

## DRAFT H&F Equality Impact Analysis Tool

### Conducting an Equality Impact Analysis

An EqIA is an improvement process which helps to determine whether our policies, practices, or new proposals will impact on, or affect different groups or communities. It enables officers to assess whether the impacts are positive, negative, or unlikely to have a significant impact on each of the protected characteristic groups.

The tool has been updated to reflect the new public sector equality duty (PSED). The Duty highlights three areas in which public bodies must show compliance. It states that a public authority must, in the exercise of its functions, have due regard to the need to:

- 1. Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited under this Act;**
- 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;**
- 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.**

Whilst working on your Equality Impact Assessment, you must analyse your proposal against the three tenets of the Equality Duty.

## General points

1. In the case of matters such as service closures or reductions, considerable thought will need to be given to any potential equality impacts. Case law has established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, it should demonstrably inform the decision, and be made available when the decision is recommended.
2. Wherever appropriate, the outcome of the EIA should be summarised in the Cabinet/Cabinet Member report and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense, and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.
5. If you already know that your decision is likely to be of high relevance to equality and/or be of high public interest, you should contact the Strategy & Communities team for support.
6. Further advice and guidance can be accessed from the separate guidance document (on the intranet) or [ACAS - EIA](#). Or you can contact the relevant officer (see below).

Fawad Bhatti (Policy & Strategy Officer)  
[Fawad.bhatti@lbhf.gov.uk](mailto:Fawad.bhatti@lbhf.gov.uk)  
07500 103617

## H&F Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2020/21 / Full Year
Name and details of policy, strategy, function, project, activity, or programme	<p><b>Title of EIA:</b> Financial Plan for Council Homes: The Housing Revenue Account (HRA) Financial Strategy, 2020/21 HRA Budget, 2020/21 Rent Increase and HRA 40-year Financial Business Plan</p> <p><b>Short summary:</b> This report sets out the budget strategy for the Housing Revenue Account (HRA) for 2020/21 and for the long-term financial business plan. This includes a rent increase of 2.7% (based on the Consumer Prices Index at September 2019 plus 1% in line with government policy) from April 6<sup>th</sup> 2020 which equates to an average weekly increase of £2.90 in 2020/21. Also included is an increase in tenant service charges of CPI (1.7% as at September 2019) from April 6<sup>th</sup> 2020.</p> <p>The HRA Business Plan allows for the on-going investment in services which directly support residents in living healthy and independent lives. In particular, the provision for aids and adaptations to tenanted accommodation.</p> <p>The Government's programme of Welfare Reform will impact on some tenants in terms of affecting their ability to pay rent. All new benefit claims are subject to Universal Credit and all existing claims are currently subject to a migration process to Universal Credit that is anticipated to be completed by December 2023. Under the Welfare Reform changes:</p> <ul style="list-style-type: none"> <li>- the overall benefit cap restricts the total value of packages of benefits to tenants, and the increase in rent will result in an additional impact but this will depend on the level of benefits and other income received;</li> <li>- direct payment of benefits to social housing tenants as part of Universal Credit may result in an increase in rent arrears, and again the increase in rent will result in an additional impact.</li> </ul> <p>The Council is not in control of any potential changes outside its decision-making remit, therefore this EIA deals only with analysing the equalities impact on tenants resulting from the rent and tenant service charges increase.</p> <p>There are no impacts on existing staff as a result of this project.</p>
Lead Officer	<p>Name: Danny Rochford            Position: Head of Finance            Email: Daniel.rochford@lbhf.gov.uk            Telephone No: 020 8753 4023</p>
Date of completion of	XX / 01 / 20

**Section 02 Scoping of Full EIA**

**Plan for completion**  
 Timing: January 2020  
 Resources: Officer time, and see section 03 for data resources

**Analyse the impact of the policy, strategy, function, project, activity, or programme**  
 The principal impact of the report arises from the application of the rent increase to all tenants (11,890 tenancies), the impact of which will affect all wards and is set out below for each bedroom size:

**Range of increases in weekly rent (£) by number of dwellings and bedroom size**

Range of Increase (£)	Number of Bedrooms							
	0	1	2	3	4	5	6	Total
Less than £1	0	0	0	0	0	0	0	0
Between £1 and £2	144	188	1	2	0	0	0	335
Between £2 and £3	387	3,088	3,018	880	41	1	0	7,415
Between £3 and £4	3	849	929	1,405	448	20	1	3,655
£4 or above	29	87	63	90	291	55	13	628
<b>Total</b>	<b>563</b>	<b>4,212</b>	<b>4,011</b>	<b>2,377</b>	<b>780</b>	<b>76</b>	<b>14</b>	<b>12,033</b>

The rent increase will affect tenants on full, partial or no Housing Benefit ('HB') in different ways and information regarding the numbers affected and the new amounts that tenants would be required to pay is included in section 03 of this EIA. Equality data is not available across all protected groups for full, partial or no HB. The information that the Council does have, is included at section 03 and used where applicable in the analysis further below.

Households on full HB will not be affected by the rent increase because it is within the HB rent payment. The impact on these households will be **neutral** in such cases. There will be a shortfall if those households are under occupying, i.e. they have more bedrooms than they need or if a household is impacted by the benefit cap, regardless of whether the Council were to implement a rent increase. This applies to all protected groups (although some disabled people may have different circumstances if a room is required for their carer, see below) and as such would result in a **negative** impact. For the avoidance of doubt, this analysis applies to all protected groups and is not included in the analysis below because it applies to all protected groups.

A number of general mitigating actions are in place to enable tenants to manage the impact of the rent increase. In addition to the availability of Housing Benefit to meet the increase, these include the provision of Discretionary

Housing Payments (DHP) to assist tenants in managing any arrears; incentive payments to tenants willing to downsize; the availability of housing occupancy officers to support tenants in progressing moves to smaller properties and in minimising the need for evictions; and the supply of smaller properties within the housing stock to enable moves to more appropriately sized accommodation.

Protected characteristic	Analysis	Impact: Positive, Negative, Neutral
Age	<p>Tenants of all age groups not in receipt of HB will be impacted by the increase. Those in this group are likely to be in full-time work. This will impact a total of 6,941 tenancies. Age data is not available for these tenancies, therefore, it is not possible to determine the impact, although it is likely that paying more rent will be a negative impact. The Council has put in place mitigating actions and these include the provision of DHP, assisting tenants in moving to smaller properties including incentive payments to under occupying tenants who downsize and managing down any arrears. The report sets out the challenging financial situation and the need to reduce spend as well as increase rents to fund the financial plan.</p> <p>Tenants of all age groups on partial HB will be impacted and this group totals 1,843 tenancies. Those in this group are likely to be of working age, in part-time or low paid work. It is likely that the increase in rent will be negative for the majority of this group unless they are able to increase their income but this will depend on the exact benefits that they (and their partners, if they have a partner) receive. The Council has put in place mitigating actions and these include the provision of DHP, assisting tenants in moving to smaller properties including incentive payments to under occupying tenants who downsize and managing down any arrears. The report sets out the challenging financial situation and the need to reduce spend as well as increase rents to fund the financial plan.</p> <p>Tenants of all age groups on full HB will be impacted and this group totals 3,019 tenancies. Those in this group are likely to be of working age, in part-time or low paid work or not in paid work. It is likely that the increase in rent will be neutral for this group but this will depend on the exact benefits that they (and their partners, if they have a partner) receive. The Council has put in place mitigating actions and these include the provision of DHP, assisting tenants in moving to</p>	<p>Unknown, likely negative</p> <p>Negative</p> <p>Neutral</p>

		smaller properties including incentive payments to under occupying tenants who downsize and managing down any arrears. The report sets out the challenging financial situation and the need to reduce spend as well as increase rents to fund the financial plan.	
	Disability	<p>Disabled tenants not in receipt of HB will be impacted by the increase. Those in this group are likely to be in full-time work but exact numbers are not known. However, the Council has undertaken to interview under-occupying tenants as part of providing a package of support to enable tenants to downsize. Although it is not possible to determine the impact exactly, it is likely that paying more rent will be a negative impact. In addition, consideration should be given to those tenants with an adaptation to their dwelling or where they need to be in close proximity to health services. Again, it is not possible to ascertain the exact number of such cases. The Council plans to mitigate against the impact by providing DHP in the event of difficulties experienced in allocating a suitable alternative property; enabling moves through providing incentive payments of up to £2,000 per room given up; and making available smaller properties including sheltered accommodation (which may be closer to health services) to accommodate any required moves. Additionally, Disabled Facilities Grant (DFG) could in some cases be applied for by tenants requiring an adaptation to their dwelling, with the cost of any adaptation potentially being funded directly from the Housing Revenue Account where DFG funding bids are unsuccessful. Officers are updating records of the number of disabled tenants that are residing in Council dwellings and are being impacted by overall benefit cap so that targeted support can be provided. The Council has made available DHP for those that meet the award criteria. The report sets out the challenging financial situation and the need to reduce spend as well as increase rents to fund the financial plan.</p> <p>Disabled tenants on partial HB where the claimant or partner is in receipt of a disability benefit/allowance/award/carers premium will be impacted and those in this group are likely to be of working age, in part-time or low paid work. It is likely that the increase in rent will be negative for the majority of this group unless they are able to increase their income but this will depend on the exact benefits that they (and their partners, if they have a partner) receive. The Council plans to mitigate against the impact by providing DHP in the event of difficulties experienced in allocating a suitable alternative property; enabling moves through providing incentive payments of up to £2,000 per room given up; and making</p>	<p>Unknown, likely negative</p> <p>Unknown, likely negative</p>

		<p>available smaller properties to accommodate any required moves. Officers are updating records of the number of disabled tenants that are residing in Council dwellings so that targeted support can continue to be provided. The report sets out the challenging financial situation and the need to reduce spend as well as increase rents to fund the financial plan.</p> <p>The impact upon households on full HB where the claimant or partner is in receipt of a disability benefit/allowance/award/carer premium will be neutral, unless the increase in rent takes them above the overall benefit cap. There will be a shortfall if those households are of working age and under occupying, i.e. they have more bedrooms than they need; if their package of benefits is reduced by the overall benefit cap resulting in a shortfall in meeting the weekly rent required; or as a result of the impact of direct payments, if the Council were to implement a rent increase or not. For disabled people who need an extra room for a personal assistant / carer, an increase where they cannot meet the shortfall would result in a negative impact but it is not possible to be precise about this.</p> <p>For all disabled tenants, the Council will have housing officers on hand to help tenants with moving, in order to lessen the effects of any move.</p>	Neutral Unknown, likely negative
	Gender reassignment	<p>There is no data available on those with this protected characteristic as our tenants. However, it is likely that those who have transitioned, or who are transitioning, and who are unable to pay the increase in rent (whether on full, partial HB or no HB) will be negatively affected by the change. The impact will be greater for those in larger properties but for all tenants the impact will be negative.</p> <p>The Council is able to mitigate the effects of this disruption through the provision of DHP. The Council has housing officers on hand to help people with this protected characteristic with moving, in order to lessen the effects of the move.</p>	Likely negative
	Marriage and Civil Partnership	The Council is not offering a service in a different way to married people or to civil partners and so this protected characteristic is not applicable to this analysis.	
	Pregnancy and maternity	There is no data available on those with this protected characteristic. However, it is likely that women who are pregnant or who are on maternity leave, and who are unable to pay the increase in rent (whether on full, partial HB or no HB) will be negatively affected by the change. The impact for all tenants will be negative. Women with this characteristic may find having to move more difficult than other	

		women as they will be about to or will just have given birth.  The Council is able to mitigate the effects of this disruption through the provision of DHP, which if necessary can cover the period pending a move. The Council will have housing officers on hand to help people with this protected characteristic with moving, in order to lessen the effects of the move.	
	Race	The available data in section 03 does not give a breakdown by ethnicity of those on no, partial, or full HB. A recent review of the race profile of one of the Council's housing estates shows little variance with the race profile of the borough.  It is not possible to mitigate the effects of this potential disruption as it would be unlawful to exempt one racial group from the extra cost per week. The Council has housing officers on hand to help people with this protected characteristic with moving, in order to lessen the effects of the move.	Likely negative
	Religion/belief (including non-belief)	There is limited data available on those with this protected characteristic as our tenants. Very few residents have chosen to share their religious belief details, less than 10% across the housing stock. However, it is likely that those of any religion or belief group who are unable to pay the increase in rent (whether on full, partial HB or no HB) will be negatively affected by the change.  It is not possible to mitigate the effects of this disruption as it would be unlawful to exempt one religious group from the extra cost per week. However, the Council will have housing officers on hand to help people with this protected characteristic with moving.	Likely negative
	Sex	There is no data available on men and women as our tenants. However, it is likely that men and women who are unable to pay the increase in rent (whether on full, partial HB or no HB) will be negatively affected by the change.  In certain cases, such as those involving domestic violence, the Council will mitigate the effects of this disruption via the provision of DHP on a case by case basis. It is expected that the impact of the rent increase will be greater for women than men. Further, where tenants are under-occupying, support will be available through incentive payments of up to £2,000 per room given up and the supply of smaller properties. The Council has two housing officers on hand to help people with this protected characteristic with moving.	Likely negative



Sexual Orientation	<p>Although very limited data is available there is no disproportionate impact identified. Equality and Human Rights Commission guidance on this protected characteristic is to collect data where relevant. Sexuality is not relevant to most of housing services with the exception of tackling harassment.</p> <p>However, it is likely that those of any sexual orientation who are unable to pay the increase in rent (whether on full, partial HB or no HB) will be negatively affected by the change.</p> <p>It is not possible to mitigate the effects of this disruption as it would be unlawful to exempt one group with a particular sexual orientation from another from the extra cost per week. The Council will have housing officers on hand to help people with this protected characteristic with moving.</p>	Likely negative
--------------------	---	-----------------

**Human Rights or Children’s Rights**

If your decision has the potential to affect Human Rights or Children’s Rights, please contact your Equality Lead for advice

Will it affect Human Rights, as defined by the Human Rights Act 1998?

Yes. This may affect Article 8: Right to respect for family life, which may be relevant to families and foster carers with children, as well as to those who are under occupying and who are impacted by the increase in rent and the change in size criteria. However, this is a qualified right and can be interfered with if the Council considers that it is a proportionate means of achieving a legitimate aim.

Will it affect Children’s Rights, as defined by the UNCRC (1992)?

Yes. For children who are fostered or looked after, this may affect the right to live in a family environment or alternative care. It is not possible to mitigate the effects of this disruption as the Council cannot afford to top up the outstanding rent payable. The report sets out the difficult financial situation and the need to reduce spending as well as increase the rents. However, the Council will have housing officers on hand to help people with this protected characteristic with moving if necessary.

<b>Section 03</b>	<b>Analysis of relevant data</b> Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.
<b>Documents and data reviewed</b>	As referred to above in Section 02.
<b>New research</b>	n/a

<b>Section 04</b>	<b>Consultation</b>
<b>Consultation</b>	Details of consultation findings (if consultation is required. If not, please move to section 06)
<b>Analysis of consultation outcomes</b>	Tenants and residents were consulted on the rent increase at the Housing Representatives Forum on 21 <sup>st</sup> January and the proposed rent and tenant service charges increases were not objected to.

<b>Section 05</b>	<b>Analysis of impact and outcomes</b>
<b>Analysis</b>	As referred to above in Section 02.

<b>Section 06</b>	<b>Reducing any adverse impacts and recommendations</b>
<b>Outcome of Analysis</b>	We don't anticipate any tenants experiencing difficulty. Section 02 outlines worst case scenario and we are confident that mitigating actions and support mechanisms can be put in place.

<b>Section 07</b>	<b>Action Plan</b>
<b>Action Plan</b>	n/a

<b>Section 08</b>	<b>Agreement, publication and monitoring</b>
<b>Senior Managers' sign-off</b>	Name: Emily Hill Position: Assistant Director for Finance Email: Emily.hill@lbhf.gov.uk Telephone No: 07826 531 849 Considered at relevant DMT: n/a

<b>Key Decision Report (if relevant)</b>	Date of report to Cabinet/Cabinet Member: 03/02/20 Key equalities issues have been included: Yes
<b>Equalities Advice (where involved)</b>	Name: Fawad Bhatti Position: Policy & Strategy Date advice / guidance given: 20/01/20 Email: fawad.bhatti@lbhf.gov.uk Telephone No: 07500 103617