

Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Black Country Tenancy Strategy		
Directorate	Childrens Services		
Service	Money Home Job		
Responsible Officer	Vicki Mann		
Proposal planning start	October 2020	Proposal start date (due or actual date)	01/04/2021

1	What is the purpose of the proposal?	Yes / No	New / revision
	Show which category the proposal is and whether it is new or a revision.		
	Policy	Yes	Updated Tenancy Strategy
	Procedure		
	Guidance		
	Is this a service to customers/staff/public?	Yes	
	If yes, is it contracted or commissioned?		
	Other - give details		
2	What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?		
	<p>Under Section 150 (1 to 8) of the Localism Act 2011 each local authority is required to produce and publish a Tenancy Strategy that sets out matters that Registered Providers (RPs) of social housing must 'have regard' to when formulating their policies in relation to:</p> <ul style="list-style-type: none"> • The kinds of tenancies that they grant • The circumstances in which they grant a tenancy of a particular kind • Where they grant tenancies of a certain term (fixed term), the lengths of the terms and the circumstances in which they will grant a further tenancy at the end of the term. <p>The four Black Country local authorities consisting of Dudley, Sandwell, Walsall and Wolverhampton are reviewing the Tenancy Strategy that is going to be applied across the local authority areas. The benefits of this are that many of the RPs operate in all four areas and there will be a coherence to the strategic objectives and guiding principles rather than all four areas adopting different strategies.</p>		

It should be noted that RPs must 'have regard' to the Strategy. In reality, this means that when RPs are developing their own policies they could choose to adopt or ignore elements of this strategy. It is assumed that each RP will produce an EQIA on its own policies and their impacts.

The RPs will be consulted about the content of the updated Tenancy Strategy and political sign off for all participating local authorities will be achieved prior to the proposed 01.04.2021 implementation date.

Since the implementation in 2012/13 implementation rates of the various providers range from some RPs adopting a policy of not implementing fixed term tenancies at all, to others doing selective use of Fixed Term Tenancies. RP's have indicated there will be minimal use of fixed Term Tenancies in the future. The rate of conversions to affordable rents has dwindled over the years since implementation and even at its height was not of a great concern to Walsall Council.

Nationally the rate of conversions is in decline. An analysis of the trends is discussed at length in this article :

Summary of affordable rent lettings

Source:

Affordable rent lettings					
	Affordable rent lettings	Change on year (%)	Conversion to affordable rent	Other general needs lettings	Total general needs lettings
	2014/15	2015/16	2016/17	2017/18	2018/19
2014/15	6,001	5%	1,502	175,042	181,043
2015/16	25,700	33.3%	24,198	140,901	165,099
2016/17	26,047	1.3%	24,000	139,000	163,000
2017/18	28,386	8.7%	21,200	131,000	152,200
2018/19	21,106	-25.1%	17,100	140,000	157,100
2019/20	24,344	15.1%	17,100	137,000	154,100
2020/21	19,111	-21.3%	16,000	130,000	146,000

Source: Housing Statistics, Housing Statistics, 2014 to 2020

<https://www.socialhousing.co.uk/insight/insight/special-report-analysis-shows-10-fall-in-affordable-lettings-62025>

An analysis of the Government's CORE data return summary for 2017/18 indicates that nationally 16% of RP new lettings to were on fixed term tenancies and 2% of lettings by local authorities.(1)

An analysis of the Government's CORE data return summary for 2018/19 indicates that nationally 17% of RP new lettings were to fixed term tenancies and 1% of lettings by local

	authorities. (2)		
	https://www.gov.uk/government/statistical-data-sets/local-authority-housing-statistics-data-returns-for-2017-to-2018		
3	Who is the proposal likely to affect?		
	People in Walsall	Yes / No	Detail
	All	No	The strategic policy will primarily impact upon people who will be accessing social housing from the date that the new Tenancy Strategy is implemented.
	Specific group/s	Yes	
	Council employees	No	
	Other (identify)	NA	
4	Please provide service data relating to this proposal on your customer's protected characteristics.		
	<p>Potential tenants could have any or none of the protected characteristics. The Government itself in its Impact Assessment 1 states that 'there are a number of uncertainties around the impacts that would follow through from the policy' because landlords considerable discretion as to what types of tenancies they can offer under existing legislation and the new powers within the Localism Act. The Government has indicated that around a quarter of annual general needs lettings are made to the elderly or households who have ongoing or have high support needs and they anticipate that these types of households will not generally be offered fixed term tenancies.</p> <p><u>Age</u></p> <p>The homelessness review identified that almost half of all homelessness applicants to whom a duty is accepted, are aged 25 – 44 years of age, just over one-third being aged 16-24, just over one-tenth are aged 45-59. Those aged 60 years and older equal about 4%. During the past five years applications from those aged 25-44 have increased by 6% and those aged 16-24 have increased by 47% (falling in the past 12 months by 16%).</p> <p>When compared to population data the age profile of homeless applicants suggests that young people are disproportionally impacted by homelessness compared to other age groups.</p> <p>The Government's Impact Assessment in relation to social housing states that 'Lettings of supported housing, which is used to assist particularly vulnerable households, is unlikely to be affected by the legislation.' Core summary data for 2017/18 indicates that nationally 3.6% of new lettings were for housing designated for older people. We do not anticipate using fixed term tenancies in supported or sheltered housing for the elderly and this wider strategic intention is written into the Tenancy Strategy so it is unlikely that any older person has been disadvantaged by the Tenancy Strategy.</p> <p><u>Disability</u></p> <p>Roughly 5% of homeless acceptances were classed as having physical ill health or disability. It is unlikely that people with a disability would be affected by the Tenancy Strategy due to adaptations in place in the property.</p> <p><u>Race, Religion or Belief</u></p>		

	<p>Just over three-quarters (77%) of people accepted by the local authority as being owed the main housing (homelessness) duty, were of a white ethnic origin. The remaining one-quarter (23%), were from black or other minority ethnic origins. Compared to the overall population of Walsall, for which 81% are of a white ethnic origin and 19% are from black or other minority ethnic origins, the persons of the latter type of ethnic origin have a disproportionately higher likelihood of becoming homeless.</p> <p>Persons of a white and Asian or Asian British ethnic origin being homeless have increased (by 10% and 36% respectively) during the past five years, where persons from black or black British, mixed, or other ethnic origin have reduced (by 17%, 18% and 100%) during the same time-period.</p> <p><u>Sexual Orientation and Gender Reassignment</u></p> <p>The homelessness review did not specifically review sexual orientation or gender reassignment of homeless applicants. There is no reason to consider that the proposed actions would have a negative impact upon individuals with these protected characteristics.</p> <p><u>Marriage, Civil Partnership, Gender, Pregnancy and Maternity</u></p> <p>We do not have sufficiently robust data at this stage to do any meaningful analysis as social housing is allocated on the basis of overall housing need rather than this specific characteristic.</p>
5	<p>Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).</p> <p>It is up to each Registered Provider to consult its customers and potential customer on the implementation of fixed term tenancies. Discussions between RP's and Walsall Council indicate that some organisations made the decision not to implement fixed term tenancies. In addition to this, any nomination from the local authority to the Registered Providers would have involved the nominee being made aware of the nature of the fixed term tenancy that was being offered. Any household applying for housing through the whg choice based lettings system (called choose and move) would have been provided with information about the tenancy type and this would have been considered by the applicant prior to bidding and the letting occurring. The household could also have chosen not to bid for that property and bid for other social housing that was on offer with a secure or assured shorthold tenancy.</p>

6

Concise overview of all evidence, engagement and consultation

We do not intend to collect any additional information at the local level as the impact of conversions to affordable rent and fixed term tenancies is relatively minor in the Borough. We will review this position if it becomes apparent to us that either are increasing.

Census 2011 - Household Tenure (Source: Table KS402EW)
<https://www.ukcensusdata.com/walsall-e08000030/tenure-ks402ew>

All Households	Area No.	%
Owned Outright	33516	31
Owned With a Mortgage or Loan	33749	31
Shared Ownership (Part Owned and Part Rented)	601	0.6
Social Rented	25967	24
Rented From Private Landlord or Letting Agency	11553	11
Other Private Rented	1,036	0.96
Living Rent Free	1420	1.3
Total	107842	

In the 2011 Census 24% of households were social rented households.

7

How may the proposal affect each protected characteristic or group?
The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.

Characteristic	Affect	Reason	Action needed Yes / No
Age	Neutral	The under 35's are a group which are affected by a number of welfare reforms and receive reduced levels of benefit. They are therefore more likely to be affected by the Black Country Tenancy Strategy. As there are very few fixed term tenancies the impact would be minimal.	N
Disability	neutral	28% of all customers in	N

			<p>poverty have a disability (report commissioned JR Foundation 2016) https://www.disabilityrightsuk.org/news/2016/august/half-people-poverty-are-disabled-or-live-disabled-person.</p> <p>Disabled people are therefore more likely to become homeless than non-disabled people. However, they would have an adapted property suited to their needs so would not be affected by the Tenancy Strategy or fixed term tenancies.</p>	
	Gender reassignment	neutral	<p>The homelessness review did not specifically review gender reassignment of homeless applicants. There is no reason to consider that the proposed actions would have a negative impact upon individuals with these protected characteristics. Data to be collected where possible.</p>	Y
	Marriage and civil partnership	neutral	<p>We do not have sufficiently robust data at this stage to do any meaningful analysis as social housing is allocated on the basis of overall housing need rather than this</p>	Y

			specific characteristic.	
	Pregnancy and maternity	neutral	We do not have sufficiently robust data at this stage to do any meaningful analysis as social housing is allocated on the basis of overall housing need rather than this specific characteristic.	Y
	Race	Positive	<p>31% of children from Asian and Black backgrounds live in low income households compared to 11% of white households. Black ethnic groups make up 7% of the homeless but are only 2.4% of the resident population.</p> <p>Social housing is allocated on the basis of overall housing need rather than this specific characteristic.</p>	Y
	Religion or belief	neutral	<p>No information specific data is available and so the impact is not currently known</p> <p>Social housing is allocated on the basis of overall housing need rather than this specific characteristic.</p>	Y
	Sex	neutral	Women are more likely to experience homelessness than men.	N
	Sexual orientation	neutral	No information specific data is available and so the impact is not currently known.	Y
8	Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.			(Delete one)

		Yes
	None that we are aware of.	
9	Which justifiable action does the evidence, engagement and consultation feedback suggest you take?	
A	No major change required	
B	Adjustments needed to remove barriers or to better promote equality	
C	Continue despite possible adverse impact	
D	Stop and rethink your proposal	

Action and monitoring plan				
Action Date	Action	Responsibility	Outcome Date	Outcome
01/04/2021	Continue to collect equality data on protected characteristics	MHJ	Qtrly	What outcomes have been achieved

01/04/2021	Monitor the number and percentage (of all social lets) of fixed term tenancies	MHJ	Annual	Demonstrate minimal use of fixed term tenancies, ensuring that households instead have access to secure and sustainable tenancies

Update to EqIA	
Date	Detail

Contact us

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Inside Walsall: [http://int.walsall.gov.uk/Service information/Equality and diversity](http://int.walsall.gov.uk/Service%20information/Equality%20and%20diversity)