

EQUALITY IMPACT ASSESSMENT FORM

December 2014

THE COUNCIL'S EQUALITIES STATEMENT

This Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities, residents, elected members, job applicants and workforce.

We will also work to create equal access for everyone to our services, irrespective of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL or other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

NAME OF NEW OR REVISED PROPOSAL*	Common Allocation Policy for Caerphilly County Borough
DIRECTORATE	Corporate Services
SERVICE AREA	Caerphilly Homes
CONTACT OFFICER	Mark Jennings
DATE FOR NEXT REVIEW OR REVISION	The policy will be closely monitored using performance information collected across all protected characteristics. This information or changes in legislation and/or relevant codes of guidance will dictate when the policy is reviewed or revised.

A greener place
Man gwyrddach



***Throughout this Equalities Impact Assessment Form, 'proposal' is used to refer to what is being assessed, and therefore includes policies, strategies, functions, procedures, practices, initiatives, projects and savings proposals.**

INTRODUCTION

The aim of an Equality Impact Assessment (EIA) is to ensure that Equalities issues have been consciously considered throughout the decision making processes of the work undertaken by every service area in the Council and work done at a corporate level.

The form should be used if you have identified a need for a full EIA following the screening process covered in the Equalities Implications in Committee Reports Guidance document (available on the Equalities and Welsh Language Portal on the intranet).

The EIA should highlight any areas of risk and maximise the benefits of proposals in terms of Equalities. It therefore helps to ensure that the Council has considered everyone who might be affected by the proposal.

It also helps the Council to meet its legal responsibilities under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and the Welsh Language Measure 2011. There is also a requirement under Human Rights legislation for Local Authorities to consider Human Rights in developing proposals.

The Council's work across Equalities, Welsh Language and Human Rights is covered in more detail through the Strategic Equalities Objectives and Action Plan 2012.

This approach strengthens work to promote Equalities by helping to identify and address any potential discriminatory effects before introducing something new or changing working practices, and reduces the risk of potential legal challenges.

When carrying out an EIA you should consider both the positive and negative consequences of your proposals. If a project is designed for a specific group e.g. disabled people, you also need to think about what potential effects it could have on other areas e.g. young people with a disability, BME people with a disability.

There are a number of supporting guidance documents available on the Equalities and Welsh Language Portal (the Committee report guidance mentioned above, the Consultation and Monitoring guidance) and the Council's Equalities and Welsh Language team can offer support as the EIA is being developed - the contact email is equalities@caerphilly.gov.uk.

PURPOSE OF THE PROPOSAL

1	<p>What is the proposal intended to achieve?</p> <p>This is a new policy which replaces the current allocation policies of the council and that of the six housing associations that will sign up to this policy:</p> <ul style="list-style-type: none">• Aelwyd• Cadywn• Linc Cymru• Seren (Derwn Cymru and Charter)• United Welsh• Wales & West <p>The policy's purpose is to provide a common and consistent approach to the allocation of social housing in the borough by:</p> <ol style="list-style-type: none">I. providing a fair and transparent system by which applicants can apply for and are assessed for social housing;II. providing good quality advice and support to enable applicants to make informed choices about their housing preferences;III. making the best use of all available social housing stock in the county borough, which includes reducing the number of void properties and void turnaround times;IV. assisting in the creation and maintenance of balanced and sustainable communities; andV. making efficient use of the resources of the local authority and those of its partners.
2	<p>Who are the service users affected by the proposal?</p> <p>The service users that will be affected by the policy include all members of the public that wish to live in social housing provided in the borough, including people who currently live outside of the borough. Potentially, this could be anyone aged 16 years or older who may reside either in the UK or abroad, providing they meet the eligibility criteria as set out in the Code of Guidance for Local Authorities on the Allocation & Homelessness (Welsh Government, 2015).</p> <p>We know from the data that we hold that this could cover people across all of the protected characteristics, as defined by the Equality Act 2010. We also know that the majority of people applying for social housing will already be living in the borough and will also be on a low income and/or in receipt of some form of state benefit.</p>

IMPACT ON THE PUBLIC AND STAFF

3	<p>Does the proposal ensure that everyone has an equal access to all the services available or proposed, or benefits equally from the proposed changes, or does not lose out in greater or more severe ways due to the proposals?</p> <p>Replacing all existing policies with a single policy will ensure that people are provided with equal opportunity to apply for social housing in the borough. Access to housing may be prevented where the applicant or a member of their prospective household fails to satisfy the eligibility criteria. The criteria are prescribed by housing legislation and supporting code of guidance.</p> <p>In order to assist applicants applying for housing, the Council will make available language and interpretation support to those who have difficulty speaking or reading English, or who are visually and/or hearing impaired. People will be provided with support to register for housing and choose their preferences. Others areas of support are outlined in the policy.</p> <p>The policy is based on housing need. People are placed in one of three bands which reflect their level of housing need. Those people in the greatest need are placed in the top band and those with the lowest need are placed in the bottom band. People in the top band will be considered for housing first.</p> <p>However, because of the make-up of the housing stock, in terms of location, type and size, and eligibility restrictions placed by the landlords on some of their properties some applicants may experience a longer wait to be rehoused than others.</p>
	<p><u>Actions required</u></p> <p>During the development of the common housing register IT system, design a series of performance reports to monitor the impact of the common housing policy across all protected characteristics.</p>
4	<p>What are the consequences of the above for specific groups?</p> <p>As part of the equality impact assessment process a host of performance information has been compiled and reviewed. The information was provided by the council and each of the six housing associations. It was found that the quality and format of the information varied considerably and this complicated the review process. A large degree of the information is not held in the format of the 2011 Census categories making it difficult to make comparisons. There is a high level of duplication of people on more than one waiting list. For this exercise we were unable to remove the duplication. The information below is presented using information from the council's own waiting list, which is by far the biggest list of the landlords. In the absence of local information, national information, where available, was considered.</p> <p>Age: 30-44 and 45-59 are the most represented age groups on the waiting list.</p>

The next biggest is 65-74. Highest number of refusals by age group is 65-74. Highest number of homelessness presentation from 24-44 year olds. The majority of anti-social behaviour is perpetrated by 30-59 year olds. The majority of people in rent arrears is in the age group 25-59.

There is criteria in the policy in relation to giving priority to older people down-sizing from family designated accommodation into retirement housing. There is also criteria in place covering young people in foster care and leaving move-on accommodation. There is criteria in the policy to give preference to people suffering domestic abuse and where there is a serious threat to a child. Home visits will be carried out for the elderly and infirm who are unable to attend the allocation's office. For older people there is criteria in relation to providing and receiving support.

Disability: Highest prevalence of disability in applicants aged 30-44, 45-59 and 65-74. Only a very small number of disabled people refuse two or more offers of accommodation. Only two of the 153 people who presented as homeless were disabled. About 14% of disabled people have been found by their landlord to have perpetrated anti-social behaviour.

There is criteria in the policy in relation to disabled people being best-matched with properties that are classified as accessible. In addition, the criteria in relation to restricting access to housing for owner-occupiers may be waived for disabled people. There are a number of priority awards made in the policy to disabled people – dependent on the circumstances. Home visits will be carried out for disabled people who are unable to attend the allocation's office. There is criteria in the policy that gives preference to people who have experienced violence or harassment (disability hate crime). For disabled people there is criteria in relation to providing and receiving support throughout the application process.

Gender (Sex): More women than men are registered on the waiting lists. Slightly more men present as homeless as women. Twice as many women are in rent arrears than men. More women than men are perpetrators of anti-social behaviour.

Directly, there are no gender specific criteria within the policy. Indirectly, there is criteria in the policy to give preference to people suffering domestic abuse and where there is a serious threat to a child, which we know will predominately effect women more than men.

Gender Reassignment (Gender Identity): No information is held on gender reassignment.

Directly, there are no gender reassignment specific criteria within the policy. Indirectly, there is criteria in the policy that gives preference to people who have experienced violence or harassment.

Race (including ethnicity and nationality): Two thirds of applicants on the waiting list identified themselves as British. In terms of ethnicity, the majority of people identified themselves as White British (English, Welsh Scottish and Northern Irish). There is no discernible information in terms of household

	<p>composition, refusals, exclusions, homelessness and anti-social behaviour. No information was collected on rent arrears.</p> <p>Eligibility criteria within the policy may restrict access to social housing for people from abroad who are regarded in legislation as ineligible. Language support will be provided by the council to people to complete the application process.</p> <p>Religion or Belief: No information is held on religion or belief.</p> <p>There is criteria in the policy that gives preference to people who have experienced violence or harassment (racially motivated hate crime).</p> <p>Sexual Orientation: No information is held on sexual orientation.</p> <p>There is criteria in the policy that gives preference to people who have experienced violence or harassment (homophobic hate crime).</p> <p>Pregnancy and Maternity: 2.5% of applicants were pregnant. The majority of applicants who were pregnant were also single. Approximately 1/3 of the people that presented as homeless were pregnant. Less than 2% of pregnant people had perpetrated anti-social behaviour. No information held on rent arrears.</p> <p>There are no pregnancy or maternity related criteria within the policy which would directly result in the award of preference. Expectant mothers may be entitled to an additional bedroom, in some instance before the birth of their child.</p> <p>Marriage and Civil Partnerships: over 50% of applicants failed to provide details of their marital and civil partnership status. Of the applicants that had made two or more refusals, approximately 40% were married. The majority of the people presentation as homeless had not married or entered into a civil partnership, similarly to anti-social behaviour. No information is held on rent arrears.</p> <p>There is criteria in the policy that gives preference to people who have experienced violence or harassment (homophobic hate crime). There is also criteria covering joint tenancies in the event of relationship breakdown.</p>
	<p><u>Actions required</u></p> <p>During the development of the common housing register IT system, design a series of performance reports to monitor the impact of the common housing policy across all protected characteristics.</p>

INFORMATION COLLECTION

5	<p>Is full information and analysis of users of the service available?</p> <p>As discussed in section 4, data collected as part of the equality impact assessment identified a wide variation in the quality and format of the</p>
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	<p>information held by the landlords. Information on the different elements of the allocation process was not available across all of the protected characteristics. The quality of the information makes it particularly difficult to verify participation rates of people by protected characteristic. Where available, national information was used to supplement local information.</p> <p>As part of the implementation of a new IT system to manage the common housing register, which will be implemented alongside the common allocation, there is an opportunity to introduce a new system which collects data on service users across all protected characteristics. This information will be critical to the on-going monitoring of the policy and allocation process.</p>
	<p><u>Actions required</u></p> <p>During the development of the common housing register IT system, the council with work with Abritas (system provider) and Tai Pawb (an equalities organisation) to design a series of performance reports to monitor the day-to-day operation of the common housing policy across all protected characteristics.</p>

CONSULTATION

6	<p>What consultation has taken place?</p> <p>In order to produce a draft common allocation policy, the council established a small working group consisting of its own officers, representatives from the housing associations and two social housing tenants' representatives. Prior to a 12 week public consultation exercise, the draft document underwent two rounds of internal consultation. The public consultation took place between November 2014 and February 2015, and was undertaken in accordance with the council's Equalities Consultation & Monitoring Guidance. The consultation period matched that chosen by Welsh Government for written consultations.</p> <p>All social housing tenants that would potentially be affected by the change in policy were written to (approx. 8,000 people). These people were asked to complete an on-line questionnaire. Paper copies of the questionnaire were made available in council offices. The questionnaire was made available in English and in Welsh. A questionnaire was also sent to over 50 organisations with an equalities interest and to various strategic partnerships the council is partner to.</p> <p>In total 115 people responded to the applicant survey and 6 responses from various organisations. All responses were collated into one document. A small working group of council officers considered each response and whether the policy required amendment as a result of the response. All consultation responses were considered as part of the equality impact assessment process. A small number of responses requiring closer consideration were forwarded to the council's legal section, who advised whether changes were required to the policy.</p> <p>A small working group was established to complete the scoping exercise and the equality impact assessment. The group consisted of officers from the council,</p>
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	one officer representing all housing associations and a representative from Tai Pawb.
	<p><u>Actions required</u></p> <p>No actions required.</p>

MONITORING AND REVIEW

7	<p>How will the proposal be monitored?</p> <p>The policy and allocation process will be monitored across all protected characteristics in the following ways:</p> <ul style="list-style-type: none"> • A range of performance management reports across all protected characteristics; • Changes in legislation, case law and changes in the code of guidance; • Analysis the number and type of complaints made via the corporate process; and • An annual review of the policy undertaken with partners. <p>The council will be the lead organisation and will work closely with the housing associations to monitor both policy and process.</p>
	<p><u>Actions required</u></p> <p>To establish a robust monitoring process as outlined above.</p>
8	<p>How will the above be evaluated?</p> <p>Monitoring will be undertaken across all protected characteristics and will be reviewed at prescribed intervals to ensure that all sections of the community are afforded equality of opportunity when applying for and being allocated social housing. We will work closely with Tai Pawb and the council's equalities staff to establish the monitoring arrangements.</p>
	<p><u>Actions required</u></p> <p>To establish a robust monitoring process as outlined in section 7 above.</p>
9	<p>Have any support / guidance / training requirements been identified?</p> <p>We will utilise the skills and experience of Tai Pawb's staff and the council's own equalities staff to help develop a robust monitoring system.</p> <p>All staff associated with the allocations process from the council and each of the housing associations will be provided with training on the new policy prior to its introduction.</p> <p>Equality and diversity training will be provided to all of the council's allocation staff.</p> <p>Procedural notes will be produced for staff.</p>

	<u>Actions required</u>
	As outlined in the box above.

10	Where you have identified mitigating factors in previous answers that lessen the impact on any particular group in the community, or have identified any elsewhere, please summarise them here.
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The following actions were identified as part of the equality impact assessment process:

1. Prior to implementation of the common allocation policy, carry out a review of all existing local lettings policies in accordance with the criteria set out in section 4 of the policy. All new local lettings policy will also need to be compliant with the criteria.
2. Once the common allocation policy is implemented, all local lettings policies to be monitored to ensure that they do not disproportionately impact on groups of people with a defined protected characteristic.
3. During the development of the common housing register IT system, design a series of performance reports to monitor the impact of the common housing policy across all protected characteristics on the following areas:
 - i. Discretionary decisions (whether made by a panel or by an individual).
 - ii. Self-suspensions.
 - iii. Allocations (by landlord, area, property type and size) – to determine the need for a quota system.
 - iv. Requirement for an additional bedroom by reason.
 - v. Refusals of an offer of accommodation because the applicant has not responded within the prescribed timescale and the number of reviews requested in relation to this.
 - vi. The number of calendar days taken to complete a medical assessment.
4. Revise the draft policy to make clear throughout the document that alternative and accessible formats are available and where a preference has been stated by an applicant this will always be met.
5. Confirm wording in the common allocation policy with children's service (social services) in relation to fostering/adoption.
6. Produce guidance on how applicants can request a review (consider how late appeals can be lodged).

	<p>7. Consider whether disabled applicants and/or disabled members of their household can be made exempt from the test of financial resources.</p> <p>8. Work with Tai Pawb to ensure that language used in the common allocation policy conforms to the social model of disability.</p> <p>9. Consider amending the common allocation policy to allow for a local connection / priority to be granted to disabled people with a firm offer of employment in the area.</p> <p>10. Monitor changes in legislation and guidance, and /or emerging case law to ensure that the common allocation policy remains up-to-date.</p> <p>11. Work with Tai Pawb to carry out an equality impact assessment on the medical assessment procedure.</p> <p>12. Review current list of equality related organisations that should be consulted on future changes to the policy. Consider including organisations which operate in other part of the UK, where there is not a Welsh/local presence.</p> <p>13. Prior to the implementation of the common housing register and at regular intervals thereafter, provide equality and diversity training across all protected.</p>
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11	<p>What wider use will you make of this Equality Impact Assessment?</p> <p>Prior to its finalisation, a copy of the equality impact assessment and common allocation policy will be sent to all partners for final consideration. Once finalised the equality impact assessment will be appended to the committee report on the common allocation policy.</p> <p>A copy of the equality impact assessment will be published on the council's website along with the common allocation policy.</p>
	<p><u>Actions required</u></p> <ul style="list-style-type: none"> EIA, when completed, to be returned to equalities@caerphilly.gov.uk for publishing on the Council's website.

Completed By:	Mark Jennings
Date:	26 th August 2015
Position:	Housing Strategy Officer
Name of Head of Service:	Shaun Couzens