

Equality Impact Assessment

Housing Allocation Scheme

Appendix 5



What is being assessed?	Housing Allocation Scheme
Department	Housing
Name of assessor/s	Alison Wilks
Strategic Management Lead	Rachel O'Reilly
Date	17 December 2013
Is this a new or existing function or policy?	Existing policy reviewed

Please note that guidance (revised in November 2013) for completing this template is available on the intranet. This template was also revised in November 2013.

Section 1: Introduction and background (see p.10 of the guidance)

Please describe your service or function. This should include:

- **The aims and scope**
- **The main beneficiaries or users**
- **The main equality, accessibility, social exclusion issues and barriers, and the 'protected characteristics'¹ they relate to (not all assessments will encounter issues relating to every protected characteristic)**

If this EIA is part of a project it is important to focus on the service or policy the project aims to review or improve.

The Aims of the Housing Allocation Scheme are to:

- provide an allocation scheme for housing applicants with a local connection to Mole Valley who are in housing need;
- maintain an appropriate balance between the needs of homeless households and others in housing need;
- make best use of the affordable housing stock, which is in short supply in Mole Valley;
- ensure that difficult to let properties are managed and re-let times are minimised;
- reduce under-occupation; and
- nominate households for housing association homes for rent in a way that is fair and transparent.

The Scope of the Scheme

The Council maintains a single list of applicants in need of affordable rented

¹ More information and definition of protected characteristics can be found [here](#)

social housing known as the Housing Register and the applicants are assessed and prioritised in accordance with the Council's Housing Allocation Scheme. The housing register is used by the Council for allocating all housing for rent and applies where the Council nominates an applicant to be offered a:

- secure, fixed term or introductory tenancy by another Council (or another body able to grant a secure tenancy); or
- fixed term tenancy assured tenancy or assured shorthold, or starter tenancy from a housing association.

The Users of the Scheme are:

Households who apply to the Council for a rented housing association home. These households are usually in housing need.

There are eligibility and qualification criteria for the scheme, which means some households are excluded and these are detailed below.

Who is not Eligible?

- those under 16 years of age; and
- persons from abroad

Persons from abroad means those who are:

- subject to immigration control and have no recourse to public funds; or
- excluded by regulations made by the Secretary of State; or
- not habitually resident in the United Kingdom (UK); or
- who are required to leave the UK by the Secretary of State.

Specifically, the Secretary of State has determined that other groups are not eligible to join the Council's housing register because of their immigration status and detail can be found in the scheme.

Who does not Qualify?

Persons with no local connection (with the exception of the British Armed Forces) this means those:

- who do not live in the district and have not resided in the district for the last two years; or
- who have not been employed in the district for more than 16 hours per week for the last two years; or

- who do not have close family, defined as parents, siblings and or adult children, who have lived in the district as their main place of residence for the last consecutive five years and on welfare and or health grounds the applicant needs the support of the close family or the close family need the support of the applicant and if not provided hardship would be caused.

Households with no housing need – housing need is assessed in accordance with the Housing Allocations Scheme

Owner occupiers who are under 55

Households with income over £50,000 per year and/or savings over £16,000

People over 55 that own a property, have combined savings and assets of in excess of £16,000 and an annual household gross income in excess of £50,000

Households that owe the Council, housing associations and private landlords money for housing debts – applicant may join once they have made 12 regular payments towards their debts

Households guilty of unacceptable behaviour

Exceptions and special circumstances criteria apply to the above criteria and officer discretion may be used. Households not eligible or who do not qualify have the right of review with final recourse to the County Court.

Now describe how this fits into the Council's Corporate Priorities, Sustainable Community Strategy or other local, regional or national plans and priorities.

The Council is required to have a Housing Allocations Scheme under section 167 of the Housing Act 1996 Part 6.

If you are not carrying out an equality impact assessment, briefly summarise reasons why you have reached this conclusion, the evidence for this and the nature of any stakeholder verification of your conclusion.

Not applicable

Section 2: Analysis and assessment (see pp. 10-13 of the guidance)

Given available information, what is the actual or likely impact on minority,

disadvantaged, vulnerable and socially excluded groups?				
Indicate for each 'protected characteristics' whether there may be a positive impact, negative impact , a mixture of both or no impact.				
Protected characteristics	Positive	Negative	No impact	Reason
Age	✓	✓		Those under 55 who own property and or have sufficient income and savings cannot join the housing register. Those over 55 can join the housing register unless they own a property and have sufficient income and savings. Both of the excluded groups should have sufficient financial means to secure their own housing
Disability	✓			Anyone who in the categories in this section may fall within the excluded groups and would have the right of review. Exceptions may apply to them and officer discretion may be used. People who are eligible and qualify will have their specific needs assessed in accordance with the scheme and will have appropriate priority awarded
Gender reassignment			✓	
Marriage and civil partnership			✓	
Pregnancy and maternity			✓	
Race			✓	
Religion or belief			✓	
Sex			✓	
Sexual orientation			✓	
Other aspects to consider	Positive	Negative	No impact	Reason
Carers	✓			The scheme awards a priority to applicants who need another bedroom for a fulltime carer
Rural/urban issues	✓			The scheme gives preference to people with

				a long standing local connections to a rural village for housing association vacancies that become available in their village
HR issues				Not applicable

What can be done to reduce the effects of any negative impacts? Where negative impact cannot be completely diminished, can this be justified, and is it lawful?

The main negative impacts, which are the exclusion of households from the housing register that fall within specific categories is in accordance with legislation and the Code of Guidance on Housing Allocation Schemes. Under the Localism Act 2011 and current consultation from the Department of Communities and Local Government October 2013, the Council is encouraged to apply local connection criteria and other local criteria in order to help local people in housing need and better manage its housing register.

The potential negative impacts will be monitored. This will include looking at how housing applications reflect the make up of local population and monitoring the number of legal challenges. The scheme is planned to be reviewed in June 2016, and before if required.

Where there are positive impacts, what changes have been or will be made? Who are the beneficiaries? How have they benefited?

There will be positive impacts to those in rural villages who have long standing local connections to villages, as they will have preference for housing association vacancies that occur in villages.

Foster carers have been awarded priority, as have those with a fulltime carer, who need an extra bedroom for their carer.

Those living in a bedsit or one bedroom dwelling with dependent children have improved priority

Section 3: Evidence gathering and fact-finding (see p.14 of the guidance)

What evidence is available to support your views above? Please include:

- A summary of the available evidence
- Identification of where there are gaps in the evidence (this may identify a need for more evidence in the action plan)
- What information is currently captured with respect to usage and take up of services.
- What the current situation is in relation to equality and diversity monitoring (where relevant)

Monthly information is collected on the number of new housing applications received and the number of applicants on the housing register by the band they have been assessed to be in and the size of accommodation they need.

Monthly information is also collected on the number of bids applicants make for properties and on those that have been successfully housed by their band and size of accommodation they have accepted.

Equality and diversity monitoring questions are currently asked for each housing application made, but often the applicants choose not to complete it. This information is incomplete and is not representative of all the applicants on the register. This will need to be improved.

Information will be collected in the future on the number of reviews requested from households who are not eligible or do not qualify for the housing register and the number that go to the County Court. The number of homelessness applications made will also continue to be monitored to assess whether the implementation of the policy has caused an increase in applications.

How have stakeholders been involved in this assessment? Who are they, and what is their view?

There have been a number of consultation exercises to inform the development of the Housing Allocations Scheme. These were:

- An on-line questionnaire made available on the Council's and Mole Valley Home Choice website for housing applicants and residents and the web link was circulated to members of Council, statutory and voluntary agencies, parish councils and housing associations. Hard copies were made available in the Council's outlets. The consultation ran from July to October. Members of Council were consulted by email on the questions included in the questionnaire in advance of circulation. 177 Questionnaires were completed and there was an overwhelmingly response in favour of the changes proposed by the Council.
- A member seminar was held on the 1 October, to explain the current Housing Allocations Scheme, the legislative background and drivers for

change.

- A member working group met on 9 October and 4 November and considered the results of the consultation questionnaire and drafts of the Housing Allocations Scheme.
- Consultation with statutory and voluntary agencies, parish councils and housing associations on the draft of the Housing Allocations Scheme, following the amendments recommended by the member working group. The comments received were supportive and wording has been amended where suggested to bring greater clarity to the scheme.

Recommendations

Please summarise the main recommendations arising from the assessment. NB If it is impossible to diminish negative impacts to an acceptable or even lawful level the recommendation should be that the proposal or the relevant part of it should not proceed.

Improve the collection of the equality and diversity monitoring questions from housing applicants

Monitor the number of reviews requested by households who are not eligible or who do not qualify for the housing register and any that are reviewed in the County Court

Monitor the number of homelessness applications and assess whether any increase has been caused by the implementation of the scheme

Review the scheme in June 2016 or before if required

Section 4: Action Plan (see pp.15-16 of the guidance)

Actions needed to implement the EIA recommendations

Issue	Action	Expected outcome	Who	Deadline for action
Improve the collection of the equality and diversity monitoring questions from housing applicants	Staff to encourage applicants to complete the questions. Most applications will be made face to face or by phone, which should encourage improved completion	Higher number of applications with equality and diversity questions completed	Kirsty Jones	June 2014 from when the new scheme is implemented
Monitor the number of reviews requested by households who are not eligible or who do not qualify for the housing register and any that are reviewed in the County Court	Keep a monthly log of review requests by reason	Understand the number of reviews and the potential impact on those excluded from the housing register	Alison Wilks	June 2014 from when the new scheme is implemented
Monitor the number of homelessness applications and assess whether any increase has been caused by the implementation of the scheme	This monthly monitoring already occurs	If homelessness applications go up understand the reasons for this and whether it is linked to the impact of the scheme when implemented.	Kirsty Jones	June 2014 from when the new scheme is implemented

Review the Housing Allocations scheme in June 2016 or before if required	Commence a review in June 2016, or before if the evidence from the above actions indicate that it is needed	Take into account the result of the above actions, other impacts identified, consultation and new legislation and guidance and amend the scheme as required	Alison Wilks	June 2016 or before if required
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Summary Sheet

Review date	17 December 2013
Person responsible for review	Alison Wilks
Strategic Management Lead signed off	Rachel O'Reilly
Date completed	17 December 2013
Date forwarded to Policy Officer for publishing	17 December 2013

- Signed off electronic version to be kept in your team for review
- Electronic copy to be forwarded to the Policy and Performance Team for publishing