

Equality Impact Assessment (EIA):

Name of Report/Proposal/Strategy:	Review of Allocations Policy and Local Tenancy Strategy		
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Since the Equality Act 2010 came into force the council has continued to be committed to ensuring we provide services that meet the diverse needs of our community as well as ensure we are an organisation that is sensitive to the needs of individuals within our workforce. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of proposed decisions on the community.

This EIA will evidence that you have fully considered the impact of your proposal / strategy and carried out appropriate consultation with key stakeholders. The EIA will allow Councillors and Senior Officers to make informed decisions as part of the council's decision-making process.

Relevance Test – 'A Proportionate Approach'

Not all of the proposals or strategies we put forward will be 'relevant' in terms of the actual or potential impact on the community in relation to equality and vulnerable groups. For instance, a report on changing a supplier of copier paper may not require an EIA to be completed whereas a report outlining a proposal for a new community swimming pool or a report proposing a closure of a service would.

Therefore before completing the EIA please answer the following questions. If you answer 'yes' to any of the questions below you must complete a full EIA.

1)	Does this report relate to a key decision?	Yes	N <input type="checkbox"/>
2)	Will the decision have an impact (i.e. a positive or negative effect/change) on any of the following: <ul style="list-style-type: none"> • The Community (including specific impacts upon the vulnerable or equality groups) • Our Partners • The Council (including our structure, 'knock-on' effects for other business units, our reputation, finances, legal obligations or service provision) 	Yes Yes Yes	N <input type="checkbox"/> N <input type="checkbox"/> N <input type="checkbox"/>

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	<p>Clearly set out the purpose of the proposal</p>	<p><i>Outline exactly what the proposal is / whether there is any change including reasons for the change. List the key objectives of the proposal/strategy.</i></p> <p>The Localism Act 2011 and the statutory guidance on allocation of accommodation (June 2012) require a review of our existing allocations policy (Devon Home Choice) and the publication of a Local Tenancy Strategy (new requirement). The Allocations Policy and Local Tenancy Strategy only relate to Social Housing/ Landlords.</p> <p>The aim is to ensure we locally shape our approach to allocations, manage waiting lists and make use of tenancies.</p> <p><i>To provide background information, highlight changes to current Allocations Policy(statutory requirement) and publish a Local tenancy strategy that reflects, local need.</i></p> <p><i>To make Recommendations in relation to the continuation of the current policy pending completion of future annual reviews.</i></p> <p>Reasons for changes – refer to section 3</p>
2.	<p>Who is intended to benefit / who will be affected?</p>	<p><i>Who are the key stakeholders / which individuals / specific groups may benefit from the proposal or who will be most affected?</i></p> <p>Torbay’s residents, especially those assessed as eligible and waiting for social housing, Devon Local Authorities and local Social Housing Landlords</p>

No	Question	Details
3.	What is the intended outcome?	<p data-bbox="557 150 1630 181"><i>It is important to identify the specific outcomes that this proposal intends to deliver.</i></p> <p data-bbox="557 221 2056 293"><i>To meet the requirements of the Localism Act 2011, specifically the social housing reform, revised allocations guidance and the new requirement to publish a Local Tenancy Strategy</i></p> <p data-bbox="557 373 1464 405"><i>To ensure we maximise the use of social housing stock to :</i></p> <ul data-bbox="607 448 2145 668" style="list-style-type: none"> <li data-bbox="607 448 1249 480">• Meet housing need and demand locally <li data-bbox="607 520 1989 592">• Contributes to wider community objectives, such as health, education, employment and enterprise <li data-bbox="607 632 2145 668">• Reflects social, economic and household requirements which may arise out of the welfare reform.

Section 2: Equalities, Consultation and Engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **Equalities, Consultation and Engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions / proposals on the Torbay community.

Evidence, Consultation and Engagement

No	Question	Details
4.	Have you considered the available evidence?	<p><i>Consider data and research already available locally and nationally. Your assessment should be under-pinned by up-to-date and reliable information about the different groups the proposal is likely to affect. For instance, population profile, satisfaction data, deprivation statistics and how this helps to build a picture around your proposal.</i></p> <p>Yes, Housing Register information which provides information on demand needs of different groups, deprivation and child poverty needs assessments, homeless strategy needs and priorities. Satisfaction surveys conducted on a regular basis for Devon Home Choice.</p>
5.	How have you consulted on the proposal?	<p><i>Have you carried out any consultation on your proposal and if so how? Focus groups / survey / events? Remember that it may be important to also consult on any alternative options. Also include who you have consulted with and if applicable which specific groups you have consulted with (i.e. groups who may be specifically affected by your proposal, specific equality or hard to reach groups).</i></p> <p>The Local Tenancy Strategy (and Devon Framework) will be assessed once it has been implemented for a period of time to enable sufficient data to be available.</p> <p>Allocations Policy, and Local Tenancy Strategy have completed 3 months of internal and external consultation with various partners and groups representing vulnerable and hard to reach groups.</p>
6.	Outline the key findings	<p><i>Include feedback on your proposal including where you have consulted on any alternative options. Also include response rates, number of attendees to events / focus groups, outline of specific interest groups consulted. Use bullet points to</i></p>

No	Question	Details
		<p><i>summarise the key conclusions.</i></p> <p>All consultation specific to Torbay is not available as conducted across all Devon partners. Focus groups locally range from 10 – 30 individuals. Full member consultation has taken place feedback has informed the context to the report and see below for main change to recommendation.</p>
7.	<p>What amendments may be required as a result of the consultation?</p>	<p><i>Has feedback from the consultation and engagement process identified any changes required to the proposal? Have you had to alter your decision and look at alternative options?</i></p> <ul style="list-style-type: none"> - <i>Yes , the original draft in relation to “ The proposed revised Devon Home Choice Policy states Local authorities and landlords will agree locally whether to advertise some homes with a preference to working households or those making a positive community contribution, rather than by providing additional priority in the policy to such households. “ suggested that a local panel could be used to identify an additional eligibility criteria and preference.</i> - <i>Due to the small number of available re – lets that this could be applied to it was felt not to be realistic or viable at this time.</i> - <i>Annual reviews of Devon Home Choice will be taken into account regarding any future changes</i>

Positive and Negative Equality Impacts

No	Question	Details		
8.	Identify the potential positive and negative impacts on specific groups	<i>It is not enough to state that a proposal will affect everyone equally. There should be more in-depth consideration of available evidence to see if particular groups are more likely to be affected than others – use the table below. You should also consider workforce issues. If you consider there to be no positive or negative impacts use the ‘neutral’ column to explain why.</i>		
		Positive Impact	Negative Impact	Neutral Impact
	All groups in society generally	Yes		
	Older or younger people	Yes		
	People with caring responsibilities	Yes		
	People with a disability	Yes		
	Women or men	Yes		
	People who are black or from a minority ethnic background (BME)	<i>(please note Gypsies / Roma are within this community)</i>		
	Religion or belief (including lack of belief)			
	People who are lesbian, gay or bisexual			
	People who are transgendered			
	People who are in a marriage or civil partnership			
	Women who are pregnant / on maternity leave			
9.	Is there scope for your proposal to eliminate	<i>The council is committed to ensuring that we meet the diverse needs of our community. As part of the Equality Act there is a <u>general duty as well as our moral obligation</u> where we are required to have ‘due regard’ to eliminating unlawful</i>		

No	Question	Details
	discrimination, promote equality of opportunity and / or foster good relations?	<p><i>discrimination, advancing equality of opportunity and foster good relations between people who share a protected characteristic and people who do not. Outline how your proposal meets the general duty.</i></p> <p>Yes see below Equal Opportunities Devon Home Choice Policy</p>

Section 3: Steps required to manage the potential impacts identified

No	Action	Details
10.	Summarise any positive impacts and how they will be realised most effectively?	<p><i>Outline any positive impacts that you have identified relating to equalities and how these impacts will be realised most effectively. What ways can the positive impacts be maximised? Use the action plan (after section 5) to outline actions, responsible officers and timescales.</i></p> <p>Future reviews</p>
11.	Summarise any negative impacts and how these will be managed?	<p><i>Outline any negative impacts that you have identified relating to equalities and how these impacts will be managed / monitored so that they are reduced / eliminated or mitigated. What ways can the negative impact be minimised? Use the action plan (after section 5) to outline actions, responsible officers and timescales.</i></p> <p>N/A</p>

Section 4: Course of Action

No	Action	Details
12.	State a course of action [please refer to action after section 5]	<p><i>Clearly identify an option and justify reasons for this decision. The following four outcomes are possible from an assessment (and more than one may apply to a single proposal). Please select from the 4 outcomes below and justify reasons for your decision - If '3' please provide full justification :</i></p> <p>Where: -</p> <p>Outcome 2: Adjustments to remove barriers – Action to remove the barriers identified in relation to equalities have been taken or actions identified to better promote equality.</p> <p>Devon Home Choice – Allocations Policy – See below for full details within the policy</p> <p>Planned review of Local tenancy strategy at appropriate time</p>

Section 5: Monitoring and Action Plan

No	Action	Details
13.	Outline plans to monitor the actual impact of your proposals	<p><i>The full impact of decisions will only be known once it is introduced. Identify arrangements for reviewing the actual impact of proposals once they have been implemented. Please also use the action plan below.</i></p> <p>Devon Home Choice – Allocations Policy – See below for full details within the policy</p> <p>Planned review of Local tenancy strategy at appropriate time</p>

Please use the action plan below to summarise all of the key actions, responsible officers and timescales as a result of this impact assessment

Equal opportunities: Ensuring access to Devon Home Choice for all

There are many benefits of Devon Home Choice to people seeking a home, but it does require them to be proactive. People need to:

- Find information on available homes
- Choose between homes
- Bid for homes

Evidence from some of the early Choice Based Letting schemes found that vulnerable applicants (for example older people or people with mental health problems) could lose out.

A range of people may be vulnerable and need support to participate in Devon Home Choice. Vulnerability can be a variable state, and can occur at particular points in life such as bereavement. It can be temporary, or episodic and recurring due, for example, to mental distress. Or it can be ongoing or can increase over time.

For this reason every applicant will be considered as an individual. Their needs will be assessed so as to identify the barriers they may face in participating in Devon Home Choice. Having identified the barriers we will then be able to put solutions in place. The potential barriers are set out in Appendix 3.

A range of measures have been put in place to ensure that everyone can share in the benefits that Devon Home Choice offers, and that applicants who are vulnerable do not miss out. These measures are set out throughout this Policy.

Due to the high demand for housing in Devon, we can only ensure fair access to Devon Home Choice. Even though some applicants may be classed as 'vulnerable' and need support to participate in Devon Home Choice, this will not necessarily reflect a high level of current housing need. Therefore, in reality, they may not have a high chance of securing a home.

Devon Home Choice must comply with the Equality Act 2010 (which consolidates a number of previous Acts and Regulations), as well as the the Human Rights Act 1998, the Freedom of Information Act 2000 and the Data Protection Act 1998

An Equalities Impact Assessment was undertaken on the initial Devon Home Choice policy . A further Equalities Impact Assessment will be undertaken on the revised policy once its has been adopted by the 10 Devon local authorities.

Each of the organisations involved in the Devon Home Choice Partnership has an Equal Opportunities Policy to ensure that:

- Everyone has equal access to services
- No one is discriminated against on the grounds of ethnic origin, disability, age, gender, sexual orientation, religion, or for any other reason

Information on ethnicity is asked for as part of the allocation process. This will be used to monitor diversity and equality in the operation of the policy. Information on disability is collected in order that future needs for adapted homes can be assessed and that any home offered is suitable for the needs of the applicant.

Any allegations or concerns that an organisation has not acted appropriately have to be made directly to that organisation. All partner landlords have a complaints policy and an independent Ombudsman.

The following sections set out:

- How to apply for housing
- How applications will be assessed
- How properties will be advertised
- How applicants can bid for available properties
- How the successful applicants will be identified

Effective monitoring is in place and will be regularly reviewed to ensure that Devon Home Choice is accessible, and is working as fairly and effectively as possible.

The monitoring system includes information on:

- The participation and outcomes for vulnerable groups
- The number of applicants stating that they wish to be supported (for example with completing the application form or with bidding), why, and how this support was provided
- Applicants who have been awarded a high priority (for example Emergency, High or Medium Housing Needs Bands) but haven't been bidding or haven't been bidding effectively. This will be followed up to assess the reasons why and whether any additional support is required
- How applicants have accessed information on available homes
- How applicants have bid for homes

- How long applicants who have been accepted as statutorily homeless take to move into permanent accommodation
- The number of applicants who have been bypassed or refused by partner landlords, and the reasons for these decisions
- The occasions when, and reasons why local authorities have used their residual discretion to depart from of the Policy due to exceptional circumstances
- The number and type of homes diverted by partner landlords for lettings outside Devon Home Choice, and the reasons for this

A range of questions have been included on the application form that will enable equal opportunities monitoring. This information will help reveal whether there are certain groups within the community who are not accessing information about Devon Home Choice and not participating in the scheme.

As with any monitoring it will only serve a purpose if the results are used effectively to develop and further improve Devon Home Choice to ensure that applicants who are vulnerable do not lose out.

Similarly good practice from other schemes and guidance from central government will be incorporated into Devon Home Choice.

Action plan

Please detail below any actions you need to take:

No.	Action	Reason for action / contingency	Resources	Responsibility	Deadline date
1	<i>Conduct review of Local Tenancy Strategy – when sufficient time/ evidence available eg. Movement of tenancies</i>	To access impact of flexible tenancies, and use of social housing stock	Officer time	Local Authority officer/ member decision	To be decided prior to 2020
2	<i>Annual review of Devon Home Choice – Allocation Policy</i>	To assess impact of localism Act changes , new allocations guidance and future requirements of the 10 local Authority partners	DHC management group, Officer time	DHC management group, Individual Local Authority. Member decision	By end of 2013
B					
4					
5					