

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 - Housing	Title of the Lead Officer responsible for EIA	Assistant Director of Housing
Name of the policy or function to be assessed:		Income Policies	
Title of the Officer undertaking the assessment:		Clare Brooker	
Is this a new or an existing policy or function?		Updated policies for an existing function	
<p>1. What are the aims and objectives of the policy or function?</p> <p>The purpose of the Financial Inclusion Policy is to support tenants, leaseholders and applicants to have access to affordable financial products and services that meet their needs, and to reduce their outgoings.</p> <p>The Income Collection Policy sets out the approach to the management and collection of rent for properties and garages.</p> <p>The Rent Setting Policy outlines how rent will be set for housing revenue account properties.</p>			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>To increase income collection To offer appropriate support to tenant to pay their rent To provide a framework for the financial inclusion service To ensure a fair rent setting process, which balances the need to protect the income of the Council and ensure rents are affordable for tenants</p>			
<p>3. Who is intended to benefit from the policy or function?</p> <p>Tenants of the Council Applicants that have been offered a Council property Employees involved in the rent setting process</p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <p>Tenants Applicants on the housing register Housing employees Partner agencies, such as CAB</p>			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p> <p>The housing management system holds data regarding age, gender and ethnicity.</p>			

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

Notes are recorded on the Councils housing management system each time an Income Officer or Income Assistant speaks to a tenant about issues with rent or arrears.

The number of cases referred to the Financial Inclusion Service are monitored regularly, including the reason for the referral and any financial outcomes.

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

Regular monitoring is undertaken to review the service, this has not revealed any further action that needs to be taken in regards to the impact.

Tenants are asked to complete regular surveys in regards to the work of the Income Team, and positive feedback is given about the level of support offered by Income Officers, Income Assistants and the Financial Inclusion Team.

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?

Residents who are not tenants or applicants are excluded and this can be justified.

Those under 18 are excluded on the basis of not being able to hold or apply for a tenancy, this can be justified.

The rent charged, for both social and affordable rent, is based on the property not the person who holds the tenancy. Rents cannot be adjusted to reflect individual circumstances as this is not in accordance with government guidance.

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

Not necessarily. Access to the financial inclusion service will be based on need and this may not be spread equally across the equality groups.

Only people over 18 can hold a tenancy, however there can be an impact on children living in council tenancies, in regards to rent increases and affordability.

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

Steps have been taken to make the service as accessible as possible. Warnings are in place on the Councils housing management system when tenants require information in a different format or language. Home visits are offered to explain the service in a way that meets the individuals needed.

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

The Financial Inclusion Service and a strong Income Collection Policy will help sustain tenancies. Tenancy Sustainment has a positive impact on communities.

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

Regular monitoring of the service will be undertaken.

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: Younger tenants are more likely to be in their first tenancy, and those that have not been a tenant before are more likely to be identified as requiring support from the Financial Inclusion Service. It is important that referrals are based on facts and tenancy risk, and not on age alone.

Disability: The Financial Inclusion Service is offered to meet the need of the tenant, including needs due to disability. The Income Team and Financial Inclusion Team can both complete include home visits and provide information provided in different formats to meet tenant needs.

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: It is recognised that pregnancy and maternity can have an impact on income and benefit claims. This may be reduced income due to maternity leave from employment, or increase increased income due to changes in family size. The Income team will offer additional support during this time.

Race: Some customers may require support form a translation service or for documents to be provided in a different format or language. Action will be taken to mitigate any barriers identified. Regular monitoring and analysis may identify reasons that have not been anticipated.

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 Cabinet 19 July 2022 to mitigate any barriers identified.

Care Experience: The Council is aware that Care leavers may need additional support and will work in partnership with the Leaving Care Team as appropriate. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

Assistant Director of Housing:

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: