

Appendix 5

Cambridge City Council Equality Impact Assessment

Completing an Equality Impact Assessment will help you to think about what impact your strategy, policy, plan, project, contract or major change to your service may have on people that live in, work in or visit Cambridge, as well as on City Council staff.



The template is easy to use. You do not need to have specialist equalities knowledge to complete it. It asks you to make judgements based on evidence and experience. There are guidance notes on the intranet to help you. You can also get advice from Suzanne Goff, Strategy Officer on 01223 457174 or email suzanne.goff@cambridge.gov.uk or from any member of the Joint Equalities Group.

1. Title of strategy, policy, plan, project, contract or major change to your service:

Lettings Policy

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2. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

The Council allocates its own housing, and that provided by housing associations in Cambridge, via a scheme called [Home-Link](#). To determine how housing is allocated to those applying for it in Cambridge, the Council assesses the needs of housing applicants and awards a 'banding category' from A to D (with A being the highest and D the lowest) to reflect the priority given to each application. Those applying can 'bid' for accommodation which Councils and housing associations advertise. The [Home-Link User Guide](#) gives more information on this

The allocation of housing and the definition of these A to D banding categories are determined by a Lettings Policy. All local authorities operating a housing allocations scheme need to have one. [Cambridge City Council's Lettings Policy](#) can be found on the website.

The Council is proposing some changes to the policy and these are outlined in a Committee report for elected Members. The key changes are outlined at 3.6 and 3.7 of the [main Lettings Policy Review](#) report and are listed below:

3.6 The most significant amendments to the policy are as follows:

- When applicants, who are seeking to join the register, include on their application as members of their household people who are not eligible for an allocation of social housing in their own right because they are subject to immigration control the Council will, taking into account the individual circumstances of each case, decide whether the ineligible person forms part of the applicant's household for the purposes of housing allocation. Paragraph 3.1.3 of the draft policy sets out matters that the Council can take into account. This proposal has been made because allowing housing applicants to add these individuals may favourably affect the priority the Council would give them and the number of bedrooms they would be entitled to and, it is felt that this is fair and reasonable given that housing is in short supply in the district.
- The Council has provision in its policy to ensure that housing applicants who have intentionally made their own circumstances worse should not get additional priority as a result. We are proposing to change the policy slightly to ensure that applicants do not need to have known the policy before taking the action that 'worsened their circumstances'.
- The Council has proposed that housing applicants in the highest priority group (band A) may be prevented from bidding for up to 6 months if they refuse 3 reasonable offers of accommodation or make little or no attempt to bid for accommodation. This change is recommended because band A is considered to be an 'urgent' housing status and regular refusal of accommodation offers or failing to bid may call this into question. This provision would be at the discretion of the Council and not automatic and would only be applied if the refusals or failure to bid evidenced a change in assessed needs. The Council would consider the circumstances of

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each refusal of accommodation.

- There is a proposal within the revised lettings policy to prioritise people who are in band A and are terminally ill above all others in band A and give them an 'emergency status'. This is because the date a banding priority is awarded determines which bid for accommodation finishes highest. People who are terminally ill do not have the luxury of time to wait for their priority date to become a significant factor in the bidding process.
- The Council is also proposing to award 'emergency status' (see explanation in the previous proposed change) or make direct offers of accommodation to Council tenants who are losing their homes because the Council wishes to redevelop the houses where they live. The Council needs to rehouse people affected by redevelopments quickly so that the costs of improving such housing schemes are minimised.
- The Council wants to minimise expenditure on the temporary accommodation it provides to housing applicants who are homeless. Under the existing policy the Council has to wait 3 months before making direct offers of accommodation to homeless applicants it has a duty to house. This change would mean that a direct let could be offered as soon as a duty is accepted. It would, however, mean that homeless applicants would have a shorter period of choice to bid for accommodation but will reduce the overall cost of temporary accommodation.

3.7 In addition to the key changes outlined in 3.6 officers have made additional changes to the policy based on the findings of R (on the Application of HA) v London Borough of Ealing (28th/29th July 2015) <http://www.bailii.org/ew/cases/EWHC/Admin/2015/2375.html> , which has implications for local authorities applying residence criteria in considering whether applicants can join the register. Accordingly, there are additional categories added at 3.3.1 (i), (j) and (k) in the new policy submitted for approval at appendix 3. These additional criteria reflect the examples of special circumstances given in the Statutory Guidance "Providing social housing for local people" An additional statement confirming that the Council will have regard to the need to safeguard and promote the welfare of children in applying the Lettings Policy has also been included at 1.6. As this is a very recent piece of case law Legal Services and the Home-Link partnership will be continuing to assess whether further changes are required.

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3. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick those that apply)

Residents

Visitors

Staff

A specific client group or groups (please state):

4. What type of strategy, policy, plan, project, contract or major change to your service is this? (Please tick)

New

Revised

Existing

5. Responsible directorate and service

Directorate: Customer and Community Services

Service: Housing Advice Service

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6. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service?

No

Yes (please give details):

6 other local authority partners which form part of the Choice Based Lettings (CBL) sub-regional partnership ([Home-Link](#))

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7. Potential impact

Please list and explain how this strategy, policy, plan, project, contract or major change to your service could **positively** or **negatively** affect individuals from the following equalities groups.

When answering this question, please think about:

- The results of relevant consultation that you or others have completed (for example with residents, people that work in or visit Cambridge, service users, staff or partner organisations).
- Complaints information.
- Performance information.
- Information about people using your service (for example whether people from certain equalities groups use the service more or less than others).
- Inspection results.
- Comparisons with other organisations.
- The implementation of your piece of work (don't just assess what you think the impact will be after you have completed your work, but also think about what steps you might have to take to make sure that the implementation of your work does not negatively impact on people from a particular equality group).
- The relevant premises involved.
- Your communications.
- National research (local information is not always available, particularly for some equalities groups, so use national research to provide evidence for your conclusions).

(a) Age (any group of people of a particular age, including younger and older people – in particular, please consider any safeguarding issues for children and vulnerable adults)

- 1) **POSITIVE:** Older people may benefit disproportionately from the proposal to offer emergency housing status to those who are terminally ill and in band A. This assumes that older people are more likely to have a terminal illness diagnosed than people below the age of 60 and is supported by this [Kings Fund report](#) about the rate at which people develop illness according to age

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(b) Disability (including people with a physical impairment, sensory impairment, learning disability, mental health problem or other condition which has an impact on their daily life)

- 2) **NEGATIVE:** People with disabilities may be affected by the new proposals around suspending applications (not allowing applicants to bid for or be offered accommodation for up to 6 months) in band A if they have received 3 reasonable offers of accommodation. As at August 2015 applicants categorised as having an urgent medical need number 26. This represents 13.2% of all applications in band A.
- 3) **POSITIVE:** Terminal illness may disproportionately affect people who have a disability and applicants, who already have a band A status, will benefit from the new 'emergency status' provision for people who are terminally ill.
- 4) **POSITIVE:** The Council finds it difficult to source appropriate accommodation for people with disabilities because there is a limited supply of adapted properties in Cambridge. The proposed removal of the 3 month bidding period before homeless applicants (to whom the Council has accepted the full homelessness duty) are offered a 'direct let' (an offer of accommodation which is offered directly to the applicant without them having to bid for it) of accommodation should mean that people in this situation will be housed more quickly and, therefore, endure less time in temporary accommodation, which may not be purpose built or suitable to their needs.

(c) Gender

- 5) **POSITIVE:** The policy makes an explicit requirement that officers consider those fleeing domestic violence or abuse in determining whether a local connection should be awarded on a discretionary basis. Domestic violence [disproportionately affects more women than men](#). This could have a positive impact for women who find themselves in this situation in larger numbers than men.

(d) Pregnancy and maternity

- 6) **NEGATIVE:** The proposed removal of the 3 month bidding period before homeless applicants (to whom the Council has accepted the full homelessness duty) are offered a 'direct let' of accommodation may have an adverse impact if not mitigated. Although Cambridge is a relatively small city, there is the potential to leave new and expectant mothers isolated if housed away from family and support networks if officers do not take location into consideration when making offers. This group is affected as they are cited in legislation as a priority group for consideration under homelessness legislation.

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(e) Transgender (including gender re-assignment)

No obvious positive or negative impact regarding transgender applicants

(f) Marriage and Civil Partnership

No obvious positive or negative impact regarding applicants who are married or are in a Civil Partnership

(g) Race or Ethnicity

- 7) **NEGATIVE:** The proposals, which would allow the Council discretion to disregard those 'subject to immigration control' as part of an applicant's household, even if they are part of the family, will, by definition, adversely affect racial and ethnic groups that feature prominently in the immigration figures for the UK.

The Council does not have reliable data on the nationality of those applying for housing and deemed to be 'ineligible for assistance' or 'subject to immigration control' but, anecdotally, Eastern European migrants might be disproportionately affected. While the Council does collect data on the race and ethnicity of applicants, it does not collect specific detail on nationality for all applicants unless it is required to assess it as part of the housing application.

Cambridge Eastern European migrants make up 17.1% of the register as at August 2015. The category that the Council uses is 'white other' - this means white but not of British or Irish origins.

The justification for the policy change is to bring the Lettings Policy approach into line with current homelessness legislation, which rules out consideration for ineligible applicants or household members for housing. It is also a necessary measure given the low supply, relative to demand, of social housing in Cambridge.

(h) Religion or Belief

No obvious positive or negative impact regarding applicants on the basis of religion or belief

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(i) Sexual Orientation

No obvious positive or negative impact regarding applicants on the basis of sexual orientation

(j) Other factors that may lead to inequality – in particular – please consider the impact of any changes on low income groups or those experiencing the impacts of poverty (please state):

Many of the proposed Lettings Policy changes are intended to improve fairness and consistency in the assessment of housing need. Customers with incomes of over £40,000 per annum or savings in excess of this figure are not considered as a priority group on the register and the changes do not compromise this position.

8. If you have any additional comments please add them here

9. Conclusions and Next Steps

- If you have not identified any negative impacts, please sign off this form.
- If you have identified potential negative actions, you must complete the action plan at the end of this document to set out how you propose to mitigate the impact. If you do not feel that the potential negative impact can be mitigated, you must complete question 8 to explain why that is the case.
- If there is insufficient evidence to say whether or not there is likely to be a negative impact, please complete the action plan setting out what additional information you need to gather to complete the assessment.

All completed Equality Impact Assessments must be emailed to Suzanne Goff, Strategy Officer, who will arrange for it to be published on the City Council's website.

Email suzanne.goff@cambridge.gov.uk

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10. Sign off

Name and job title of assessment lead officer: **David Greening, Housing Advice Service Manager**

Names and job titles of other assessment team members and people consulted:

Harriet Morgan, Policy and Performance Officer

Suzanne Goff, Strategy Officer

Date of completion: 11th September 2015

Date of next review of the assessment: 10th September 2016

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Action Plan

Equality Impact Assessment title: Lettings Policy 2015-16

Date of completion: 27th August 2015

Equality Group	Age
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

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Equality Group	Disability
Details of possible disadvantage or negative impact	Please refer to point 2 in section 7 above
Action to be taken to address the disadvantage or negative impact	Write a clear procedure around suspending band A applications which have refused 3 reasonable offers. Provide a clear definition of 'reasonable' and ensure that officers making these decisions have carefully considered if a person with a disability has a) received adequate support in understanding what they are bidding for or b) is not a person with a mental health impairment who does not have a clear understanding of the implications of the refusals c) if relevant it should also take account of relevant occupational therapist reports and opinions before arriving at a decision to suspend
Officer responsible for progressing the action	Harriet Morgan
Date action to be completed by	By 31 st March 2016

Equality Group	Gender
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

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Equality Group	Pregnancy and Maternity
Details of possible disadvantage or negative impact	Please refer to point 6 in section 7 above
Action to be taken to address the disadvantage or negative impact	Officers offering direct lets should not be confined to offering accommodation in specific wards but the direct let procedure should be amended to ask offers to reflect on the location needs of the applicant in this respect so that they are not housed an unreasonable distance away from these support networks. The Council should review amend its homelessness duty acceptance letter and amend and highlight the sentence contained within it saying 'If there is any reason why a property might not be suitable for your needs you must let me know now.'
Officer responsible for progressing the action	Ruth Trown
Date action to be completed by	September 30 th 2015

Equality Group	Transgender
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

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Equality Group	Marriage and Civil Partnership
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

Equality Group	Race or Ethnicity
Details of possible disadvantage or negative impact	Please refer to point 7 in section 7 above on race and ethnicity
Action to be taken to address the disadvantage or negative impact	<p>The justification for this policy approach is outlined in point 7, section 7. Reviews of decisions on bedroom entitlement resulting from a decision to exclude household members should go to the Senior Officer Review Panel (SORP) as outlined in the policy but the Council should review its SORP procedure to ensure that this scenario is reflected as an example by way of guidance to officers – SORP should not consider challenges on the eligibility decision but whether there are special circumstances which the Council has not considered in deeming an ineligible person to not form part of the household. Where the applicant wants to request a review of the decision that one of his/her household members is ineligible the route of appeal is via statutory review as cited in 6.2.1 (a and c) Additionally, a short procedure should be written outlining these two routes for review and linking it to the relevant part of the policy (3.1.3)</p>
Officer responsible for progressing the action	Ruth Trown
Date action to be completed by	31 st March 2016

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Equality Group	Religion or Belief
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

Equality Group	Sexual Orientation
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	

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Other factors that may lead to inequality	
Details of possible disadvantage or negative impact	
Action to be taken to address the disadvantage or negative impact	
Officer responsible for progressing the action	
Date action to be completed by	