

APPENDIX 3

Equality Impact Assessment

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

Public bodies are required in it to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- foster good relations between people who share a protected characteristic and people who do not share it.

The public sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation.

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

The Council has also decided to treat people who have care experience as if they had a protected characteristic under the law.

Having due regard means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the equality duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they considered the aims of the Equality Duty. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people’s different needs and how these can be met.

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Chief Executive	Title of the Lead Officer responsible for EIA	Head of Housing
Name of the policy or function to be assessed:		Housing Acquisitions Policy	
Title of the Officer undertaking the assessment:		Head of Housing	
Is this a new or an existing policy or function?		Existing policy	
<p>1. What are the aims and objectives of the policy or function?</p> <p>The aims and objectives of the policy are to:</p> <ul style="list-style-type: none"> • Provide a framework to assess the viability and value for money of acquiring property and land • Confirm the Council’s approach to valuation • Identify the funds available to acquire property and land • Outline responsibilities of each of the teams involved 			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>The Policy will ensure that the Council fulfils its objectives set out in the Housing Delivery Plan to increase Council owned social housing in Broxtowe. Through implementation of the policy, the Council will ensure that all acquisitions are considered fairly and consistently.</p>			
<p>3. Who is intended to benefit from the policy or function?</p> <p>Residents that wish to sell their property to the Council Applicants on the Council’s housing register</p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <p>Property owners Homeownership team</p>			

Housing register applicants

5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?

Records are kept on all acquisition opportunities offered to the Council
Information regarding housing register applicants is held in the Council's Choice Based Lettings system, which includes information relating to the different equality strands

6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?

Property owners provide details about the reasons that they are selling their property.

7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?

Housing acquisitions have been discussed as part of Tenant Involvement Network meetings. Feedback from tenants is that the policy is seen as a positive contribution to increasing the affordable housing stock in the borough.

8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways? In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:

- Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?**

Only those that own a home can benefit from selling their home to the Council. However, those that are not a home owner may benefit from the addition of the property to the Council's housing stock. This can be justified.

- Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?**

The policy outlines the properties that the Council will consider buying. The Council will not purchase all properties that are offered to the Council to consider. Priority is given to properties formally owned by the Council. This can be justified.

- Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?**

It is not anticipated that there are any barriers that may make access difficult.

- Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?**

It is not anticipated that the Policy will have an impact on this.

- What further evidence is needed to understand the impact on equality?**

Analysis of opportunities offered to the Council; the properties purchased by the Council and the tenants that benefit from the allocation of the property will continue to be undertaken, and may identify further issues for consideration.

9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?

Age: Homeowners will be over 18. This means that those under 18 are excluded from offering their property to the Council to purchase.

Disability: The Council can use the Housing Acquisitions Policy to purchase properties that meet the needs of disabled applicants on our housing register. Therefore, any properties with aids and adaptations will be considered. The Policy could have a positive impact on the number of adapted policies available.

Gender: It is not anticipated that the Council will need to take any further action in order to enable access for this group. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

Gender Reassignment: It is not anticipated that the Council will need to take any further action in order to enable access for this group. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

Marriage and Civil Partnership: It is not anticipated that the Council will need to take any further action in order to enable access for this group. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

Pregnancy and Maternity: An increase in the size of the household may be a reason why a property is longer suitable for the current owners, and also a reason why an applicant joins the Council's housing register. The Policy will have a positive impact on those requiring a larger family home.

Race: Information will be provided in alternative languages if required.

Religion and Belief: It is not anticipated that the Council will need to take any further action in order to enable access for this group. Regular monitoring and

analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

Sexual Orientation: It is not anticipated that the Council will need to take any further action in order to enable access for this group. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

Care Experience: Applicants leaving care are prioritised on the Council's housing register and may benefit from the additional housing stock purchased.

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

Signature: Head of Housing