

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

<b>Proposal name</b>	Amendments to Walsall Allocations Policy		
<b>Directorate</b>	Resources and Transformation		
<b>Service</b>	Money Home Job (MHJ)		
<b>Responsible Officer</b>	Neil Hollyhead		
<b>Proposal planning start</b>	01/01/2019	<b>Proposal start date (due or actual date)</b>	01/04/22 (based on review)

<b>1</b>	<b>What is the purpose of the proposal?</b>	<b>Yes / No</b>	<b>New / revision</b>
	Policy	Yes	Revision
	Procedure		
	Guidance		
	Is this a service to customers/staff/public?		
	If yes, is it contracted or commissioned?		
	Other - give details		
<b>2</b>	<b>What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?</b>		
	<p>Walsall Council's Housing Allocation Policy explains the rules that determine how the Council will allocate housing owned and managed by Housing Associations in Walsall. The Council is required to ensure it has an up to date Housing Allocations Policy, as required by the Housing Act 1996.</p> <p>The Policy must adhere to a legal framework, an element of which mandates that certain groups of applicants must be given 'reasonable preference' in determining who is allocated properties. We are looking to make a number minor amendments to our policy.</p> <p>The three proposed changes relating to Gold banding in the Policy are:</p> <ul style="list-style-type: none"> <li>• <b>Armed Forces</b> – <b>expand</b> the scope of households already covered in gold band in line with statutory guidance</li> <li>• <b>Foster carers and those approved by the Council to adopt</b> – <b>add</b> into gold band to help the council meet housing need for those wishing to help children through fostering and adoption, who will need a suitable property to do so</li> <li>• <b>Homelessness Relief duty</b> – <b>clarify</b> that households owed a Relief duty under the Homelessness Prevention Act 2017 are placed in gold band</li> </ul>		
<b>3</b>	<b>Who is the proposal likely to affect?</b>		
	<b>People in Walsall</b>	<b>Yes / No</b>	<b>Detail</b>

	All	Yes	Homelessness can affect anyone, because of fire, flood or natural disaster, job loss or financial difficulties or relationship breakdowns. The proposal will also affect those people who experience homelessness and those accessing social housing in Walsall.
	Specific group/s		
	Council employees		
	Other (identify)		
4	Please provide service data relating to this proposal on your customer's protected characteristics.		

## **A Review of Homelessness in Walsall**

The number of households registered for social housing in Walsall with whg the largest provider of social housing is currently running at just over 14000 households.

Typical actions taken to relieve homelessness are to obtain social or private rented housing, nationally these outcomes account for more than half of all cases where homelessness is relieved. For example, an allocation of social rented housing to a housing register applicant that was homeless, counts as homelessness being relieved (provided casework activity accomplished this outcome).

Walsall Housing register is administered by whg and has been since the 2003 Stock Transfer. The register has three categories, gold, silver and bronze priority bandings with gold being the top band. Gold and silver bands are for those who would typically be classed as 'with housing need' to known as being under 'Reasonable Preference' (1996 Housing Act). The most recently reported figure as at 1<sup>st</sup> April 2021 is 1593 for Walsall, these include those awarded a higher preference by Walsall Council as well as those awarded a reasonable preference by the housing provider as they are already in social housing, but not adequate to their needs.

The total demand (Gold, Silver and Bronze) on the housing register as at April 1<sup>st</sup> 2021 is as follows;

1 Bed – 6793  
2 Bed – 4780  
3 Bed – 2156  
Those requiring more than 3 bedrooms – 568

In 2020/21, Walsall council nominated (for gold banding) 388 households of which requiring the following;

1 Bed – 113  
2 Bed – 162  
3 Bed – 104 (15 of which were entitled to a 3 or a 4 bed property)  
4 Bed - 9

Total Lettings by housing associations for 2020/21 was 1521 with 355 council nominations being rehoused and a further 335 rehoused that are in a 'reasonable preference' category awarded by the housing association.

In 2020/21 the 1 and 2 bed demand was met, however the availability of 3 and 4 bed properties did not meet the demand, with only 84 three bed properties given to us as a nomination and only 4 four bed properties.

The demand for 2021/22 is also following a similar pattern, in the first 3 quarters of 2021/22, there were 362 households nominated by Walsall Council, with demand for 3 beds already hitting 100 (16 of which are eligible for a 3/4 bed) and 4 bed demand so far for 2021/22 is 10.

## Walsall Borough

Walsall has an **estimated population of 286,700** (ONS 2020 Mid-Year Estimates), comprised of approximately 21.7% children 0-15 (62,300), 60.8% working-aged 16-64 (174,300), and 17.5% 65 years & over (50,100), giving a dependency ratio of 0.64 dependents to every 1 working age adult. The Walsall Private Sector Stock Condition Survey 2019 has shown there has been a significant increase in the size of the private rented sector since Census 2011 from 11.7% to 16%, and subsequent decrease in owner occupation from 63% to 59%, and social housing has remained at around 25%.

- Approx. 75% of population in work (national 78%)
- 41,900 Inactive (20% of those are long term sick)
- 14% in professional occupation – 23% nationally
- 12% in caring/leisure industries (9% nationally)
- The average salary is ranging between £31.1k in Walsall and £39.4k in Birmingham. The UK average salary was £38.6k in 2020.
- **523 Sales April to November 2021**
- **Mainly semi-detached**
- WS1, WS9, WS3
- Average 232k
- House Price to income ratio of 7
- Trend is (increasing prices) Feb 2021 Average 172k

### **5 Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).**

The survey research method was used for collecting data from the predefined group of respondents to gain information and insights into the key topics. The survey was sent out electronically (with the option for hardcopy where required), over a 6 week period between December 2021 and January 2022. The short questionnaire which was available on the councils website covered the proposed changes around how we treat Armed Forces Personnel, persons wishing to adopt or foster and those who qualify for 'Relief' under the homelessness legislation. Participants from housing associations, council's internal homelessness and housing advice team, internal children services and various armed forces charities were encouraged to complete the questionnaire. The link was also circulated to key partners, the disability forum and was available for members of the public to complete online. For those who did not wish to access the survey an email address was provided for generic feedback on the key areas.

Consultation Activity			
Type of engagement/consultation	Survey	Date	20/12/21 – 28/01/22
Who attended/participated?	Staff working in Homelessness, Other professionals that deal with the homeless team, members of the public.		
Protected characteristics of participants	A cross section of staff including those from different ethnic, age, gender, disability related groups.		
<b>Feedback</b> <ul style="list-style-type: none"><li>• 48/50 (96%) were in support of the proposed changes on how we treat Armed Forces Personnel</li><li>• 46/50 (92%) were in support of the proposed changes, to gold banding criteria for Foster Carers and those wishing to adopt</li><li>• 47/50 (94%) were in support of the proposed changes, for Homelessness Relief Duty being added to the gold band category</li></ul> <p>Just over half of the respondents were aged between 35-45, 44% were from a Black and minority ethnic (BAME) group and 24% stated they had physical or mental health condition or illnesses lasting or expected to last 12 months or more</p>			

6

Concise overview of all evidence, engagement and consultation

The Allocations Policy is being amended in response to changes in guidance and legislation and a commitment from the councils adopted Homelessness Strategy 2018-2022. The Policy will help shape the way social housing is allocated in Walsall. A statutory review of homelessness in Walsall conducted in 2017 found that the Council's Housing Allocation Policy has not been amended or updated to take account of changes to law and statutory guidance since 2010.

Public consultation was conducted over a 6 week period (Appendix A) to give all residents, key agencies, voluntary sector and stakeholders an opportunity to have their say on the proposed amendments. The consultation gave people an opportunity to feedback and engage on the proposed social housing offer through an online survey, a hard copy where requested or via email or contacting us.

46% of those taking part were White British and the remaining 44% were from Black and Minority Ethnic Groups (BAME).

**Question 1 – Proposed Changes to how we treat Armed Forces Personnel (The full question can be viewed in Appendix 1)**

Respondents were asked to comment with feedback if they did not agree with the proposed changes. There were 19 comments; however 17 of the comments were in support of the proposed changes. Only 2 (4%) of the 50 respondents did not agree with the proposed changes.

- 1 stated 'No' but did not comment further
- 1 stated the following; There is already a housing crisis in Walsall. Local Connection should stay in place. This can be reviewed on a case-by-case basis if necessary.

**Question 2 – Proposed changes to gold banding criteria for Foster Carers and those wishing to adopt (The full question can be viewed in Appendix 1)**

- 46 out of 50 respondents agreed with the proposal.
- 3 disagreed
- 1 was left blank

2 out of the 3 respondents that disagreed made comments;

- Comment 1 - Consideration needs to be made once the family stop fostering
- Comment 2 – Should not be treated above

**Question 3 – Proposed changes to Relief Duty being added to the gold band category. (The full question can be viewed in Appendix 1)**

- 47 of the 50 respondents agreed
- 2 disagreed, with 1 stating that more options are needed.
- 1 person disagreed with the wording of the question stating that if you are under relief you are already homeless.

	There was no pattern emerging between characteristics of those taking part and the answer reflected. For those that disagreed, these were by a range of who completed the form by status, age, gender, sexual orientation and nationality.			
7	<b>How may the proposal affect each protected characteristic or group?</b> <b>The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.</b>			
	<b>Characteristic</b>	<b>Affect</b>	<b>Reason</b>	<b>Action needed Yes / No</b>
	Age	positive	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 homelessness. The Homeless Reduction Act (2017) is set to improve outcomes for young single people.	N
	Disability	negative	28% of all customers in poverty have a disability (report commissioned JR Foundation 2016) <a href="https://www.disabilityrightsuk.org/news/2016/august/half-people-poverty-are-">https://www.disabilityrightsuk.org/news/2016/august/half-people-poverty-are-</a>	Y

			<a href="#">disabled-or-live-disabled-person</a>  Disabled people are therefore more likely to become homeless than non-disabled people. Further data can be collected on need where a customer has a disability work is done to ensure their needs and aspirations are met.	
	Gender reassignment	neutral	No information is available and so the impact is not currently known.	Y
	Marriage and civil partnership	neutral	No information specific data is available and so the impact is not currently known – The cohort of people from previous years have not been in a marriage or civil partnership and tend to be single.	Y
	Pregnancy and maternity	neutral	No information specific data is available and so the impact is not currently known. Where a service user is pregnant consideration is given to the household.	Y
	Race	Positive	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.	Y

	Religion or belief	neutral	No information specific data is available and so the impact is not currently known	Y
	Sex	Positive	Women are more likely to experience homelessness than men. Armed forces personnel are more likely to be male.	Y
	Sexual orientation	Positive	Young people who are lesbian, gay, bisexual and transgender comprise up to 24 per cent of the youth homeless population, Last year the <a href="#">Albert Kennedy Trust</a> , an organisation that supports young LGBT people, or those living in hostile environments, estimated that 150,000 were homeless or at risk of homelessness as a result of intolerance.	Y
	<p>This Policy has been formulated having had regard to the law and regulatory requirements, including:</p> <ol style="list-style-type: none"> <li>1. Housing Act 1996, Part 6</li> <li>2. Homelessness Act 2002</li> <li>3. Housing and Regeneration Act 2008</li> <li>4. Localism Act 2011</li> <li>5. Armed Forces Act 2006</li> <li>6. Asylum and Immigration Act 1996</li> <li>7. Immigration and Asylum Act 1999</li> <li>8. Children Act 2004</li> </ol>			

	<p>9. Equality Act 2010</p> <p>10. Data Protection Act 2018</p> <p>11. The regulatory framework for Private Registered Providers of social housing in England published by the Homes and Communities Agency, in particular the Tenancy Standard, published April 2012.</p> <p>This Policy has been formulated having had regard to case law judgments made in the English and Welsh Courts. This Policy is also specific only to the allocation of social rented housing in the local authority area of Walsall Metropolitan Borough Council, this extends to:</p> <ol style="list-style-type: none"> <li>1. Affordable rent social housing</li> <li>2. General needs social housing</li> </ol> <p>This policy aligns with Walsall Metropolitan Borough Council's Strategic Equalities Plan. To ensure compliance with public sector equality duties, the following arrangements will be considered for each individual applicant and property:</p> <ol style="list-style-type: none"> <li>1. Informing an applicant of a property's accessible features</li> <li>2. A mechanism to identify the requirements of disabled applicants</li> <li>3. A mechanism to allow extra time for disabled applicants if they need it to accept an offer</li> <li>4. A mechanism for providing support in making applications.</li> </ol> <p>An equality duty is imposed on Walsall Metropolitan Borough Council by the Equality Act 2010, section 149. Regard has been made to this public-sector equality duty when formulating this Policy, furthermore it will inform decision-making on in individual cases. Allocations of social rented housing will be monitored to determine whether equal opportunities obligations are being met.</p>								
<b>9</b>	<p><b>Which justifiable action does the evidence, engagement and consultation feedback suggest you take?</b></p> <table> <tr> <td><b>A</b></td><td><b>No major change required</b></td></tr> <tr> <td><b>B</b></td><td> <p><b>Adjustments needed to remove barriers or to better promote equality</b></p> <p>Are you satisfied that the proposed adjustments will remove the barriers identified?</p> </td></tr> <tr> <td><b>C</b></td><td> <p><b>Continue despite possible adverse impact</b></p> <p>For important relevant proposals, compelling reasons will be needed. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.</p> <p>Consultation may suggest a change of action, but some actions will be required regardless of consultation e.g. budget savings. Mitigating actions may be required to minimise impact identified through consultation.</p> </td></tr> <tr> <td><b>D</b></td><td> <p><b>Stop and rethink your proposal</b></p> <p>Actual or potential unlawful discrimination is identified; the proposal will need reviewing immediately. You may need to consult with appropriate officers including your executive director, finance or Equality, Safety and Wellbeing.</p> </td></tr> </table>	<b>A</b>	<b>No major change required</b>	<b>B</b>	<p><b>Adjustments needed to remove barriers or to better promote equality</b></p> <p>Are you satisfied that the proposed adjustments will remove the barriers identified?</p>	<b>C</b>	<p><b>Continue despite possible adverse impact</b></p> <p>For important relevant proposals, compelling reasons will be needed. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.</p> <p>Consultation may suggest a change of action, but some actions will be required regardless of consultation e.g. budget savings. Mitigating actions may be required to minimise impact identified through consultation.</p>	<b>D</b>	<p><b>Stop and rethink your proposal</b></p> <p>Actual or potential unlawful discrimination is identified; the proposal will need reviewing immediately. You may need to consult with appropriate officers including your executive director, finance or Equality, Safety and Wellbeing.</p>
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Action and monitoring plan	Action and monitoring plan	Action and monitoring plan	Action and monitoring plan	Action and monitoring plan
TBC	Collect equality data on social housing lettings	Neil Hollyhead	TBC	Review equality data collated annually as part of homelessness strategy data suite

Update to EqIA	
Date	Detail
	Original signed 2019
	Update to original February in light of proposed updates 2022
	Review due 2022/23

### Contact us

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Resources and Transformation

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Inside Walsall: [http://int.walsall.gov.uk/Service\\_information/Equality\\_and\\_diversity](http://int.walsall.gov.uk/Service_information/Equality_and_diversity)

## **Appendix A: Allocations Policy Consultation Key Statistics 2020/2021 Consultation**

### **Section 1**

#### **Methodology**

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### **Section 2**

#### **The Key surveys results and feedback included:**

50 respondents in total completed the short survey; the majority of respondents were in support of the proposed changes.

- 48/50 (96%) were in support of the proposed changes on how we treat Armed Forces Personnel
- 46/50 (92%) were in support of the proposed changes, to gold banding criteria for Foster Carers and those wishing to adopt
- 47/50 (94%) were in support of the proposed changes, for Homelessness Relief Duty being added to the gold band category

Just over half of the respondents were aged between 35-45, 44% were from a Black and minority ethnic (BAME) group and 24% stated they had physical or mental health condition or illnesses lasting or expected to last 12 months or more.

#### **Question 1 – Proposed Changes to how we treat Armed Forces Personnel (The full question can be viewed in Appendix 1)**

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## **Section 3**

### **The Characteristics of the respondents were;**

#### **The form was completed by;**

Walsall Council Employee – 21  
Housing Professional in the Walsall Area – 12  
Other professional in the Walsall Area – 4  
A member of the Public - 10  
Other Category – 3

#### **Age group;**

16-24 – 1  
25-34 – 8  
35-44 – 15  
45-45 – 14  
55-64 – 11  
65+ - 1

**Gender**

Male – 18

Female 32

**Respondents with a physical or mental health condition or illnesses lasting or expected to last 12 months or more?**

Yes -12

No – 35

Prefer not to say –

**Sexual Orientation**

Bisexual – 6

Gay Male – 2

Gay Female – 2

Heterosexual / Straight – 33

Prefer not to say - 7

**Nationality**

White British – 23

Mixed/Multiple Ethnic group – 5

Black/African/Caribbean/Black British – 8

Asian/Asian British – 7

Gypsy/Irish Traveller – 2

Other - 5

**Question 1 - Armed Forces** - The Housing Allocations Policy currently awards gold band priority to any applicant who needs to move to suitable adapted accommodation because of a serious injury, medical condition or disability which he or she, or a member of their household, has sustained as a result of service in the Armed Forces. This also applies to all those in the Forces with a local connection 6 months prior to discharge and 6 months post discharge.

In line with statutory guidance published 27 June 2020 (<https://www.gov.uk/government/publications/improving-access-to-social-housing-for-members-of-the-armed-forces/improving-access-to-social-housing-for-members-of-the-armed-forces>) we will add the following to the Policy:

The following categories will be exempt from local connection, and will be eligible for gold band:

- a. Those who are currently serving in the Regular Armed Forces or who were serving in the Regular Forces at any time in the 5 years preceding their application for an allocation of social housing.
- b. Serving members of the Regular Armed Forces who are suffering from a serious injury, illness (including a mental ill health condition), or disability which is wholly or partly attributable to their service.
- c. Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness (including a mental ill health condition) or disability which is wholly or partly attributable to their service.
- d. Bereaved spouses or civil partners of those serving in the Regular Forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.

Please contact us if you have any comments regarding this or comment below.

**Question 2 - Foster carers and those approved by the Council to adopt**

It is proposed that the following households are eligible for gold banding:

- Families who are approved as foster or adoptive parents by Walsall Children's Services and need an extra bedroom to accommodate the child(ren) placed by the Council
- Households holding a Special Guardianship Order, Child Arrangement Order, or family and friend's carers who are not foster carers but who have taken on the care of a child because the parents are unable to provide care and who need an extra bedroom to accommodate the child(ren) placed by the Council

Agree/Disagree

**Question 3 - Homelessness - Relief duty** -The Homelessness Reduction Act 2017 introduced Prevention and Relief duties. Certain Prevention households are already eligible for gold banding. It is proposed that households classed as 'under relief' will be added to the gold band category, these are households that are currently homeless or are likely to become homeless within the next 56 days.

Agree/Disagree



**Walsall Council**

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