

Equality Impact Analysis Full Tool with Guidance

This Tool has been produced to help you analyse the likelihood of impacts on the protected characteristics – including where people are represented in more than one – with regard to your new or proposed policy, strategy, function, project or activity. It has been updated to reflect the new public sector equality duty and should be used for decisions from 6th April 2011 onwards. It is designed to help you analyse decisions of high relevance to equality, and/or of high public interest

Case law has established that having due regard means analysing the impact, and using this to inform decisions, thus demonstrating a conscious approach and state of mind ([2008] EWHC 3158 (Admin), [here](#)). It has also 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, through to the recommendation for decision. It should demonstrably inform, and be made available when the decision that is recommended. This tool contains guidance, and you can also access guidance from the EHRC [here](#). If you are analysing the impact of a budgetary decision, you can find EHRC guidance [here](#). Advice and guidance can be accessed from the Opportunities Manager: PEIA@lbhf.gov.uk or ext 3430.

Equality Impact Analysis – Housing Estate Investment Plan

The analysis below provides a provisional guide on the impact on the key equality groups of the policy in its current form. In relation to the framework for area-based improvement, a further analysis will be produced following statutory consultation with tenants on this part of the policy. In relation to asset-based limited disposal of HRA voids, the analysis will be finalised in time for publication on agenda for the Cabinet meeting considering it for adoption.

Full Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2011/12, Q1
Name and details of policy, strategy, function, project, activity, or programme	<p>Housing Estate Improvement Plan</p> <p>This is a policy framework to establish improvement and investment strategies for housing estates in the borough and the Council's housing stock in general.</p>
Lead Officer	Name: Ian Ruegg

	Position: Enabling Manager Email: ian.ruegg@lbhf.gov.uk Telephone No: 020 8753 1722
Date of completion of final EIA	6 th April 2011

Section 02	Scoping of Full EIA
Plan for completion	<p>The EIA on the framework for area-based improvements will be completed following statutory consultation with tenants. Approval to undertake the statutory consultation is expected to be granted by Cabinet on 18th April 2011. Specific action plans for individual estates are outside the scope of this EIA. The equalities impact of these individual action plans will be considered as required at the time they are brought forward.</p> <p>The EIA on the asset-based approach to limited HRA voids disposal policy is set out below. Resources: Data and policy Lead Officer: Ian Ruegg</p>
What is the policy, strategy, function, project, activity, or programme looking to achieve?	<p><u>Area-based Improvements</u> This proposed policy is designed to enable area-based methods of improvements to be applied to the Council's neediest housing estates. It is a borough-wide policy framework proposal, with proposed process and criteria for identifying estates for improvement, the types of methods backed by independent valuation which could potentially be applied, and the broad success measures and the monitoring arrangements that could be used. The success measures further the borough's wider community strategy goals. The framework proposes to require that any action plan for an estate designated as in need of improvement be approved by Cabinet subject to consultation with local residents.</p> <p>The area-based improvement framework is subject to consultation with Council tenants as required in law under s.105 Housing Act 1985.</p> <p><u>Asset-Based Limited Voids Disposal</u> This policy puts in place additional funding arrangements for ongoing investment in the Council's housing stock and capital regeneration activities, including the area-based improvement programme and investment required to meet housing need. In particular, it revises and introduces a number of new conditions to the Council's current Limited Voids disposals policy in order to meet investment needs</p>

over the coming decades. The law, under Section 105 Housing Act 1985 does not require consultation with Council tenants on this proposal

Age	<p><u>Area-based Improvements</u></p> <p>The proposed policy of area-based intervention is aimed at improving the neediest Council estates and the lives and living environment of their residents. Many children and young people as well as elderly residents live on Council estates and would therefore be directly in line to benefit from expected gains.</p> <p>High impact can be expected for children and young people. Complete figures for the child population in council housing in the borough is not available. However, almost 80% of all family-sized accommodation (i.e. 2 bedrooms or more) in the Council's stock is on estates, and so it follows that the proposed policy requirement for neighbourhoods to encompass housing estates should mean improvement and investment flows to the parts of the stock where children and young people are most likely to live.</p> <p>Among the particular area-based estate improvement methods that could benefit children and young people are: support to raise educational standards; access to employment and training; health and well-being initiatives; and outreach to reduce overcrowding.</p> <p>Medium impact can be expected for older residents given that almost a third (28%) of Council tenants are aged 65 years and over, and almost two-thirds (61%) of these reside on Council estates. Health and well-being initiatives, as well as outreach services are among the most obvious examples of where positive impacts can be expected. Older residents can also be expected to benefit from area-based estate improvement methods which reduce crime and ASB as in the borough's last two Annual Residents' Survey older residents reported feeling less safe outside at night than younger residents.</p> <p>Estate action plans and the specific form of improvement packages will be equality impact assessed on a case by case basis, however</p>	+	H
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		<p>there is no indication that the proposed improvement methods per se - e.g. mixing tenures, physical and environmental improvements works – would have an adverse impact on the basis of age.</p>		
		<p>In terms of mixing tenures, increasing the number of low cost home ownership opportunities should enable more young people to become first-time buyers, as the average age of a first-time buyer without parental assistance has been rising, with the average age now 37 (source: Home Builders Federation, October 2010).</p> <p>Older first-time buyers nearing the end of their earning capacity may face obstacles in obtaining a mortgage. However, for older people who are existing home-owners and who may find it equally difficult to obtain a mortgage, low-cost home ownership can provide opportunities. For example, this could be in terms of downsizing for those who are finding it difficult to manage a large home, and who may want to release equity to meet care costs or to support their children to purchase a home. Similarly, low cost home ownership could enable moves for existing older home owners in inappropriate housing, for example due to floor level or internal stairs. In both these scenarios existing older home owners could potentially make an outright purchase of a portion of the property (as little as 25%), and in this way circumvent the need to obtain a mortgage. In addition, special shared ownership schemes administered by housing associations have been devised specifically for people over 55 years old who waive the rental element on the final quarter, once 75% of the property has been purchased. One advantage of the policy being proposed is that the marketing and sale of properties for shared ownership will be undertaken by housing associations. This should mean older residents are able to benefit from the sector's expertise generally, if not also in this scheme in particular.</p> <p>Consultation on the policy will ensure it is accessible – e.g. in formats preferred by different age groups - so that all Council tenants can learn of the proposals and convey their views. Representations will be accepted orally and in writing, by post, telephone, on-line and</p>		

		<p>through third party representatives which should remove barriers to participation for people who are house-bound or have trouble with mobility.</p> <p><u>Asset-Based Limited Voids Disposal</u></p> <p>Achieving additional capital investment into the Council housing stock across the borough through limited voids disposal will be of benefit to all Council tenants and their households, which encompass both the young and the old. Use of these receipts to acquire large family units or to fund capital schemes that alleviate overcrowding could also be beneficial to children and young people as they are often members of these households. Schemes that enable grown-up children to move from overcrowded Council tenancies, which are another potential use of the receipt, could also be of benefit to tenants, generally older people, who would have potentially more space.</p>		
	Disability	<p><u>Area-based Improvements</u></p> <p>The proposed policy of area-based intervention is aimed at improving the neediest Council estates and the lives and living environment of their residents. People with disabilities and physical or mental ill health are disproportionately represented in Council housing. Complete figures are not available, however the majority of Council housing estates in the scope of the proposed policy (i.e. with 100 or more Council tenants) all fall within those parts of the borough with the highest incidence of health deprivation and disability. People with health problems and/ or disabilities could be more likely to benefit from the expected gains, should the policy be adopted.</p> <p>Disabled residents can be expected to benefit directly from area-based estate improvement methods, if they were implemented, to reduce crime and ASB. This is because the borough's last two annual residents' surveys of people with disabilities reported feeling less safe outside both in the day and at night than people without disabilities.</p>	+ and -	H

		<p>Disabled residents of working age in the borough could derive particular benefits from the proposed training and employment initiatives. This is because disabled people are proportionately less likely to be in employment than people without disabilities: around 46% of working aged people with disabilities have jobs; the employment rate for the general population is 65% (source - ONS data).</p>		
		<p>Consultation on the policy will ensure it is accessible – e.g. takes place in physically accessible locations, literature is available in a range of formats - so that all Council tenants can learn of the proposals and convey their views. Representations will be accepted orally and in writing, by post, telephone, on-line and through third party representatives which should remove barriers to participation for people with mobility impairments.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works - disadvantage people with disabilities on principle.</p> <p>While there is no indication that the proposed improvement methods will in principle disadvantage disabled people or those with physical or mental ill health, it is known that this group faces particularly barriers to accessing and retaining employment. In turn, lack of employment may impact on the ability of disabled people to access new shared ownership opportunities; it may also prevent moves to those estates selected for improvement that adopt an approach of prioritising allocations to working households.</p> <p>People with disabilities do become home owners. The Council has helped 16 households from this group to buy a home since 2007.</p>		

		<p>Data from 2010 shows 99 people with disabilities are active members on the Council's Home Buy Register.</p> <p>Results-driven outreach employment and training services may lessen the adverse effects in relation to securing and keeping employment and the ability to access low cost home ownership.</p> <p>The council is currently delivering a number of employment initiatives that provide paid work, (and, in the case of apprenticeships, training and qualifications), to enable residents to sustain employment. These initiatives have been particularly successful in recruiting disadvantaged groups including those described as 'adults with moderate to severe learning disabilities' by the PSA 16 categorization. Whilst the number is low, 23% of the 2010 Business Apprenticeship scheme and 7% of the LBHF Future Jobs Fund employees are from this group.</p> <p>In addition, to this Hammersmith and Fulham Action on Disability (HAFAD) and H&F Mencap receive council funding to deliver services directly to residents with disabilities and to raise awareness amongst employers of the benefits of recruiting people with disabilities. LBHF Connexions also provides 'access to work' services to disabled residents up to the age of 24.</p> <p>The changes to the mainstream employment support with the introduction of the 'single work programme' this year is designed to ensure that the most disadvantaged receive most support by incentivising service providers with additional payments for securing and sustaining employment for these groups.</p> <p><u>Asset-Based Limited Voids Disposal</u></p> <p>Achieving additional capital investment into the Council housing stock across the borough through limited voids disposal will be of benefit to all Council tenants, which as has been mentioned has a significant</p>		

		<p>proportion of people with physical and mental ill health. In terms of increasing disposals and its impact on housing need, the main pressures are around large-family units. The supply of ground floor properties across bedroom sizes is well-distributed. The impact on disabled people or those needing to move for reasons of ill health, as opposed to more space is, therefore, expected to be neutral.</p>		
	Gender reassignment	<p><u>Area-based Improvements</u></p> <p>There is very little data on gender re-assignment of Council tenants or members of their household. That said, the effects of this policy are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of changing gender from male to female or vice versa or at partial stages in that process.</p> <p>Consultation on the policy will endeavour to ensure that residents are addressed by the name on current Council records and where referred to in the third person by the correct use of 'he' or 'she'.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works - disadvantage people undergoing gender re-assignment.</p> <p><u>Asset-Based Limited Voids Disposal</u></p> <p>The effects of this approach are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of undergoing gender re-assignment.</p>	neutral/+	L

	Marriage and Civil Partnership	<p><u>Area-based Improvements</u></p> <p>The Council has limited data on the marital status of its tenants or members of their households. That said, the effects of this policy are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of whether they are married, single, divorced, cohabiting or in a civil partnership.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works - have either a positive or negative impact on this protected characteristic in principle. For example, in relation to tenure diversity there is no evidence of mortgage applications being declined on grounds of marital status.</p> <p><u>Asset-Based Limited Voids Disposal</u></p> <p>Those with a housing need who are both single in terms of marital status and who are also a single person household are likely to be affected by a net loss of studio and 1 bedroom accommodation. In addition childless married or cohabiting or civil partnership couples are equally likely to be affected. Studios and 1 bed units are, however, already in relatively plentiful supply to meet housing need compared to larger properties, as evidenced in the analysis of the need and supply of social rented housing in the borough that accompanies the report (Appendix 3). Therefore, while there will be a loss of smaller units for letting the effect of this is not likely to be significant. It is anticipated that when weighed in the balance the overall cost/ benefit of losing smaller units versus the investment gains from the disposal receipts should result in varying net gains. For example, receipts may potentially be used to support overcrowded adult households living with their parents to purchase or rent their own home.</p>	neutral and +	L

	Pregnancy and maternity	<p><u>Area-based Improvements</u></p> <p>The Council has limited data on the proportion of its tenants or members of their households in this equalities category. The effects of this policy are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of being pregnant or being in the 26 weeks period post- birth of the child. whether they are married, single, divorced, cohabiting or in a civil partnership.</p> <p>Consultation on the policy will ensure it is accessible so that all Council tenants can learn of the proposals and convey their views. Representations will be accepted orally and in writing, by post, telephone, on-line and through third party representatives which should remove barriers to participation for individuals who may find difficulty travelling with a new-born child or be in the late stages of pregnancy.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works - have either a positive or negative impact on this protected characteristic in principle. For example, in relation to tenure diversity, the Equality Act 2010 makes it unlawful for banks and financial services to refuse a mortgage on grounds of pregnancy or maternity. Women who can demonstrate they have the long-term means to manage a mortgage but who are currently on Statutory Maternity Pay (SMP) or maternity-related reduced pay from their employer may also argue that their standard salary should be used by mortgage providers in calculating affordability.</p>	neutral	L

		<p><u>Asset-Based Limited Voids Disposal</u> The effects of this approach are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of either pregnancy or maternity.</p>		
	Race	<p><u>Area-based Improvements</u> The proposed policy of area-based intervention is aimed at improving the neediest Council estates and the lives and living environment of their residents. Black and ethnic minority groups are disproportionately represented in Council housing. For illustration, 40% of all council tenants identify themselves as from black and ethnic minority groups .The majority of these tenants (66% of the 40%) live on Council estates.</p> <p>Council tenants who classify themselves as British are also more likely to be tenants of Council estates – 76% of this group live on Council estates rather than elsewhere in the stock - so this policy will also benefit the majority of this group as well. (The classification ‘British’ appears as one of a range of national and racial groupings within this data set. ‘White British’ tenants are more likely to identify with the category ‘British’ rather than the other possible options on the list. ‘British’ may also include those black British tenants and British tenants from ethnic minorities who prefer to identify themselves by nationality rather than racial characteristics.)</p> <p>Among the proposed area-based methods that could particularly benefit black and ethnic minority residents are:</p> <ul style="list-style-type: none"> - support to raise educational standards (pupils not categorised as white accounted for more than half the pupils with Special Educational Needs in the borough’s primary schools – source: Borough Profile, 2010)); - access to employment and training (just over 40% of those of working age classified as being in an ethnic minority are in 	+ and -	H

		<p>paid employment, compared to 74% of those of working age classified as being white – source ONS data));</p> <ul style="list-style-type: none"> - outreach to reduce overcrowding (those recorded in ethnicity categories other than White British make up the majority of households in housing need in the borough, in December 2010 accounting for 46% of urgent cases (Band A), 52% of severe cases (Band B) and 66% of cases with some housing need (Band C)); - access to low-cost home ownership opportunities (an up to date ethnic breakdown of average household income in the borough is not available, however those with an income of £30k or more per annum, in other words well above the threshold to access low cost home ownership opportunities accounted for 32.2% of tenants on the Council's largest estates (around 54% of tenants on the Council's largest estates have a household income above the entry income threshold for low cost home ownership of £19k). (source: CACI Paycheck 2010) This group is likely to include many households from black and ethnic minority backgrounds who would not otherwise be in a position to own their own home given the high representation of such households in the ethnic profile of Council estates, even allowing for a relatively lower employment rate amongst ethnic minorities. <p>Estate action plans and the specific form of improvement packages will have to be equality impact assessed on a case by case basis, however there is no indication that the improvement methods - e.g. mixing tenures, physical and environmental improvements works - disadvantage black or ethnic minority groups on principle.</p> <p><u>Asset-Based Limited Voids Disposal</u> Achieving additional capital investment into the Council housing stock through limited voids disposal will be of benefit to all Council tenants, which as has been mentioned has a significant black and ethnic minority profile.</p>		

		<p>Disposal of more units will entail a net loss in properties available to meet housing need and as has been mentioned, the majority of people in housing need in the borough are in categories other than 'white British'. An important consideration in assessing the impact of this loss is the fact that the policy lowers the open market value threshold for triggering disposals and tiers these thresholds by bedroom size. The policy also lowers the refurbishment value for triggering a disposal. This new approach means studios and 1 bedrooms are more likely to be sold than was previously the case. The highest demand for studios and 1 bed units is from white British households. Studios and 1 bed units are, however, already in relatively plentiful supply to meet housing need compared to larger properties, as evidenced in the analysis of the need and supply of social rented housing in the borough that accompanies the report (Appendix 3). Therefore, while there will be a loss of smaller units for letting the effect of this is not likely to be significant. It is anticipated that when weighed in the balance the overall cost/ benefit of losing smaller units versus the investment gains from the disposal receipts should result in varying net gains for tenants and their households across different race groups.</p>		
		<p>The analysis of the need and supply of social rented housing indicates however that the supply of larger properties is less plentiful. In terms of the demand for these properties, households from Black backgrounds are more likely to have a housing need for properties of 4 bedrooms or more (13%), compared to those households from Asian backgrounds (8%), and those households from White and Mixed backgrounds (3%) (Source: Hammersmith and Fulham Housing Market Assessment, December 2010). Therefore, if there is a net loss from the stock of larger properties this could have an adverse differential impact on households from a Black and Asian background (it should be noted here that in terms of actual households those needing 4 bedrooms or more compared to those waiting in the lower bedroom categories are relatively few in number).</p>		

		<p>A number of elements are built into the policy to provide checks and balances designed to mitigate against these impacts:</p> <ol style="list-style-type: none"> 1. The policy includes provision to retain dwellings for which there is an exceptional need either in the present or the near future (6 months into the future for properties of 4 bedrooms or more). Where disposals are approved these will be on the basis of a prior report from the Director of Housing and Regeneration demonstrating there is no exceptional need for the dwelling. 2. The policy makes provision for factors of housing demand to be considered when deciding on disposal, for example whether the dwelling is required to meet an urgent or very severe housing need which cannot be met through existing stock or provision. (Where disposals are approved the policy requires that these be on the basis of a prior report from the Director of Housing and Regeneration evidencing that these factors have been given due consideration.) 3. The policy makes provision to retain a given dwelling, typically a small unit, where this may facilitate a tenant to downsize and release a large family-unit. 4. The policy makes provision to use receipts to acquire replacement stock, which can include larger family sized units, and to fund capital initiatives which address overcrowding and housing need, for example, enlarging properties through lateral conversions, or providing grants to enable mobility from the social rented sector into home ownership. 		
	Religion/belief (including non-belief)	<p><u>Area-based Improvements</u></p> <p>There is very little data on the religious persuasion of Council tenants. As a group Council tenants are ethnically diverse from which it might be inferred that a broad cross-section of world religions are represented in the tenant population. Ethnicity and nationality are not inevitable markers however of a particular faith or of belief or non-belief for that matter.</p> <p>That said, the effects of this policy are expected to be neutral in</p>	neutral	L

		<p>terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of holding a particular religious belief or the lack of one.</p> <p>Consultation on the policy will ensure it is accessible – e.g. where there are events that these do not clash with religious festivals - so that all Council tenants can learn of the proposals and convey their views. Representations will be accepted from third party representatives.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works – have either a positive or negative impact on this protected characteristic in principle. For example, in relation to tenure diversity there are specific religiously sanctioned financial products to assist purchase for those whose religious obligations are not facilitated by the mainstream mortgage market, e.g. ‘Sharia’ mortgages.</p> <p><u>Asset-Based Limited Voids Disposal</u></p> <p>The effects of this approach are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of holding a particular religious belief or the lack of one. For example, it has been noted that a net loss of larger sized properties could differentially impact on black and Asian households. However, there is no obvious religious co-relative in relation to black and Asian households in this instance, say for example, a religious prohibition on birth control behind the disproportionate number of black and Asian households needing larger family sized homes. There is therefore no evidence to indicate an additional adverse impact stemming from religion.</p>		

	Sex	<p><u>Area-based Improvements</u> The proposed policy of area-based intervention is aimed at improving the neediest Council estates and the lives and living environment of their residents. 61% of Council tenants are women, the vast majority of whom (78% of the 61%) live on Council estates and could therefore benefit from the expected gains, e.g. better resident satisfaction and area popularity, reductions in crime and ASB, support into employment and training, reductions in overcrowding, and so on.</p> <p>Women could be expected to benefit from area-based estate improvements that reduce crime and ASB given in the borough's last two Annual Residents' Survey women reported feeling less safe outside at night than men.</p> <p>Men of working age from black and ethnic minority backgrounds are proportionately less likely to be in employment than other groups when considered in terms of race and gender and, therefore, could be more likely to benefit from proposed training and employment initiatives.</p> <p>Consultation on the policy will ensure it is accessible – e.g. timing events not to clash with the school run - so that all Council tenants can learn of the proposals and convey their views.</p> <p>Estate action plans and the specific form of improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the improvement methods - e.g. mixing tenures, physical and environmental improvements works - disadvantage men or women in principle.</p> <p>For example, in relation to accessing low-cost home ownership, in</p>	+	H

		<p>terms of income an up to date breakdown of average household income in the borough by gender is not available. However those with an income of £30k or more per annum, in other words well above the threshold to access low cost home ownership opportunities accounted for 32.2% of tenants on the Council's largest estates (around 54% of tenants on the Council's largest estates have a household income above the entry income threshold for low cost home ownership of £19k). (source: CACI Paycheck 2010) This group is likely to include many women given they represent the majority of tenants, even allowing for a relatively lower employment rate in the borough for women than for men (60.1% of women aged 16-64 are in paid work compared to 70.1% of men of the same age (source: CACI Paycheck 2010))</p> <p>Nationally, the gender pay gap varies according to age. For example, women aged 20-29 earn more than men the same age when either full-time or part-time employment are compared. The gender pay gap also varies depending generally on whether work is full-time or part-time, with men earning more in the former and women earning more in the latter. It also varies according to occupation. The gender pay gap for full-time employees in professional occupations is slight, as narrow as 1.6%, while there is a gulf in skilled trades with the pay gap as wide as almost 32%. When looked at across all employment the pay gap, though decreasing, continues to favour men. That said, variation between ages, occupation and in the size of the gap make it difficult to contend that either women or men will generally have more difficulty in purchasing a home on account of gender income disparities. (source: ONS, 2010)</p> <p><u>Asset-Based Limited Voids Disposal</u> Achieving additional capital investment into the Council housing stock across the board through limited voids disposal will be of benefit to all Council tenants, of whom many are women-led households, through reinvestment of the receipts realised..</p> <p>Use of receipts to meet housing need should act as a counterweight</p>		
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		to the rise in disposals and loss of properties available for letting. Introducing bedroom-based thresholds for disposal should also mean that more small size units are disposed, a more manageable loss in relation to addressing housing need in the borough. Use of these receipts to acquire large family units or to fund capital schemes that alleviate overcrowding will be beneficial to women as they are often the head of large family households.		
	Sexual Orientation	<p><u>Area-based Improvements</u> The Council has limited data on the breakdown of its tenants and their household members by sexual orientation. That said, the effects of this policy are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain purely on account homosexual, heterosexual or bi-sexual.</p> <p>Consultation on the policy will ensure it is accessible so that all Council tenants can learn of the proposals and convey their views. Representations will be accepted from third party representatives.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works – have either a positive or negative impact on this protected characteristic in principle.</p> <p><u>Asset-Based Limited Voids Disposal</u> Achieving additional capital investment into the Council housing stock through limited voids disposal will be of benefit to all Council tenants, whatever their sexuality.</p>	neutral	L

	<p>Human Rights and Children's Rights</p> <p>Will it affect Human Rights, as defined by the Human Rights Act 1998?</p> <p>Area Based Improvements</p> <p>Yes: Article 6: Right to a fair trial (to have your views heard), Article 8 (Right to respect for your family life, home and correspondence), Article 14 (Right to freedom from discrimination in respect of these rights and freedoms), Article 1 of Protocol 1 (Right to peaceful enjoyment of your property). It is considered that these would be positively impacted by the proposed policy, which will be consulted on.</p> <p>Asset-Based Limited Voids Disposal</p> <p>Only vacant properties so no human rights impacts.</p> <p>Will it affect Children's Rights, as defined by the UNCRC (1992)?</p> <p>Area Based Improvements</p> <p>Yes:</p> <ul style="list-style-type: none"> ▪ The right to life, survival and development ▪ The right to have their views respected, and to have their best interests considered at all times <p>It is considered that these would be positively impacted by the proposed policy, which will be consulted on</p> <p>Asset-Based Limited Voids Disposal</p> <p>Only vacant properties so no human rights impacts.</p>
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Section 03	Analysis of relevant data and/or undertake research
Documents and data reviewed	<ul style="list-style-type: none"> - Equalities data on Council tenants and stock breakdown by bedroom size March 2011 - Housing demand summary by banding and ethnicity, (LBHF, I-world, December 2010) - Hammersmith and Fulham Annual Residents' Survey 2010 - Hammersmith and Fulham Annual Residents' Survey 2009 - Annual Population Survey, Office for National Statistics (Office for National Statistics) (March 2011) - Hammersmith and Fulham Borough Profile 2010 - Hammersmith and Fulham Housing Market Assessment, December 2010 - CACI Paycheck 2010 data on household incomes on the Council's 20 largest estates - Broken Ladder: A Report into the Affordability Gap Faced by First-Time Buyers (Home Builders Federation, October 2010) - 'Provision of goods, facilities and services to Trans people: Guidance for Public Authorities in meeting your equality duties and human rights obligations', (Equality and Human Rights

	<p>Commission, 2009)</p> <ul style="list-style-type: none"> - 'Earnings – Full Time Gender Pay Gap Narrows', 8/12/10 (Office for National Statistics website)
New research	No new research was undertaken. A consultation on the proposed Area Based Improvements Policy will be undertaken.

Section 04	Undertake and analyse consultation
Consultation	A consultation on the proposals for area-based improvements Policy will be undertaken No consultation is required for the asset-based approach to limited voids disposal.
Analysis	What did you learn from your consultation about your proposed or existing policy relation to the protected characteristics and/or human and children's rights? The consultation required has yet to take place on the area based estate improvement policy.

Section 05	Analysis of impact and outcomes
Analysis	What has your consultation and analysis of data shown? Is there evidence of lawful and/or unlawful discrimination? The analysis that has been undertaken does not indicate lawful or unlawful discrimination. In relation to area-based improvements it shows a potential adverse differential impact to accessing low cost home ownership by people with disabilities due to barriers to entering and retaining employment. In relation to asset-based limited HRA void disposals it shows a potential adverse differential impact for BME households in relation to the availability of larger family-sized dwellings.

Section 06	Reducing any adverse impacts
Outcome of Analysis	<p>Include any specific actions you have identified that will remove or mitigate against the risk of unlawful discrimination.</p> <p><u>Area-based improvements</u></p> <ul style="list-style-type: none"> - <u>results-driven outreach employment services</u> - <u>help for people with disabilities to find and stay in jobs</u> - <u>Estate action plans and the specific form of improvement packages to be equality impact assessed on a case by case basis with specific mitigation measures devised as and where</u>

	<p style="text-align: center;"><u>required</u></p> <p><u>Asset-based limited voids disposal</u></p> <ul style="list-style-type: none"> -provision to retain dwellings for which there is an exceptional need either in the present or the near future (6 months into the future for properties of 4 bedrooms or more). Where disposals are approved these will be on the basis of a prior report from the Director of Housing and Regeneration demonstrating there is no exceptional need for the dwelling. - provision for factors of housing demand to be considered when deciding on disposal, for example whether the dwelling is required to meet an urgent or very severe housing need which cannot be met through existing stock or provision. (Where disposals are approved the policy requires that these be on the basis of a prior report from the Director of Housing and Regeneration evidencing that these factors have been given due consideration.) - provision to retain a given dwelling, typically a small unit, where this may facilitate a tenant to downsize and release a large family-unit. - provision to use receipts to acquire replacement stock, which can include larger family sized units, and to fund capital initiatives which address overcrowding and housing need, for example, enlarging properties through lateral conversions, or providing grants to enable mobility from the social rented sector into home ownership.
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Section 07	Action Plan					
Action Plan	Issue identified	Action (s) to be taken	When	Lead officer	Expected outcome	Date added to business/service plan
	Accessing low cost home ownership by people with disabilities	Implement planned support as detailed in Section 6	2011/12	Gurnam Selvarajah	Disabled households offered support to retain and access employment	

	Availability of larger family sized dwellings for BME households	Stock replacement is considered on a case by case basis	On going	Ian Ruegg	Suitable stock is procured or stock that meets need is secured	
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Section 08	Agreement, publication and monitoring
Chief Officer sign-off	Name: Nick Johnson Position: Email: Telephone No:
Key Decision Report	Date of report to Cabinet/: 18/4/11 Confirmation that key equalities issues found here have been included: Yes/No
Opportunities Manager for advice and guidance only	Name: Carly Fry Position: Opportunities Manager Date advice / guidance given: 29.03.2011 Email: PEIA@lbhf.gov.uk Telephone No: 020 8753 3430

Full Equality Impact Analysis Guidance

Section 02	Scoping of EIA
What is the policy, strategy, function, project, activity, or programme looking to achieve?	Hereafter, 'policy' means policy, strategy, function, project, activity, or programme Disability Service providers also have an anticipatory duty to make reasonable adjustments for disabled people. These two duties frequently overlap and it is sensible to consider them together. For example, can you: <ul style="list-style-type: none"> ▪ Provide accessible communications? ▪ Change how you collate and use data? ▪ Revise how you involve service users?

Analyse the impact of the policy on the [protected characteristics](#) with due regard to the Public Sector Equality Duty.

Use your reasoning in order to determine whether the impact will be high, medium or low. What do we mean by these terms?:

High

- The policy, strategy, function, project, activity, or programme is relevant to all or most parts of the general duty, and/or to human/children's rights
- There is substantial or a fair amount of evidence that some groups are (or could be) differently affected by it
- There is substantial or a fair amount of public concern about it

Medium

- The policy, strategy, function, project, activity, or programme is relevant to most parts of the general duty, and/or to human/children's rights
- There is some evidence that some groups are (or could be) differently affected by it
- There is some public concern about it

Low

- The policy, strategy, function, project, activity, or programme is not generally relevant to most parts of the general duty, and/or to human/children's rights
- There is little evidence that some groups are (or could be) differently affected by it
- There is little public concern about it

Use your reasoning to determine whether the impact will be positive, neutral, or negative. There are three possible outcomes:

- **Positive:** The EIA shows the policy is not likely to result in adverse impact for any protected characteristic and does advance equality of opportunity, and/or fulfils PSED in another way
- **Neutral:** The EIA shows the policy, strategy, function, project or activity is not likely to result in adverse impact for any protected characteristic and does not advance equality of opportunity, and/or fulfils PSED in another way
- **Negative:** The EIA shows the policy, strategy, function, project or activity is likely to have an adverse impact on a particular protected characteristic(s) and potentially does not fulfil PSED, or the negative impact will be mitigated through another means.

Should your policy not be applicable, you must note this and state why.

Human Rights, Children's Rights

Additionally, demonstrate here that the impact on **Human and/or Children's Rights** arising from the policy has been considered.

Human Rights

Public authorities have an obligation to act in accordance with the European Convention on Human Rights. These are:

- Article 2: [Right to life](#)
- Article 3: [Freedom from torture and inhuman or degrading treatment](#)
- Article 4: [Right to liberty and security](#)
- Article 5: [Freedom from slavery and forced labour](#)
- Article 6: [Right to a fair trial](#)
- Article 7: [No punishment without law](#)
- Article 8: [Respect for your private and family life, home and correspondence](#)
- Article 9: [Freedom of thought, belief and religion](#)
- Article 10: [Freedom of expression](#)
- Article 11: [Freedom of assembly and association](#)
- Article 12: [Right to marry and start a family](#)
- Article 14: [Protection from discrimination in respect of these these rights and freedoms](#)
- Article 1 of Protocol 1: [Right to peaceful enjoyment of your property](#)
- Article 2 of Protocol 1: [Right to education](#)
- Article 3 of Protocol 1: [Right to participate in free elections](#)

(Article 1 of Protocol 13 is: Abolition of the death penalty)

Each of the above links takes you to explanations and examples provided by the EHRC. Further, the [EHRC](#) and the [Ministry of Justice](#) both provide guides for public authorities.

Children's Rights (UNCRC)

All children and young people up to the age of 18 years have all the rights in the Convention. Some groups of children and young people - for example those living away from home, and young disabled people - have additional rights to make sure they are treated fairly and their needs are met.

	<p>Every child in the UK has been entitled to over 40 specific rights. These include:</p> <ul style="list-style-type: none"> ▪ The right to life, survival and development ▪ The right to have their views respected, and to have their best interests considered at all times ▪ The right to a name and nationality, freedom of expression, and access to information concerning them ▪ The right to live in a family environment or alternative care, and to have contact with both parents wherever possible ▪ Health and welfare rights, including rights for disabled children, the right to health and health care, and social security ▪ The right to education, leisure, culture and the arts ▪ Special protection for refugee children, children in the juvenile justice system, children deprived of their liberty and children suffering economic, sexual or other forms of exploitation <p>The rights included in the convention apply to all children and young people, with no exceptions.</p> <p>More information on UNCRC can be found at Direct Gov.</p>
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Section 03	Analysis of relevant data and/or undertake relevant research
Documents and data reviewed	<p>Examples:</p> <ul style="list-style-type: none"> ▪ Previous EIAs ▪ Single Equality Scheme ▪ Disability Equality Scheme ▪ Corporate Plan ▪ LAA Targets ▪ UDP ▪ JSNA ▪ LBHF Consultations ▪ Deprivation information ▪ Census info on population ▪ Ward Profiles ▪ CRAIG information, including local plans and research ▪ Council or External Studies or Research (inc. for hidden populations such as LGBT) ▪ Service Monitoring Reports (qualitative and quantitative)

	<ul style="list-style-type: none"> ▪ Consultation/focus group feedback (inc. feedback from users and/or organisations that represent users) ▪ Complaints and Comments ▪ Monitoring information (inc. service equality or workforce monitoring etc). ▪ Information from formal audits ▪ Previous customer research and satisfaction surveys – such as the Annual Resident's Satisfaction Survey and Place Survey ▪ Staff Surveys, opinions and information from Trade Unions (contact Organisation Development) ▪ Workforce monitoring: contact the TREN team and/or see HR Statistics for LBHF ▪ Contract monitoring reports ▪ Press coverage ▪ Feedback from focus groups, area panels or forums, etc ▪ Feedback from individuals or organisations representing the interests of key target groups or similar ▪ The knowledge, technical advice, expertise and experience of the people assisting in the completion of the EIA ▪ Academic, qualitative and quantitative research, including findings from other councils. (There are many institutions that carry out this kind of research and it is not possible to list them here. Those such as IESR and IFS focus on economics, as examples) ▪ Outcomes of Judicial Reviews/Judgements <p>Assess your sources against the protected characteristics and the aims of your policy in order to plan your consultation.</p>
New research	If you find that you need to undertake new research, please contact the Opportunities Manager

Section 04	Analyse or undertake consultation
Consultation	<p>The specific duties assume the need to undertake engagement as they state that public bodies must publish information about the engagement they have undertaken with persons with an interest in furthering the aims of the equality duty.</p> <p>The specific duties do not set out how or when we should engage and consult. This means that your consultation will need to be proportionate to the decision that is being taken.</p> <p>You may wish to draft the EIA and make it available alongside the policy that you are consulting on,</p>

	<p>during consultation, in order to gain feedback.</p> <p>The EHRC has produced a guide to consultation, and general guidance. These may help you.</p> <p>Design your consultation with the Involving Residents Policy in mind and in line with the Council's Consultation Guidelines. Community Liaison also have a list of community and voluntary organisations in the borough (officer details).</p>
Analyse	<p>What did you find in your consultation about your proposed or existing policy in relation to the protected characteristics? What were their experiences and/or needs, and how do these relate to outcomes/your proposed or existing policy?</p>

Section 05	Analysis of impact and outcomes
Analysis	<p>In assessing the impact(s) on protected characteristics, including where people are represented in more than one, consider whether there is potential for it to result in unlawful discrimination, or a less favourable impact on any protected characteristic, or if an opportunity to promote equality has been missed.</p> <p>To do this, you need to analyse your evidence and whether what you have found indicates direct or indirect discrimination. You must consider the relevance of your policy to the protected characteristics, and the weight given to each of these (including where people are represented in more than one).</p> <p>Direct discrimination This is where a person, or group of people, are treated less favourably than others in the same circumstances on the grounds of a protected characteristic.</p> <p>Indirect discrimination This is where a requirement or condition is applied to all individuals or groups equally, but which is such that:</p> <ul style="list-style-type: none"> ▪ The proportion of one group who can comply is considerably smaller than those of another group who can also comply with it ▪ It cannot be shown to be justifiable ▪ It is to the disadvantage of that group because they cannot comply with it <p>Relevance and Proportionality</p>

	<p>The weight given to each protected characteristic should be proportionate to its relevance to the policy. for example, the London Borough of Ealing lost a case in which the Judge considered that they had not taken the relevance of race and gender into account when redesigning the funding criteria for domestic violence services. Part of the Judgement stated:</p> <p><i>Ealing observed that the largest proportion of domestic violence in its borough was suffered by white European women. But that statistic was meaningless and irrational unless compared with the fact that 58 per cent of the female population of Ealing during the same period consisted of white European women. As the documents show, 28 per cent of domestic violence was suffered by Indian, Pakistani and other Asian women. That statistic is of vital importance when one considers that those groups made up only 8.7 per cent of the population within Ealing. In those circumstances it is plain from the statistics available to Ealing that a very large proportion of women from that background suffered from domestic violence in comparison to white European women.</i></p> <p><i>Had Ealing appreciated that the important focus of their attention should be upon the proportion of black minority ethnic women within the borough and consideration of how high a proportion of those women suffered from domestic violence, it could never have reached the conclusion that there was no correlation between domestic violence and ethnicity. Any such conclusion was, in my judgment, perverse.</i></p> <p>[2008] EWHC 2062 (Admin)</p>
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Section 06	Reducing any adverse impacts
Outcome of Assessment	<p>From your assessment of impacts and outcomes, identify any specific actions that will remove or mitigate against the risk of unlawful discrimination in the delivery and implementation of your policy.</p> <ul style="list-style-type: none"> ▪ If the policy/strategy or service affects people adversely, can this be justified? Can an adverse impact be overcome? ▪ Where the adverse impact is unlawful the policy/strategy or service must be changed – identify another way to meet objectives. ▪ Will changes to reduce adverse impact be significant? If so consultation will usually need to be undertaken. <p>Where it is perceived that the needs of two service users could conflict, you must ensure:</p> <ul style="list-style-type: none"> ▪ Firstly, that both are treated with dignity and respect; and

- Secondly, that each treats each other with dignity and respect

For further help please view the intranet, EHRC [website](#), or contact the Opportunities Manager at:

PEIA@lbhf.gov.uk

020 8753 3430

<http://theintranet/Departments/Finance%5Fand%5FCorporate%5FServices/Equality%5Fand%5FDiversity/>