

Equalities Impact Assessment Tenancy Strategy 2022 & Tenancy Management Strategy

Overview

1. The Public Sector Equality Duty placed a duty on all public bodies to have due regard to the need to:

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

2. The duty has the following three aims:

- To remove or minimise disadvantages suffered by people due to their protected characteristics.
- To take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.
- To encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

3. The protected Characteristics are:

- Age
- Disability
- Gender
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion, belief, or lack of belief
- Sexual orientation
- Marriage and Civil partnership. (For this characteristic the duty only applies to the first aim to eliminate discrimination).

Aims of the decision

Tenancy Strategy

Local housing authorities are required under the Localism Act 2011 to publish a Tenancy Strategy. The Strategy should provide high level strategic guidance to social landlords operating in their area on how to manage their housing stock, and who are expected to give due regard to the Strategy when developing their own tenancy policies. The Strategy should provide guidance to social landlords regarding:

- The kinds of tenancies they grant,
- The circumstances in which they will grant a tenancy of a particular kind where they grant fixed term tenancies,
- The length of tenancies,
- The review and expected process for ending them,
- The circumstances in which they will grant a further tenancy when a fixed term tenancy comes to an end.

The draft strategy sets out how the Council aims to achieve these priorities and monitor progress.

The strategy aims to have a positive effect on social housing tenants by helping to provide clarity on tenancies, their rights and responsibilities, and security.

It should be noted that the Strategy only provides guidance to Private Registered Providers (PRP) that they are only required to give due regard to, it does not seek to influence the basis on which social housing is allocated, but rather the type and length of tenancy that successful applicants for social housing should be offered.

Tenancy Management Strategy

The Tenancy Management Strategy has been written in accordance with the requirements of the Localism Act 2011, and the consumer standards as outlined by the Tenancy Standard. The document pays regards to the aims and objectives of the Tenancy Strategy and provides guidance to existing and new Council tenants on the types of tenancies and circumstances they are granted, their rights and responsibilities, mutual exchanges, successions, changes to tenancies and tenancy management.

General

The main groups and individuals who would be affected by the draft Tenancy Strategy and Tenancy Management Policy are those in need of social or affordable housing. We will therefore seek the views of this group during the consultation process, and we believe their views will largely support the guidance given in both documents.

Both documents are intended to benefit households who need access to affordable housing, but the Tenancy Strategy is aimed primarily at social landlords who provide social housing in the district and who will be developing new affordable housing in the future.

The Tenancy Strategy and Tenant Management policy are intended to help deliver an approved Housing Strategy objective relating to making best use of the available social housing stock, while encouraging stable and cohesive communities and environments.

The previous Tenancy Strategy was reviewed as part of the process of drafting this strategy to highlight areas of change, and improvement.

We collected data and evidence from our own records about the housing demand, types of tenancies offered, demographics and types of tenure preferred, reviewed existing TDC housing policies and reviewed the Corporate Plan and Local Plan.

The information gathered and reviewed did not identify any negative impact or difference for people with the legal defined protected characteristics.

Consultation

Consultation has taken place with tenants, residents and RPSH for 4 weeks, 22 November 2021-20th December 2021. It is a requirement of the Localism Act that RPSH are invited to comment on any revisions to the Tenancy Strategy and of s.105 of the Housing Act 1985 that the local authority consult with tenants when making changes to the management arrangements for Council owned homes. The Council's tenants were written to individually and advised of the options being recommended to Cabinet. Tenants that asked for further information have been contacted and are fully supportive of the proposal.

Consultation did not show any differential impact for people with protected characteristics.

Characteristic	Relevance	Impact	Mitigation
Age	Low	Neutral No differential impact anticipated. Older tenants moving into specialist supported housing (e.g. sheltered housing) will continue to be granted 'lifetime' tenancies which is a positive impact for this group. This group will receive the same level of service regardless of their age.	None needed
Disability	Low	Neutral	The Strategy seeks to

		<p>The Strategy recommends that prospective tenants with a long-term enduring health problem or disability should continue to be given Lifetime Tenancies. Disabled households often have lower incomes and the introduction of affordable rents may have detrimental impact with regards to accessible housing options for this group. This group will receive the same level of service regardless of their disability.</p>	<p>mitigate the potential impact of affordable rents to disabled households by recommending that such rents do not exceed Local Housing Allowance rates.</p>
Gender Reassignment	Low	<p>Neutral</p> <p>No differential impact anticipated. The Strategy does not discriminate or disadvantage anyone having had gender reassignment, they will receive the same level of service regardless of their Gender reassignment.</p>	None needed
Gender	Low	<p>Neutral</p> <p>No Differential impact anticipated. The Strategy does not discriminate or disadvantage anyone due to their gender, a household/person will receive the same level</p>	None needed

		of service regardless of their gender.	
Marriage and civil partnership	Low	Neutral No differential impact anticipated. The strategy and Policy do not discriminate or disadvantage anyone due to their relationship/marital status. They will receive the same level of service regardless of whether they are married, in a civil partnership or not.	None needed
Pregnancy and maternity	Low	Neutral No differential impact anticipated. The Strategy and Policy do not discriminate or disadvantage if someone is pregnant or has a child or children. They will receive the same level of service regardless.	None needed
Race	Low	Neutral No differential impact anticipated. The Strategy and Policy do not discriminate or disadvantage on the grounds of race, a household/person will receive the same level of service regardless of their race.	None needed

Religion, belief or lack of belief	Low	Neutral No differential impact anticipated. The Strategy and Policy do not discriminate or disadvantage anyone due to their religion, belief or lack of belief, they will receive the same level of service.	
Sexual Orientation	Low	Neutral No differential impact anticipated. The Strategy and Policy do not discriminate or disadvantage anyone due to their sexual orientation, they will receive the same level of service.	None needed