or potential unlawful discrimination. It should be stopped.)</p>
<p><b>Explanation of why the option above has been chosen</b> (Including any advice given by legal services)</p>
<p><b>I am confident sufficient mitigation in place to address any negative impacts</b></p>
<p><b>If the activity is to be implemented how will you find out how it is affecting people once it is in place? (How will you monitor and review the changes?)</b></p>

**Monitor impact during the implementation for a minimum of six months**

## Section 8 – Action Plan and Performance Management

List any actions you need to take which have been identified in this EIA, including post implementation reviews to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics

What is the negative impact?	Actions required to reduce/eliminate the negative impact (if applicable)	Who will lead on action	Target completion date

<b>Performance Management</b>	
<b>Date of the next review of the EIA</b>	April 2020
<b>How often will the EIA action plan be reviewed?</b>	No further reviews will be required.
<b>Who will carry out this review?</b>	Janette McMain, Housing Options & Lifeline Services