

## Appendix 2

# MID SUSSEX DISTRICT COUNCIL

## Equality Impact Assessment

**Title of Policy/Service/Contract:** Revisions to the Council's Housing Allocation Scheme

**Division:** Assistant Chief Executive

**Lead Officer:** Emma Shuttleworth, Business Unit Leader, Housing Services

**Date Assessment completed:** December 2017

### 1. SCOPING

#### 1.1 Aims of the service:

The Council's Housing Allocation Scheme seeks to provide a fair and transparent way of allocating affordable housing to those in housing need who are on the Mid Sussex Common Housing Register through a process of Choice-Based Lettings.

A revised Housing Allocation Scheme was adopted with effect from 1 April 2017. Changes to the scheme are designed to address issues that have come up over the last 12 months and in recent case law. The new scheme will take effect from 1 April 2018.

The main changes to the Scheme are as follows:

#### 1. **Applicants who are disqualified from joining the housing register- those owed the full housing duty**

Add exemption from disqualification because of a lack of local connection for those who are owed the full housing duty by Mid Sussex District Council. Such applicants will be placed in Band C along with other applicants to whom the full housing duty is owed by the Council. The policy rationale is to ensure that our Allocation Policy is lawful and complies with recent case law *R (HA) v Ealing LBC [2015]* by giving homeless applicants reasonable preference irrespective of local connection.

#### 2. **Applicants who are disqualified from joining the housing register- applicants aged 55+ because of a lack of local connection for those who wish to be considered for Sheltered and Extra Care Homes**

Add exemption from disqualification for applicants aged 55+ because of a lack of local connection for those who wish to be considered for Sheltered and Extra Care Schemes. Such applicants will only be allowed to bid for such properties. They will be placed in Band D and will have less priority than those who have a local connection. The policy change rationale is to facilitate letting of hard to let sheltered accommodation.

#### 3. **Bidding- applicants in temporary accommodation**

Increase the number of bids allowed for applicants in temporary accommodation provided by the Council and to whom the full housing duty is owed under the homeless legislation, from 3 bids per cycle to unlimited. The policy change rationale is to afford such applicants the best chance of making a successful bid and moving out of temporary accommodation as soon as possible.

Allow for direct and/or auto bidding for applicants to whom the Council owes the full housing duty under the homeless legislation and are in temporary accommodation in advance of the 12 week time limit for free bidding. The policy change rationale is to ensure that such applicants do not

miss out on opportunities to move on should they forget to bid and to facilitate the move on from temporary accommodation as soon as possible. They will however be able to refuse an offer resulting from such a bid if the bid was made prior to the end of the 12 week time limit.

#### **4. Other minor textual changes to clarify, but not change, the meaning**

There are several minor textual changes to some paragraphs that are required to clarify, but not change, the meaning of the Scheme. A revision of the Allocation Scheme is an opportunity to make these minor changes that occur from time to time.

The revised scheme will be considered by the Scrutiny Committee for Community, Housing and Planning on 17 January and then by Full Council. Should Council give its approval, the new scheme will be implemented from April 2018.

#### **1.2 Who the service affects and the main customers (internal or external)**

The people affected by the proposed changes are those in housing need who are currently on the Common Housing Register and those who may seek to join it in the future. People affected are likely to be on low to modest incomes and disproportionately will be people who are vulnerable and have housing related support needs.

Revisions to the schemes will have implications for housing associations that rely on the Council to provide nominations to their vacant tenancies and for organisations that provide supported housing, or who provide housing related support and/or housing advice to vulnerable people in housing need. Revisions will also affect those who are on the Housing Register for Affinity Sutton.

#### **1.3 What equality information is available, including any evidence from engagement and analysis of use of services?**

The Register contains information about each applicant's ethnicity, gender, age, income, need for adapted accommodation and whether they have a support need. We are able to analyse bidding patterns by age and other vulnerability and to identify those who will be affected by the proposed changes to the scheme.

#### **1.4 What does the information tell us about the equality issues associated with the service and implications for the protected groups?**

An analysis has previously been undertaken of lettings in relation to the characteristics of those on the Register. This shows that lettings in relations to ethnicity are broadly consistent with the composition of those on the Register. Detailed information including factors such as gender, disability and age are included in section 2.3.

#### **1.5 Are contractors or partnerships used to deliver the service?**

The Council is a member of the Sussex Homemove Scheme, which is a partnership of authorities in East and West Sussex that operates Choice-Based Letting. Administration of the Common Housing Register is contracted to Affinity Sutton and provided by their Homemove Team. The changes to the allocation scheme do not have any direct procurement implications.

## **2. ASSESSMENT OF IMPACT: ANALYSIS AND ACTION PLANNING**

### **2.1 Current measures taken by the service to address issues of the protected groups**

In assessing issues associated with the protected groups, people on the Housing Register are likely to be on low incomes. At November 2017, around 20% of those on the Register, approximately 275 people are flagged as being vulnerable. This breaks down as follows:

- 6% mental health problems
- 5% older people
- 3% physical disabilities
- 2% with learning difficulties
- 2% domestic violence/harassment/ASB
- 1% drug or alcohol problems
- 1% ex-offenders

The protected groups and other characteristics most affected by the proposed changes are:

- Disability
- Age
- Gender

Current measures to provide for these groups include:

- Assisted bidding, where bids for properties are made on behalf of vulnerable applicants by the Affinity Sutton Homemove Team and Council Housing Needs Team.
- The existing allocation scheme and Choice-Based lettings process is designed to match suitably designed and adapted properties with people with mobility problems.
- Supported housing is allocated by multi-agency panels to ensure that vulnerable people are supported in finding accommodation that is right for them.

For the following remaining protected groups, no specific issues have been identified from the proposed changes to the Allocation Scheme:

- Ethnicity
- Low income or skill level
- Living in rural areas.
- The needs of faith groups and faith issues
- The needs of gay men, lesbians, bisexual and heterosexual people
- The needs of transgender people
- Issues arising from pregnancy and maternity
- Issues arising from marriage and civil partnership.

### **2.2 Consultation on the proposed changes**

The proposed changes to the allocation scheme have been raised with the Council's Registered Provider partners of the Common Housing Register. Also with supported housing providers and those organisations which provide advice to those in housing need.

### 2.3 Issues arising from the proposed changes to the Allocation Scheme and how they are to be addressed

The proposed change that may have a differential impact on the protected groups relates to:

Amendment 1- applicants who are disqualified from joining the housing register- add exemption for those who are owed the full housing duty by Mid Sussex District Council

This policy change will give homeless applicants owed the full housing duty by the Council exemption from the requirement to satisfy the local connection criteria in order to join the Housing Register. This will mainly be advantageous to the protected group of gender as it will mainly apply to those who have fled domestic violence. A further benefit is that this may reduce the length of time such households may have to stay in temporary accommodation as the Council will be able to discharge the housing duty through an offer of social housing. There are currently 2 households who could potentially benefit from this amendment.

Amendment 2: applicants who are disqualified from joining the housing register- add exemption for local applicants aged 55+ because of a lack of local connection for those who wish to be considered for Sheltered and Extra Care Homes

Allowing applicants without a local connection on to the register who are aged 55+ who wish to be considered for Sheltered and Extra Care Schemes will facilitate the letting of hard to let sheltered accommodation. This will be advantageous under the protected groups of age and disability and is expected to be of benefit to up to 7 people a year who are looking for Sheltered and Extra Care accommodation. These applicants will only be allowed to bid for such properties, will be placed in Band D and will have less priority than those who have a local connection. Existing applicants on the Register will therefore not be disadvantaged.

### 2.4 Action Plan

The Action Plan below is intended to demonstrate how the issues identified in this assessment are being addressed:

Action	Lead Officer	Timescale
Further review of the operation of the revised allocation scheme following a year of operation.	Emma Shuttleworth	April 2019

Date: 5.1.2018



Emma Shuttleworth Business Unit Leader, Housing Services



Date: 5.1.2018

Judy Holmes Assistant Chief Executive