

TAMWORTH BOROUGH COUNCIL: REVISED HOUSING ALLOCATIONS SCHEME EQUALITIES IMPACT ASSESSMENT (EQIA) SEPTEMBER 2019

Date approved	October 2019
Approved by:	<i>Wellbeing and Scrutiny Committee</i>
Next Review Date:	October 2020

Background

Under Part VI of the Housing Act 1996, the Council is required to have a Social Housing Allocation Scheme, the purpose of which is to determine priorities in allocating housing and to set out the procedures to be followed. The Allocation Scheme determines individual priority for housing. Tamworth Council last reviewed the Policy in October 2014 and this new policy is an extensive revision with a number of Policy changes.

The Policy has been subject to an extensive period of public consultation from the 7th May 2019 to the 30th August 2019. The consultation incorporated a consultation booklet that was notified to all applicants on the Housing Register and sent to a wide range of relevant stakeholders. This is the Equality Impact Assessment (EQIA) and has been finalised in the light of the consultation responses. A copy of the consultation document is available on request.

As part of the consultation every relevant community group in Tamworth was written to. This included specialist organisations working with groups and individuals who have a protected characteristic including organisations for persons with a disability, mental health issues, who have suffered domestic abuse, older persons and various minority groups.

All relevant public sector bodies were invited to contribute to the consultation including Health and Social Services.

Relevant staff members who work in allocations and lettings were consulted with and their comments were used to shape the questions in the consultation pack. Details with a link to the full consultation pack were prominently displayed on the 'Finding a Home' Choice Based Lettings website.

Additionally the Council held a partnership event to discuss the proposals with registered providers and also involved other statutory partners and agency's in respect of the proposals that were being made. This event was successful and the attendees were in agreement with the changes.

There were 142 responses received to the consultation. Additionally feedback was also sought from registered providers and other relevant agencies as this information was also captured and feedback commented upon.

Comments received were logged and considered against the Policy proposals. Some minor changes have been made as a result of the consultation, however the main proposals remain in place. Council Members will consider the EQIA before deciding whether to give final approval to the revised Policy.

In accordance with s 149 of the Equality Act 2010, Tamworth Council must have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by, or under the Act
- b) Advance equality of opportunity between those with a protected characteristic and those without
- c) Promote good relations between those with a protected characteristic and those without

The 'protected characteristics' referred to are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination. The Equality Impact Assessment set out below, considers the impact of the changes to the Allocation Policy on groups and individuals with protected characteristics, and where there is an impact, sets out the actions the Council will take to reduce any impact that has been identified.

The current waiting list in Tamworth as at August 2019 is 1484 households. There are approximately 85 new applications processed each month. This Housing Register comprises of 2892 individuals. Applicants are typically on low incomes and many who are assessed as being in housing need are fully, or partially, benefit dependant. Many applicants will have to wait a considerable length of time before securing an offer of social housing. Many others without a statutory housing need have little prospect of being housed.

The revisions to the Allocation Policy aim to:

- a) Support local people most in need of housing
- b) Address the limited housing options available
- c) Ensure the Policy is transparent, is fair and is seen to be fair
- d) Aims to be realistic with applicants on their housing prospects by removing households from the register who do not have a statutory housing need and have little, or no prospect of being housed
- e) Contributes towards mixed and sustainable communities where people of different backgrounds and socio economic groups live side by side. In The Council's view this fosters better community relations.

What are the changes to the Tamworth Allocation Policy?

Tamworth operates a Choice Based Lettings (CBL) scheme called 'Finding a Home'. There are a number of important changes proposed to the Allocations Policy. These are set out in blue below.

Who would be eligible to join the housing register?

You can be on the housing register and apply to join if you:

1. Are aged 18 or over and
2. [Have a housing need as set out in the housing allocation bands. This change would mean that households without a statutory Housing Need would no longer be able to join the Housing Register](#)

Who would not be able to join the housing register?

You cannot be on the housing register or apply to join if you

1. Are subject to immigration control
2. Have not passed the habitual residence test
3. Have significant rent arrears (equivalent to over 8 weeks rent)
4. Are deemed to be guilty of unacceptable behaviour including anti-social behaviour
5. [Have the financial resources to resolve your housing issue](#)
6. [Have refused 3 suitable tenancy offers within a 12-month period \(which will result in a 12 month disqualification\).](#)

What are 'financial resources' determined as?

The Council are proposing to include financial resources thresholds as follows:

Income threshold

1. Single person households with a household net income of £30,000 or more per year
2. Family households (this includes couples) with a household net income of £60,000 or more per year.

Savings, Assets and Capital

Applicants with capital/savings/assets/investments in excess of £16,000 will not qualify to join the housing register as they will be regarded as having sufficient resources to source alternative suitable accommodation.

Home ownership

Applicants who own their own homes will not qualify to join (or remain on the register) if they own a property either in the UK or abroad (either freehold, leasehold, under mortgage or shared ownership), unless they can demonstrate that:

- a) They are in housing need and/or it is unreasonable for them to continue to occupy the accommodation and
- b) They cannot liquidate or sell the property which would enable them to purchase or rent an alternative property suitable to meet their needs

Applicants with a local connection to Tamworth

An applicant will have a local connection if they:

1. Have been resident in settled accommodation within the borough of Tamworth consecutively for the last 2 years
2. Have permanent employment or self-employment within Tamworth that has been on-going for more than 12 months for at least 16 hours per week.
3. Where an applicant has a close relative in the borough of Tamworth and where that close relative has been living in the borough consecutively for the last 5 years (Close relative for this purpose is defined as parents, children, siblings, grandparents or grandchildren, including step relatives) and
4. Where there are additional health, welfare or care/support needs that require a relative being within the area

Exemptions to Local Connection Rules

1. The applicant is homeless and the council has accepted a full duty to them under s193(2) of the Housing Act 1996 (as amended) , the applicant is owed a S189B Relief duty (and for as long as that duty is owed to them), the applicant is owed a S195 Prevention duty (and for as long as that duty is owed to them)
2. They satisfy the 'right to move' criteria
3. They satisfy the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 | There are significant and special circumstances with overriding reasons requiring the move into Tamworth for reasons of safety
4. Where applicants have a statutory housing need (a reasonable preference) but no local connection, they may be able to join the housing register but at a reduced level, this being a reduction by one housing band to the same band as applicants with a local connection.

Focused Management of Band 1+ and Band 1

It is important to note that by removing from the Housing Register applicants with no statutory housing need this will free up more time for officers to provide support for applicants in the top bands 1+ and 1. All applicants in these 2 bands will be assigned an officer to support them in making bids and to discuss bidding behaviour and options.

Many (but not all) applicants in these 2 bands will have a protected characteristic, for example they may have a disability. This will mean these applicants will receive additional support in helping them to bid or to make choices about their housing options.

The EQIA assessment

This EQIA considers the changes to the Allocations Policy and assesses their impact on those applicants/households within the protected characteristic groups. The assessment considers whether any impact is a positive, negative or neutral and sets out what steps Tamworth Council have taken or will take to reduce and address any negative impact identified.

The Council has been careful to build into the Allocation Policy discretion to consider exceptional circumstances.

Data used to assess the EQIA

This assessment has been drawn up using a broad range of data available to officers about those on the Housing Register. Regard has been had to s149 of the Equality Act 2010 and recent case law on the operation of that section.

The Council has considered a wide range of relevant data:

The key data is consideration of those on the Housing Register who have a protected characteristic. However, it is recognised that Tamworth does not have a comprehensive set of data for the households on the Housing Register and for those who have been rehoused. This is because a large number of applicants fail to complete the section of the application form that asks for details in relation to such personal data.

Importantly, moving forward the Council needs to be able to consider a breakdown of those on the Register who are bidding for properties and have been housed under the Policy. This will allow the Council to consider if those being housed who have a protected characteristic is proportionate to those who do not have such a protected characteristic.

To ensure that Tamworth has better information to enable it to review the EQIA in the future the following actions will be taken:

- a) The on-line applicant form will be amended to encourage more applicants to fully complete the relevant sections,
- b) Officers will on contact with all applicants ask any applicant who has not completed the relevant section information so they are able to complete it.
- c) Changes will be made to the home page of the on-line account for all applicants to show a message explaining the importance of providing the information.
- d) At the point all applicants are written to asking them if they wish to remain on the Housing Register they will be prompted to complete the personal data section

However, it has to be recognised that there are some limitations. The data sets available are not comprehensive. For example, information on key aspects of the current allocations process is not currently collected or monitored for all of the equality strands. This will be addressed so that information is more comprehensive. More information is needed about sexuality, gender reassignment, for example. Given that these are all reliant on the self-disclosure of sensitive issues the comprehensive gathering of this type of data may not be achievable.

Overall there is no reason to believe that certain groups will be over or under represented as a result of this decision. Data indicates that the following groups are already over-represented in the high priority groups on the Housing Register:

- BME households
- Households with disabled or long-term health problems.
- Female headed households

This is likely to remain the case under the new Allocation Scheme

The Council through its EqIA will have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The EQIA assessment is set out in the table below and is structured to consider those persons who share a relevant protected characteristic in the context of the changes, and then how the changes in the context of their impact on all of those persons

The EQIA: Assessment of Impact and outcomes

Part A – persons who share a relevant protected characteristic group in the context of the changes

Protected characteristic	Potential issue where there may be a positive or negative impact	Impact Judgement + / -	Observations and Recommendations	Relevant comments or Action/s to reduce any impact
Age				
	<p>Tamworth will encourage more applications to be made on-line as opposed to submitting a paper form.</p> <p>The impact could be that older people are less able to use an on-line application form and a system of bidding for properties through choice based lettings</p>	Negative	<p>On-line applications have been the normal method for residents to make their applications. The Council’s Housing Team can assist older people to:</p> <ul style="list-style-type: none"> ➤ Fill out their on-line application and ➤ Help them to make bids under CBL <p>CBL bidding on-line has been operating for several years. There is no evidence from applicants or stakeholders that people are finding difficulty in applying for accommodation or using the CBL system</p>	<p>The Finding a Home Website FAQs section will be amended to inform applicants that help is available if they are having difficulty in using any of the online application and bidding processes.</p> <p>There is a web chat option on the website to help applicants</p>

				and registered applicants
	There is evidence nationally that younger people find it easier to access services online rather by filling out forms and may be disadvantaged by a system where access is by paper form	Positive	The Housing Register is overwhelmingly made up of people under 35. Delivering the application and bidding system on line is an advantage to younger people	None additional
	Seeking to deliver more of the application and bidding process on-line will disadvantage those applicants without internet access and these tend to be older applicants, or applicants most impacted by poverty	Negative	<p>Libraries have free public PC's. There are also free computer training sessions available in Tamworth.</p> <p>Information is available from the Housing Team on the availability of free local public internet access.</p> <p>There are numerous PCs in Council venues and venues of other public authorities.</p> <p>Currently on Tamworth's CBL system 95% of bids are placed electronically. There are however alternative ways to bid such as text/SMS.</p> <p>The office of National Statistics reported that In 2018, 90% of adults in</p>	There are sufficient internet access points and support available in Tamworth to help people without access to the internet.

			the UK were recent internet users, up from 89% in 2017. 8.4% of adults had never used the internet in 2018, down from 9.2% in 2017. Virtually all adults aged 16 to 34 years were recent internet users (99%) in 2018, compared with 44% of adults aged 75 years and over	
	Young People - Care Leavers	Positive	Care leavers and young people ready to move on from supported accommodation benefit from the proposals as they are placed in Band 1 (second highest priority Band). This should mean that they are provided with an offer of social housing in a relatively short time period	No additional comments
Disability				
	What is the impact of the Policy on the housing prospects of applicants	Positive	<p>Tamworth's Allocations Policy actively promotes the needs of disabled groups by being designed to ensure that applicants with mobility problems are prioritised for accommodation that is suitable for them.</p> <p>Many applicants with a physical disability where their current housing circumstances impact on their disability will be prioritised for housing under the Allocation Policy</p> <p>Many applicants with a severe mental health condition and who are homeless will be prioritised under the Policy through being awarded reasonable preference for being owed a statutory homelessness duty</p> <p>The Council continues work to obtain better information about social housing void properties to classify those that have or can be adapted.</p>	No additional comments

	How accessible are the application and bidding processes for applicants with a disability?	Positive	The 'Finding a Home' website has an accessibility section. Actions include: a) The website is W3C 1.0 compliant b) Information on how to adjust type, font size, colour contrast and how to make the applicant's computer speak text aloud. c) Information for people who need to contact or talk to the Council in language other than English, or need a letter in audio.	The Council will seek in the future, where the IT allows, to monitor data on the frequency of applicants accessing their account to check whether some applicants are being disadvantaged
Transgender/ Gender reassignment				
	Is there an impact of the Policy, or the changes, on transgender/gender reassignment applicants	Neutral	Applicants who have undergone gender reassignment – can apply to join the housing register and will qualify as long as they meet the eligibility and qualification criteria	Only 1 person on the Housing Register has indicated that they are Transgender. Tamworth has recently started collecting monitoring information for this group but

				has insufficient data at present.																																				
Pregnancy and maternity																																								
	No further impact identified	Positive	54% of applicants in households are female and applications from female single parents make up an estimated 55/60% of the housing register and a percentage will be pregnant. Pregnant women are more likely to have become homeless due to being excluded from a family home, or homeless due to domestic abuse, or homeless due to being unable to continue to afford the rent on a private rented property once they have given birth given the cost of childcare The homeless are given a high priority for housing under the Policy and therefore pregnant women as a groups are likely to be advantaged and not disadvantaged by the Policy	No additional comments																																				
Race																																								
	The changes to the residency requirement for banding priority under the Housing Register may impact on refugees, non British nationals and Gypsies or Travellers	Negative	<p>The breakdown for the Housing Register for Tamworth by ethnicity is:</p> <table border="1"> <thead> <tr> <th>Housing Register Ethnicity</th> <th colspan="2">Jobs</th> </tr> </thead> <tbody> <tr> <td>White - British</td> <td>1566</td> <td>92.1%</td> </tr> <tr> <td>White - Irish</td> <td>10</td> <td>0.5%</td> </tr> <tr> <td>White - Other</td> <td>32</td> <td>1.8%</td> </tr> <tr> <td>Mixed - White & Black Caribbean</td> <td>7</td> <td>0.4%</td> </tr> <tr> <td>Mixed - White & Black African</td> <td>1</td> <td>0.05%</td> </tr> <tr> <td>Mixed - White & Asian</td> <td>2</td> <td>0.11%</td> </tr> <tr> <td>Mixed - Other</td> <td>1</td> <td>0.05%</td> </tr> <tr> <td>Asian or Asian British-Indian</td> <td>5</td> <td>0.29%</td> </tr> <tr> <td>Asian or Asian British-Pakistani</td> <td>2</td> <td>0.11%</td> </tr> <tr> <td>Asian or Asian British-Bangladeshi</td> <td>1</td> <td>0.05%</td> </tr> <tr> <td>Asian or Asian British-Other</td> <td>4</td> <td>0.23%</td> </tr> </tbody> </table>	Housing Register Ethnicity	Jobs		White - British	1566	92.1%	White - Irish	10	0.5%	White - Other	32	1.8%	Mixed - White & Black Caribbean	7	0.4%	Mixed - White & Black African	1	0.05%	Mixed - White & Asian	2	0.11%	Mixed - Other	1	0.05%	Asian or Asian British-Indian	5	0.29%	Asian or Asian British-Pakistani	2	0.11%	Asian or Asian British-Bangladeshi	1	0.05%	Asian or Asian British-Other	4	0.23%	
Housing Register Ethnicity	Jobs																																							
White - British	1566	92.1%																																						
White - Irish	10	0.5%																																						
White - Other	32	1.8%																																						
Mixed - White & Black Caribbean	7	0.4%																																						
Mixed - White & Black African	1	0.05%																																						
Mixed - White & Asian	2	0.11%																																						
Mixed - Other	1	0.05%																																						
Asian or Asian British-Indian	5	0.29%																																						
Asian or Asian British-Pakistani	2	0.11%																																						
Asian or Asian British-Bangladeshi	1	0.05%																																						
Asian or Asian British-Other	4	0.23%																																						

Black or Black British-Caribbean	12	0.70%
Black or Black British-African	2	0.11%
European	41	2.41%
Chinese	1	0.05%
Unknown or Prefer not to say	1193	
Total	2,892	100%

Under the revised Policy applicants owed a statutory housing need that do not meet the Residency rules will have their priority banding reduced by one band.

A residency requirement of 2 years will impact on refugees, non-UK nationals, Gypsies and Travellers. The Council has sought to:

- a) Strike the right balance between disadvantage to some groups of a residency requirement and the policy aims of the residence requirement which is to prioritise applicants who can demonstrate a positive commitment to Tamworth and are settled in the area as defined by 2 years residence
- b) Mitigate any impact by not disqualifying applicants owed a reasonable preference but who do not meet the residency rules. They will be allowed onto the register and their priority banding reduced by 1 band. They will still have a reasonable prospect of obtaining social housing

This impact and mitigation is considered more fully below in the section on the impact of the Policy changes across all of the protected groups

	On-line access for making an application and bidding will impact on applicants whose first language is not English		<p>The 'Finding a Home' website has information for people who need to contact or talk to the Council in a language other than English.</p> <p>Low risk as if a person's command of English is particularly poor they are likely to have access to someone with interpretation skills; other less able people are likely to have access to professional support</p> <p>There is an increased likelihood of this potential negative impact amongst residents for whom English is not their first language, or who have learning impairments or severe mental health problems. The new Scheme has been designed to be more straightforward and easier to understand, providing clarity and managing people's expectations more realistically. As is currently the case, Officers can provide advice and assistance for people who may have difficulty understanding the policy</p>																												
Religion / belief																															
	Is there an impact of the Policy or the Policy changes on applicants with a religion or belief?	Neutral	<table border="1"> <thead> <tr> <th>Religion</th> <th>Count</th> <th></th> </tr> </thead> <tbody> <tr> <td>Buddhism</td> <td>5</td> <td>0.07%</td> </tr> <tr> <td>Christian inc CoE</td> <td>593</td> <td>46.5%</td> </tr> <tr> <td>Hinduism</td> <td>4</td> <td>0.06%</td> </tr> <tr> <td>Muslim</td> <td>5</td> <td>0.07%</td> </tr> <tr> <td>No religion</td> <td>554</td> <td>43.5%</td> </tr> <tr> <td>Other religion</td> <td>41</td> <td>3.2%</td> </tr> <tr> <td>Prefer not to say</td> <td>52</td> <td>4.0%</td> </tr> <tr> <td>Roman Catholic/other</td> <td>19</td> <td>1.4%</td> </tr> </tbody> </table>	Religion	Count		Buddhism	5	0.07%	Christian inc CoE	593	46.5%	Hinduism	4	0.06%	Muslim	5	0.07%	No religion	554	43.5%	Other religion	41	3.2%	Prefer not to say	52	4.0%	Roman Catholic/other	19	1.4%	Tamworth will place more effort on collecting the information in order to be able to assess any impact as the policy and the
Religion	Count																														
Buddhism	5	0.07%																													
Christian inc CoE	593	46.5%																													
Hinduism	4	0.06%																													
Muslim	5	0.07%																													
No religion	554	43.5%																													
Other religion	41	3.2%																													
Prefer not to say	52	4.0%																													
Roman Catholic/other	19	1.4%																													

			<table border="1"> <tr> <td>denom.</td> <td></td> <td></td> </tr> <tr> <td>UNKNOWN</td> <td></td> <td>1619</td> </tr> <tr> <td>Sum:</td> <td></td> <td>2892</td> </tr> </table> <p>Note: For the percentages in the far right hand column above the figures for unknown have been excluded to try and give a more accurate indication of religion/belief.</p> <p>It can be difficult to distinguish what are factors to do with a person's religion as opposed to their ethnic or cultural origins. The Council only has generalised data for the Housing Register. The only figure of note is that the last Census information for Tamworth records a figure of 63% for Christian households compared to 46.5% for the Housing Register therefore applicants indicating they are Christian are under represented on the Housing Register compared to the general population in Tamworth. However there are likely to be socio-economic factors to explain this discrepancy</p>	denom.			UNKNOWN		1619	Sum:		2892	EQIA is reviewed						
denom.																			
UNKNOWN		1619																	
Sum:		2892																	
Sexual orientation																			
	Reported numbers for the housing register are small.	Neutral	<p>On the Tamworth Housing Register the breakdown of sexuality as at July 2011 is as follows:</p> <table border="1"> <tr> <td>Heterosexual</td> <td>1182</td> <td>41%%</td> </tr> <tr> <td>Not Known</td> <td>1631</td> <td>56%</td> </tr> <tr> <td>Information Declined</td> <td>56</td> <td>1.9%</td> </tr> <tr> <td>Bisexual</td> <td>14</td> <td>0.5%</td> </tr> <tr> <td>Gay Man</td> <td>5</td> <td>0.1%</td> </tr> </table>	Heterosexual	1182	41%%	Not Known	1631	56%	Information Declined	56	1.9%	Bisexual	14	0.5%	Gay Man	5	0.1%	Clearly, even if the number of applicants where their sexual orientation is not known or declined to say
Heterosexual	1182	41%%																	
Not Known	1631	56%																	
Information Declined	56	1.9%																	
Bisexual	14	0.5%																	
Gay Man	5	0.1%																	

			<p>Lesbian TOTAL</p>	<p>4 2892</p>	<p>0.1% 100%</p>	<p>is removed then based on the information available the Tamworth Register does not reflect national estimates for bisexual, gay and lesbian applicants. These figures are therefore likely to be a large underestimate Tamworth will place more effort on collecting the information in order to be able to asses any impact as the policy and the EQIA is reviewed</p>
Sex						

	Potential gender bias in the proposals	Negative	<p>Females make up an estimated 54% of the housing register. This is because women are likely to be the main carers and are more likely as a result to come under one of the reasonable preference categories for a statutory housing need. This is likely to continue.</p> <p>A large proportion of the register is made up of 'female headed' households. The changes will not impact on the proportions of female headed households owed a statutory housing need</p> <p>Married, civil partners and co-habiting couples, same sex couples, brothers and sisters who wish to live together, can make applications.</p>	The Council going forward will collect and monitor bidding data to check that it is in proportion to those on the Housing Register to confirm whether or not there is any gender bias.
Part B The changes in the context of their impact on all of those persons	All Groups/Several Groups			
	Amending the local connection rules for the priority band to be awarded. Where the rule is not met any applicant owed a reasonable preference will have their priority	Negative	<p>A) 2 year residence: The Localism Act allows local authorities to determine who may join their register. Statutory guidance on social housing allocations strongly encourages all local authorities to adopt a minimum 2 - year residency test as part of their qualification criteria.</p> <p>In accordance with the underpinning philosophy of the Localism Act and Government Guidance Tamworth intends to embrace the idea of giving greater priority to applicants in housing need with a 2 - year</p>	The Council will analyse the equality profile of households who will potentially be affected by the proposed

	<p>band reduced by 1 band</p> <ol style="list-style-type: none"> 1. Must be resident in settled accommodation within the borough of Tamworth consecutively for the last 2 years 2. Have permanent employment or self-employment within Tamworth that has been on-going for more than 12 months for at least 16 hours per week. 3. Where an applicant has a close relative in the borough of Tamworth and where that 		<p>minimum residency. Length of residency demonstrates a positive commitment to the borough and contribution to the life of the local community in terms of settling in the area.</p> <p>This is particularly necessary given that the rental market in Tamworth is an attractive and affordable option for those seeking to rent privately in the region, who can at present then apply for social housing, and attract priority if they are owed a statutory reasonable preference and have lived in Tamworth for as little as 6 months.</p> <p>However Tamworth Council is mindful of a potential impact of a residency rule on applicants who have a protected characteristic under the Equality Act. Therefore unlike many other local authorities who disqualify applicants from joining the Housing Register under their residency rule Tamworth will allow applicants owed a statutory housing need (reasonable preference) to qualify but will reduce their priority banding by 1 band to reflect the policy intention to give greater priority to applicants who can demonstrate a local connection to Tamworth based on a period of continuous residency.</p> <p>The reduced priority rule will not mean that applicants without the residency qualification who are in a protected group cannot obtain an offer of social housing.</p> <p>The Council is satisfied that the 2 year residency rule is a proportionate means of achieving a legitimate aim which is to prioritise people with a local connection without preventing access to housing for those in housing need without a local connection.</p> <p>The Council is satisfied that it has brought in changes that achieve</p>	<p>changes to local connection for a period of 2 years continuous residency</p>
--	--	--	---	---

	<p>close relative has been living in the borough consecutively for the last 5 years (Close relative for this purpose is defined as parents, children, siblings, grandparents or grandchildren, including step relatives) and</p> <p>4. Where there are additional health, welfare or care/support needs that is reliant on the relative being within the area</p>		<p>an appropriate balance and namely any indirect discrimination of the residency rule on applicants from a protected group has been minimised through the actions analysed below and is proportionate.</p> <p>It is important to analyse (and continue to analyse) the equality profile of households who will potentially be affected by the proposed changes and assess this impact using the data available.</p> <p>A residency requirement of more than 2 years will impact on, refugees and non-UK nationals, Irish Travellers. The Council has sought to strike the right balance between disadvantage to some groups of a residency requirement and the policy aims of the residence requirement, which is to prioritise applicants who can demonstrate a positive commitment to Tamworth and are settled in the area as defined by 2 years residence.</p> <p>It is likely that for residents who have not resided in Tamworth for more than 2 years the 2-year residency rule will impact to some extent on BME residents, former asylum seekers and Irish travellers who will not be able to access the Housing Register for 2 years. It should be noted that the levels of inward migration into Tamworth are lower on average than for inward migration to other Staffordshire Councils.</p> <p>The Statutory Guidance expressly highlights the need for local authorities to take proper account of special circumstances and the Policy changes on residence allows for this. The new Policy in Tamworth will follow this guidance by protecting people who are moving into the district to escape violence and would also include homeless families whom the local authority may have placed outside</p>	
--	---	--	---	--

		<p>of their district, whilst this does not attribute a protected characteristics on its own there may be links to other protected characteristics which have been considered.</p> <p>Applicants on the housing register will be equally disadvantaged through the 2-year residency rule and there is no significant difference in the proportions of people from white, BAME or mixed heritage on the register compared to the Tamworth population as a whole.</p> <p>Although it can be argued that by requiring residents to have resided in Tamworth for 2 years to obtain the banding for their housing need the Council is indirectly discriminating against some applicants who come under a protected characteristic under the Equality Act.</p> <p>The impact however, is not considered to be substantial and the Council has been careful to reduce the impact through the following actions:</p> <p>1 - The residency criteria is set at 2 years which is the number of years suggested in the Government's own guidance. The Council has been careful not to adopt a '3 years or more' residency rule which would have a greater negative impact.</p> <p>2 - The proposed allocations policy recommends that exceptions to the 2-year local connection requirement be made in appropriate cases, such as applicants who have been subjected to domestic violence. An exception may also be granted where an applicant can demonstrate that they would suffer hardship if they were not considered for housing.</p> <p>3 - By permitting exemptions to avoid hardship, the circumstances of</p>	
--	--	--	--

			<p>all applicants can be fully considered and the possibility of an applicant suffering any disadvantage avoided.</p> <p>4 - There is an exemption for applicants where there are additional health, welfare or care/support needs that is reliant on the relative being within the area</p> <p>5 - All applicants have a statutory right to seek a review of their housing application if they are dissatisfied with the Council's decision in relation to the Band they have been awarded. This provides an applicant with the opportunity to submit reasons why they believe their case should be considered under the exceptional circumstances part of the Policy.</p> <p>6 - The Policy includes other ways an applicant can obtain the banding for their housing need other than being resident in Tamworth for 2 years. The alternatives are where an applicant is employed in Tamworth for as little as 16 hours a week, or has close relatives living in Tamworth for 5 years</p> <p>7- Any disadvantage is only for a relatively short time period of 2 years after which an applicant will be allocated the band that fully reflects their housing need.</p>	
--	--	--	--	--

	<p>Changes to the Policy to define employment more clearly for the rule on being able to qualify to join the Housing Register: "Have permanent employment or self-employment within Tamworth that has been on-going for more than 12 months for at least 16 hours per week."</p>	<p>Negative or neutral and positive in the longer term</p>	<p>The policy aim is to reduce inequality and poverty over the long term by encouraging employment through the local connection rules for being awarded a priority band for being in housing need</p> <p>A key aim of this policy change is to encourage those who work in Tamworth to work and be able to live and settle in Tamworth, if they are unable to afford to rent or buy and have a statutory housing need based on their current housing position.</p> <p>It is a small contribution to rebalancing communities and contributes to the overall Policy aim of social housing estates with tenants that have a balance of households that are dependent on benefits and are economically active.</p> <p>There will be little impact on other households who don't work and live in Tamworth, as most of these applicants will qualify for their priority band under the 2-year rule.</p> <p>Unlike many other local authorities Tamworth has been careful not to build into the priority selection banding rules work as a determining factor for prioritising applicants for housing as this could have a disproportionate impact on applicant's who are not able to work and come under the definition of one or more of the protected characteristics.</p> <p>Many of the mitigating actions and considerations set out in the 2 year residency</p>	<p>The Council will analyse the equality profile of households who will potentially be affected by the proposed changes to local connection for employment</p>

	<p>The impact of the revised income and savings thresholds on applicants with a protected characteristic under the Equality Act who will not be able to qualify for the register</p>	<p>Neutral or negative</p>	<p>There were income and savings qualification thresholds under the previous Policy. These have been revised and are:</p> <p>Income threshold</p> <ol style="list-style-type: none"> 1. Single person households with a household net income of £30,000 or more per year 2. Family households (this includes couples) with a household net income of £60,000 or more per year. <p>Savings, Assets and Capital</p> <p>Applicants with capital/savings/assets/investments in excess of £16,000 will not qualify to join the housing register as they will be regarded as having sufficient resources to source alternative suitable accommodation.</p> <p>The Council propose that those with savings or income above the thresholds set will be advised on homeownership options and market and intermediate rent options.</p> <p>The changes will assist more applicants on low incomes to access social housing.</p> <p>Although some applicants from a protected group will be impacted by this policy many other protected group applicants are on low incomes or have no savings and will benefit, as there will be fewer applicants on the register competing for housing.</p> <p>The Council is satisfied that any negative impact on protected groups is reduced by the fact that they will have the income level or savings to obtain an alternative housing solution and by the fact that there is a process in the Policy to consider exceptional circumstances.</p>	<p>The Council will monitor the number of applications rejected due to high income levels or savings in order to inform future policy changes</p>
--	--	----------------------------	--	---

All groups				
	<p>The Council propose to restrict the housing register to those applicants who can demonstrate a housing need</p>	<p>Positive</p>	<p>Under the previous Policy applicants assessed as not being in a statutory housing need could qualify for the Housing Register.</p> <p>The Policy change will mean that only people who can demonstrate they have a housing need will be able to join the housing register as there is a limited supply of social housing. This change will ensure that scarce social housing resources go to those with the greatest need.</p> <p>The Council recognises the disappointment that this change will cause some of these applicants as many still operate under the misapprehension that they will eventually be re-housed if they wait on the register. This is not the case. The majority of these households are assessed as not having sufficient priority for re-housing to ever be offered a social housing tenancy and yet they remain on the Housing Register, some under a false sense of hope that they will get an offer in time. This situation is unfair and does not prompt people to look for other, more timely housing solutions.</p> <p>This decision affects people across the board, with some protected characteristic groups being affected more than others in terms of numbers removed. However, these groups are not adversely affected in their chances of being re-housed and will be no worse off than when previously registered as the overwhelming majority did not have sufficient priority for re-housing to ever be offered a social tenancy.</p>	<p>This proposal will affect a large number of applicants on the Housing Register who do not have a statutory housing need. They would be removed from the Register. The Council will communicate the change to enable applicants to understand the reasons and inform them that they have the right of a review of</p>

			<p>It is the Council's view that the removal/ exclusion of these households will provide clarity and manage people's expectation realistically. Additionally, administration time and costs will be lowered and the additional time freed up for the Housing Team by this change will mean that applicants in the highest bands will be assigned an officer to support them in their bidding actions and provide tailored advice and options. Many of the applicants in the highest 2 bands are from a protected group under the Equality Act and will benefit from the bespoke support.</p>	<p>the decision to remove them from the housing register or can submit fresh evidence if there is a change in their circumstances</p>
	<p>The new Policy includes the ability to apply local lettings policies</p>	<p>Neutral at this stage. Each local lettings policy will need to consider any equality impact before being adopted.</p>	<p>Although this is not a change to the new Policy the equality impact of local lettings policies has not been fully assessed under the previous Policy.</p> <p>Local lettings policies have the potential to have a significant impact on the housing options of all disadvantaged groups. Such a policy restricts the Council's allocations scheme within a small geographical area in order to achieve certain desirable outcomes. An example might be lower child densities in certain blocks or roads, or to restrict the number of vulnerable people allocated accommodation in a block where there are already a number of people housed with complex needs and there is evidence that the number is causing housing management issues for the Council and impacting on other residents.</p>	<p>The Council will fully consider the equality impact of any local letting policy in deciding whether to approve any LLP and will then monitor the on-going impact</p>

			<p>The Allocations Policy is framed to allow for individual lettings plans to be developed and approved on a case-by-case basis. Each local lettings plan will have to have an evidence base and be approved through a clear and transparent process. Any equality impact must be considered as part of the assessment process when deciding whether or not to approve a local lettings plan.</p>	
	Failure to accept 3 properties	Neutral	<p>Applicants who refuse 3 offers following a successful bid or direct allocation including the failure to attend the viewing appointment will be removed from the register under the disqualification rule change for a period of 12 months.</p> <p>The Council will implement clear operational procedures for the assessing officers to take into account people with mental health or support needs where their condition may impact on their behaviour and their ability to keep appointments in the normal way. Officers will look at the individual circumstances of any applicant.</p>	<p>Regular analysis of the applicants removed from the housing register because they refused an offer will be needed to ensure that specific groups are not being adversely affected</p>

This page is intentionally left blank