

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 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 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:	CEO	Title of the Lead Officer responsible for EIA	Assistant Director - Housing
Name of the policy or function to be assessed:		People Focused Housing Services Policy	
Title of the Officer undertaking the assessment:		Assistant Director - Housing	
Is this a new or an existing policy or function?		Updated Policy	
<p>1. What are the aims and objectives of the policy or function?</p> <p>The aims of this policy are to ensure the Housing Service:</p> <ul style="list-style-type: none"> • Request and manage up to date customer data which identifies those who require additional support and those who may need it in the future • Encourage customers to share information on how services can be adapted to meet their needs, due to vulnerability, disability or neurodiversity • Provide tailored services to all customers who require it • Develop effective partnerships with support agencies • Provide appropriate training to employees 			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>The policy will provide a framework for employees to assist them in considering how services can be adapted to meet the needs of housing customers.</p>			
<p>3. Who is intended to benefit from the policy or function?</p> <p>Employees Housing customers, including housing applicants, lifeline customers, tenants and leaseholders.</p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <p>Employees Housing customers</p>			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p> <p>Information held regarding applicants in the choice based letting system Information held regarding tenants and leaseholders in the housing management system</p>			

Information held about Lifeline customers in the Lifeline database

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

Feedback from Tenants Panel
Feedback from Tenants Facebook Group
Feedback from complaints

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

Draft policy was taken for discussion to the Tenants Panel.

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 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?**

The policy is intended to ensure that everyone can access Housing Services in way that is suitable for them. It is designed to ensure that people are not excluded.

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

Yes, by following the policy employees should ensure that services can be equally accessed

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

No

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

If used effectively the policy can have a positive contribution on tenancy management, so could reduce anti-social behaviour and neighbour disputes.

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

The use of the policy will be reviewed periodically to ensure that it is being followed. Further training will be provided to employees if required.

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: Young people at risk, including those leaving care as well as teenage parents is a group included in the Housing Act 1996 that could be considered vulnerable. It is particularly important to consider how information is provided to young people who have their first tenancy, and that they are given an opportunity to clarify any information they don't understand.

People in receipt of, or entitled to, state retirement pension are another group included in the Housing Act 1996. Many older people will be living in our Independent Living schemes and will have an I-Plan completed to fully consider their needs.

Disability: Customers with a disability may require additional support, services to be provided in a different way or information in different formats. This will be tailored to the individual. The policy provides employees with ideas and guidance of changes that could be made.

Gender: It is not anticipated that the Council will need to take any further action 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 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 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: People with a child under 12 months old in the household are a group included in the Housing Act 1996 as those that may be considered vulnerable. A customer that previously did not require additional or tailored support, may now require a different service due to pregnancy and maternity.

Race: If English is not a customer's first language they may require information to be translated or explained in a different way. As with all groups, assumptions will not be made about the support required, and the customer will be asked if they required any additional support.

Religion and Belief: It is not anticipated that the Council will need to take any further action 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 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: Care Leavers are asked to inform the Council that they have care experience as part of their housing application. The support they currently have and any additional support they require will then be discussed with them prior to them becoming a tenant.

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: Assistant Director – Housing

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