



LBHF Equality Impact Analysis Tool

Overall Information	Details of Equality Impact Analysis
Financial Year and Quarter	2015/16 Quarter 3
Name and details of policy, strategy, function, project, activity, or programme	<p>Adoption of the Council's Housing Allocation Scheme; Tenancy Strategy; and Home Buy Allocation Scheme</p> <p>The adoption of the above documents originates from a first stage consultation process undertaken in January 2015 – March 2015 on the Council's proposed Draft Housing Strategy. As part of this process, views were sought on changes to particular aspects of the Council's proposed approach which were detailed in the Council's Housing Strategy, adopted by Cabinet on 11 May 2015. Draft Housing Allocation Scheme; Tenancy Strategy; and Home Buy Allocation Scheme documents were the subject of a further consultation process with key stakeholders from 29 June 2015 to 16 September 2015.</p> <p>The Housing Allocation Scheme sets out the rules by which applicants in housing need are assessed and prioritised for suitable accommodation available to the Council, which includes affordable rented accommodation available from the Council and housing associations. The Tenancy Strategy sets out the Council's approach to the kinds of affordable housing tenancies granted in the borough by both itself in its landlord role and the borough's housing associations. The Home Buy Allocation Scheme sets out the Council's approach to prioritising applicants on low to medium incomes who are seeking low cost home ownership and other intermediate housing options.</p>
Date of completion of final EIA	2 October 2015

Section 02	Scoping of Full EIA
<p>Plan for completion</p>	<p>Timing: The Consultation on Housing Strategy began on 5th January 2015 and closed on 9 March 2015. Following this there has been a consideration of the responses and amendments made where appropriate with Cabinet approval of a revised strategy planned for 19 May 2015. A further consultation process was undertaken on the detail of the Housing Allocation Scheme; Tenancy Strategy; and Home Buy Allocation Scheme draft documents, reflecting changes proposed in the adopted Housing Strategy was the subject of a further consultation process with key stakeholders from 29 June 2015 to 16 September 2015.</p> <p>Resources: Both consultation processes were led by the Interim Housing Strategy Manager.</p>
<p>Analyse the impact of the policy, strategy, function, project, activity, or programme</p>	<p>The Council is seeking to achieve a number of objectives through its revised Housing Strategy and the three documents – the Housing Allocation Scheme, Tenancy Strategy; and Home Buy Allocation Scheme – that it is proposing to adopt on 2 November 2015.</p> <p>The adopted Housing Strategy sets out the overall direction of travel for the new administration’s housing approach and includes a number of proposed policy changes and changes in emphasis and these are reflected across three themes with actions for delivery identified within an attached action plan. The three adopted housing strategy themes are:</p> <p>Regenerating Places and Increasing Affordable Housing Supply - The Council is considering options for empowering residents to take control over their homes and for maximising investment in existing and new council homes. There is a greater emphasis on social and family housing, increasing availability and choice of affordable housing and a commitment to working more closely with housing associations including seeking innovative models of affordable housing.</p> <p>Meeting Housing Need and Aspiration - The Council will review options for amending the existing housing allocation scheme and creating new forms of tenancies, work more closely with the third sector to develop a Homelessness Prevention Action Plan, seek to increase range of HomeBuy products and an emphasis on better meeting the needs of older and vulnerable groups including disabled and learning disabled people. The Council is committed to working in partnership across agencies to deliver its responsibilities under the Care Act 2014 and to ensure that the most vulnerable in society have access to suitable housing options and where necessary can live in a supported housing environment. The Council has stated its preference for secure ‘lifetime’ tenancies which are affordable to local people.</p> <p>Excellent Housing Services for All - The Council will work with residents to develop greater levels of tenant</p>

participation and engagement to help deliver improved housing management services and will focus on tackling empty properties and improving the quality of private sector. We aim to work closely with all agencies to deliver safer places for people to live in.

The three documents that are the subject of this EqIA focus on delivering three of the actions identified in the Meeting Housing Need and Aspiration theme. Specifically:

The **Housing Allocation Scheme** sets out the rules by which applicants in housing need are assessed and prioritised for suitable accommodation available to the Council, which includes affordable rented accommodation available from the Council and housing associations. Changes included amending the overcrowding qualifying criteria from 2 bedroom need to a 1 bedroom need; to relax the medical condition qualifying criteria from 'severely affected' to 'moderately affected'; and, local residency qualifying criteria to be changed from 'five years' to 'five out of the previous seven years'.

The **Tenancy Strategy** sets out the Council's approach to the kinds of affordable housing tenancies granted in the borough by both itself in its landlord role and the borough's housing associations. Changes included reintroducing re-lifetime council tenancies for general needs applicants, but retain the option to grant fixed term tenancies for particular categories of applicant, primarily for those who have a history of criminal or anti-social behaviour or applicants who are eligible and qualify for accommodation through the adoption of a Local Lettings Plan.

The **Home Buy Allocation Scheme** sets out the Council's approach to prioritising applicants on low to medium incomes who are seeking low cost home ownership and other intermediate housing options. Changes include reference to the 'thirds' approach to affordability, with intermediate housing products income bands of up to £29,000; up to £43,550; up to £50,550 which will be index linked to the Average Weekly Earnings Index (AWEI).

The overall intention is to increase the range and number of housing choices that applicants are able to access, whilst also 'relaxing' the needs criteria in certain instances, particularly in respect of the Housing Allocation Scheme, as described above. People seeking suitable and/or affordable accommodation are often in 'crisis' in a homelessness context and are generally disproportionately over-represented from the protected groups described in the section below. People from protected groups are on average on lower incomes; not in secure employment (often unemployed) and therefore require support from the Council to assist with their housing circumstances.

Assessments indicate the adopted changes contained within the revised Housing Allocation Scheme, Tenancy Strategy and Home Buy Allocation Scheme are expected to have positive impacts across the majority of the protected equality groups described below. As a general point, affordable housing is allocated to applicants in need,

who are over-represented by people from the public sector equality groups described below.

It should be noted that the changes to the Housing Allocation Scheme are expected to have an impact of longer waiting times for accommodation for existing applicants, as such applicants will be competing for the same accommodation as new applicants who were previously did not qualify for the Scheme. The long term impacts of the changes on other protected groups will need to be monitored. An increase in affordable housing and other forms of suitable accommodation will mitigate possible negative impacts.

However any impacts will need to be monitored on an ongoing basis to assess whether there are any unintentional consequences resulting from policy changes and to allow any negative impacts to be mitigated where this is possible and assurance given that where this is not possible, negative impacts on protected group(s) are not unlawful

It should be noted that following a Court of Appeal Judgement (Jakimaviciute -v- London Borough of Hammersmith and Fulham Nov 14), the Council initiated a policy change agreed by Cabinet on 30 March 2015 to the Housing Allocation Scheme. This led to the re-instatement of households in long term temporary accommodation onto the housing register who had previously been excluded under the rules of the December 2012 Scheme. The equality impacts are likely to be considered positive as homeless applicants who the Council has accepted a duty towards are overwhelmingly from the protected groups described below. In 2014/15, the Council accepted a homeless duty towards 444 applicants. 35% of homeless acceptances were from white or white other groups; 12% from Asian groups; 36% from black (including Afro Caribbean & African) groups; 14% other mixed groups; and 1% not stated. Therefore 62% of those in temporary accommodation are from BME or mixed backgrounds. By adopting the new policies proposed, particularly in respect of the Housing Allocation Scheme, the beneficiaries of the changes are expected to be of similar to the cohorts above.

What follows below is some description of the profile of the public sector equality groups and what kind of impacts are expected from the adoption of the Housing Allocation Scheme, Tenancy Strategy and Home Buy Allocation Scheme.

Protected characteristic	Analysis	Impact: Positive, Negative, Neutral
Age	<p>Older people:</p> <p>Overall, the adoption of the Housing Allocation Scheme, Tenancy Strategy and Home Buy Allocation Scheme is likely to have a neutral impact on older people.</p> <p>Specifically, the change in the Housing Allocation Scheme medical needs criteria from 'severe' to 'moderate' may have a positive impact on those older people who have a moderate medical condition.</p> <p>Applicants over the age of 65 are currently granted 'lifetime' tenancies by the Council. Such applicants will continue to be granted such tenancies.</p> <p>Note: There is a planned review of options for sheltered housing which will be carried out in partnership with Adult Social Care and Health and this offers an opportunity to link up to the proposed tri-borough JSNA 'deep dive' proposal on Health and Disability Related Needs Housing to consider how best to meet changing population needs of existing and future tenants and explore how the Council's offer could be improved in light of responsibilities under the Care Act 2014.</p> <p>Young people</p> <p>Regarding changes to the Housing Allocation Scheme, in Sept 2015, 9% of those currently in temporary accommodation are aged 25 and under therefore</p>	<p>Neutral</p> <p>Positive</p> <p>Neutral</p> <p>Positive</p>

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		<p>this group will be positively impacted by the council requalifying those who are owed the homeless duty who are in suitable long term accommodation. However the long term impact of this policy change will need to be monitored to examine the impact on waiting times and how this affects other protected groups.</p> <p>In relation to the Housing Allocation Scheme, the Council will need to monitor and take mitigating action where possible negative impacts that could occur arising from the operation of the local residency criteria on applicants (or joint applicants and their children-aged household members) seeking suitable accommodation from the Council.</p> <p>A relaxation on the needs threshold on overcrowding will have a positive impact on families and the children within the households.</p> <p>Specifically, the change in the Tenancy Strategy where by applicants under the age of 25 will now receive lifetime tenancies rather than 2 year fixed term tenancies. Also on the Tenancy Strategy, by changing tenancies from fixed term tenancies to 'lifetime' tenancies, there will be positive impacts for children (and women) as they will benefit from increased security of tenure.</p>	<p>Positive</p> <p>Positive</p>
	Disability	<p>Information on existing tenants and physical disabilities does not provide an accurate picture of the tenant profile as information is captured at the point of tenancy signing but there isn't a systematic approach to keeping tenant information updated and information about those on the register gives only a partial pictures as it reflects demand only. Current figures for physical disability show 6.6% of those on the housing register are adults with a physical disability and 3.5% of all existing tenants report a physical disability. However three quarters of the Council's housing stock are flats with nearly half having no ground floor entrance and some having no lift access. The borough's accessible housing register shows a limited supply of step free, accessible housing. Given 70% of all disability claimants in LBHF are of working age which is higher than the London average and 24% of all claimants are receiving the higher care rate. It has been noted that in general disabled residents are proportionately less likely to be in employment and where they are earning levels may be low. The</p>	

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		<p>employment rate for those living with health conditions lasting 12 months or more is 60.1%. Within this figure those with learning disabilities and mental health needs have significantly lower employment levels at 33.1% (Source Disability Benefits Claimants – Borough Overview LBHF March 2012 and LBHF Housing Market Assessment 2014)</p> <p>The proposal for a relaxation of the needs threshold for applicants with a moderate (from a severe need) , could mean those with a disability would be eligible for re-qualification for the housing register. In total 99 households were disqualified from the housing register for this reason of whom 38 also failed the residence test. Whilst this would have an initial positive impact on those with less severe medical need the impact on overall waiting times will need to be monitored and the impact on those with greatest need will be monitored.</p> <p>Specifically, the change in the Housing Allocation Scheme medical needs criteria from ‘severe’ to ‘moderate’ should have a positive impact on those older people who have a disability.</p> <p>The Home Buy Allocation Scheme makes specific reference to giving priority to those applicants who use wheelchairs to be given priority for homes that are wheelchair accessible.</p>	<p>Positive</p> <p>Positive</p> <p>Positive</p>
	Gender reassignment	The adoption of the Housing Allocation Scheme, Tenancy Strategy and Home Buy Allocation Scheme is not expected to have a negative or positive impact on people who have transitioned or are transgender.	Neutral
	Marriage and Civil Partnership	The adoption of the Housing Allocation Scheme, Tenancy Strategy and Home Buy Allocation Scheme is not seeking to deliver a specific service for married people or people who are civil partners.	Neutral
	Pregnancy and maternity	The majority of pregnant women or pregnant women with dependent children on the housing register have a 2 bed and above requirement and any relaxation to the needs threshold on overcrowding to allow families overcrowded by one 1 bedroom to qualify will have a positive impact on this protected group. However the limited supply of larger 3+ bed accommodation may disproportionately impact pregnant women with dependent children and the impact of changes to the allocation policies will need to be monitored. Only 18% of 201/15 allocations	Positive

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		<p>across all groups were for properties of 3 beds and above reflecting the limited supply in the borough and of those only 2 went to pregnant households.</p> <p>The change to the Housing Allocation Scheme to re-instate homeless families where duty is accepted back onto the register will have had a positive impact for pregnant women as will relaxation on medical needs and overcrowding. This protected group would also benefit from the proposal to award all new tenants lifetime secure tenancies.</p> <p>Specifically, on the Home Buy Allocation Scheme, an additional reference has been made to an applicant (or applicants) are expecting a child, additional bedroom need will only be considered after the second trimester of the pregnancy has occurred, with necessary evidence provided. This means that the bedroom needs of an unborn child can be considered in advance of the birth of a child, which should have positive impacts for both women (where they are the sole applicant) and the expected child. A similar adjustment has been made to the Housing Allocation Scheme which should have similar positive impacts.</p>	<p>Positive</p> <p>Positive</p>
	Race	<p>2011 census figures found 55% of the population of Hammersmith and Fulham are from a population group other than White British and of these 31.9% of residents belong to an ethnic group other than White. The main ethnic minorities identifies in the borough are Black African (5.8%), Mixed (5.5%). 40% of all council tenants identify themselves as from Black and Minority Ethnic groups and the majority of these tenants live on Council Estates. 74.2% of the working age population are from white ethnic backgrounds compared to 59.4% for those from BME backgrounds with varying employment rates between ethnic groups. (Source: Annual Population Survey 12 months to June 2013). The high levels of deprivation that continues to be experienced by some ethnic minority households translates into an inevitable high level of representation with homeless and housing demand figures.</p> <p>In 2014/15, the Council accepted a homeless duty towards 444 applicants. 35% of homeless acceptances were from white or white other groups; 12% from Asian groups; 36% were to people from black (including Afro Caribbean &</p>	<p>Positive</p>

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		<p>African) groups; 14% other mixed groups; 1% not stated. The Housing Register in 2013/14 constituted 36.43% from White UK and Irish, 8.12% from Other White, 6.03% not stated, Other Ethnic – 5.68%, Mixed 4.99% and Black and Black British and Asian and Asian British 38.75%.</p> <p>On the Housing Allocation Scheme, re-admitting applicants in long term temporary accommodation back onto the Housing Register will have positive impacts on this protected group. Of the 950 applicants in long term temporary accommodation in Sept 2015, 69% are from black, Asian, minority ethnic backgrounds with 26% from white backgrounds.</p> <p>On the Housing Allocation Scheme, relaxing access to applicants who are overcrowded by one bedroom as opposed to two bedrooms, will have a positive impact on applicants from black, Asian, minority ethnic backgrounds as they are disproportionately over-represented in this need group.</p> <p>By seeking to ensure Home Buy products are as affordable as possible, this should benefit applicants from this protected group tend to earn less than applicants from white ethnic groups.</p>	<p>Positive</p> <p>Positive</p> <p>Positive</p>
	Religion/belief (including non-belief)	The adoption of the Housing Allocation Scheme, Tenancy Strategy and Home Buy Allocation Scheme is not seeking to deliver a specific service for married people or people who are civil partners.	Neutral
	Sex	61% of council tenants are women and the majority live on estates (as opposed to street properties). Over 72% of main applicants on the housing register are women, 81% of main applicants in temporary accommodation are women and over 82% of main applicants where a homeless duty was accepted were women. 64% of allocations in 2013/14 were households with women as the main applicant. The changes to the Housing Allocation Scheme are likely to have a positive impact on this protected group.	Positive
		There is a marked difference in employment rates by gender with 61% of women aged 16-64 in employment to 74.2% of men. (Source – LBHF Housing Market Assessment 2014) As well as the difference in employment rates women are more likely to be over-represented in low paid and part time employment. Therefore increasing the availability and quality of affordable rented	Positive

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		<p>accommodation in the borough will have a positive impact on both sexes but proportionately more on women in line with their representation in the statistics and economic status. 56.15% of Home Buy applicants are women, increasing the options and models of Home Buy available will have a positive impact on both sexes but particularly on women given their representation on the register.</p> <p>On the Housing Allocation Scheme, re-admitting applicants in long term temporary accommodation back onto the Housing Register will have positive impacts on this protected group. Of the 950 applicants in long term temporary accommodation in Sept 2015, 82% are from women with the remaining 18% from men.</p> <p>Specifically, on the Tenancy Strategy, by changing tenancies from fixed term tenancies to 'lifetime' tenancies, there will be positive impacts for women (and children) as they will benefit from increased security of tenure.</p>	<p>Positive</p> <p>Positive</p>
	Sexual Orientation	The adoption of the Housing Allocation Scheme, Tenancy Strategy and Home Buy Allocation Scheme is not seeking to deliver a specific service for married people or people who are civil partners.	Neutral

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?

No

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

No

Section 03

Analysis of relevant data

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.

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Documents and data reviewed	<p>Hammersmith and Fulham Borough Profile 2014 LBHF Housing Strategic Housing Market Assessment (SHMA) 2014 LBHF equalities data on council tenants 2013/14, housing demand as at 3/11/11, temporary accommodation as at 3/11/11, allocations 2013/14, duty acceptances 2013/14 & 2014/15 Disability Benefit Claimants – Borough Overview 2012/13 LBHF Older People’s Housing Needs/Gaps analysis 2014 LBHF Physical Disabilities Housing Needs/Gaps analysis 2014 Bespoke data generated by the H&F Performance and Information Team on the socio-economic, gender, ethnic profile of the council tenant population and people approach the Council for homeless advice and support.</p>
New research	<p>As part of the broader Housing Strategy process, further work is likely to arise from the JSNA ‘deep-dive’ research project on Health and Disability Related Needs Housing. This is expected to have an impact on how future applicants needs are assessed and prioritised in line with policies set out in the 2014 Care Act.</p>
Section 04	Consultation
Consultation	<p>The consultation on the draft strategy commenced in early January 2015 and closed on 9 March 2015 which set the direction of travel for changes described in this EIA and summarised in the 11 May 2015 Cabinet Report. Consultation with key stakeholders on the Housing Allocation Scheme; Tenancy Strategy; and Home Buy Allocation Scheme commenced on 29 June 2015 and ended on 16 September 2015.</p>
Analysis of consultation outcomes	<p>Comments received on the Draft Housing Strategy (and Draft EIA) were received and considered and these were mainly textual amendments which have been addressed in the final suite of housing strategy documents, adopted by Cabinet on 11 May 2015. Further consideration of detailed comments made by individuals and organisations has been undertaken and described in the 2 November 2015 Cabinet Report. Specifically on equalities issues, disability organisations whilst broadly supportive of the proposed approach, referenced the need to introduce ‘hate crimes’ towards disabled people as a disqualifying criteria for applicants seeking accommodation under the Housing Allocation Scheme which was referenced into the revised Scheme to be adopted.</p>

Section 05	Analysis of impact and outcomes
Analysis	<p>The Equalities Impact Assessment of the Housing Allocation Scheme, Tenancy Strategy and Home Buy Allocation Scheme has found that in general there is unlikely to be any potential unlawful discrimination as a result of the adoption of the documents. The Draft Housing Strategy, setting the direction of travel for the key changes in the three documents was consulted on during January 2015 to March 2015. These changes were embedded in the Housing Allocation Scheme; Tenancy Strategy; and Home Buy Allocation Scheme draft documents which were themselves the subject of a consultation process from 29 June 2015 to 16 September 2015.</p>

Section 06	Reducing any adverse impacts and recommendations
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Outcome of Analysis	Overall, the adoption of the Housing Allocation Scheme, Tenancy Strategy and Home Buy Allocation Scheme will have a positive impact upon all protected groups and characteristics. The protected characteristics of age, disability, pregnancy & maternity and Race will be positively impacted upon by implementation. Officers will need to be mindful of any unintended negative impacts and mitigate where possible. The Council will take the following action: Monitor the impact of policies on an ongoing basis.
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Section 07	Action Plan
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Action Plan	Note: You will only need to use this section if you have identified actions as a result of your analysis					
	Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan
	Monitoring the effects of implementation of the Housing Allocation Scheme, Tenancy Strategy and Home Buy Allocation Scheme documents on protected groups	Ongoing monitoring of the impact of key policies	Ongoing	To be confirmed	Early identification of adverse impacts regarding the implementation of the Housing Allocation Scheme, Tenancy Strategy and Home Buy Allocation Scheme documents on protected groups	To be confirmed

Section 08	Agreement, publication and monitoring
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Chief Officers' sign-off	Name: Mike England Position: Lead Director - Housing Options
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	Email: mike.england@lbhf.gov.uk Telephone No: 020 8753 5344
Key Decision Report (if relevant)	Date of report to Cabinet/Cabinet Member: 2 November 2015 Key equalities issues have been included: Yes