

Appendix 4: Demonstrating Outcomes of Equality Analysis

EQUALITY IMPACT ASSESSMENT

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|--|-----------------------|---|-------------------|--|-----------------------------------|
| 1. Directorate | Strategic Development | 2. Section | Strategic Housing | 3. Name of the function being assessed | Social Housing Allocations Scheme |
| 4. Is this a new or existing function? | Existing | 5. Officer responsible for the assessment | Mark Ellison | 6. Lead manager responsible for the assessment | James Greenhedge |
| 7. Date assessment commenced | 07/05/19 | 8. Date of completion | 14/08/19 | 9. Date passed to Equalities Team | 15/08/19 |

Summary of Relevance Assessment

1. Has a Stage 1 Equality Analysis: Relevance Assessment document been completed?

Yes Date of assessment: 07/05/19

No Please refer to 2.2 in the guidance above.

2. Please indicate which **protected characteristics** the relevance assessment identified as relevant to the function that is being assessed (tick below):

Age Disability Race Gender (inc. Gender Reassignment, Pregnancy and Maternity)

Sexual Orientation Religion or Belief (or lack of religion or belief) Marriage or Civil Partnership

3. Please indicate which **aims of the equality duty** the relevance assessment identified as relevant to the function being assessed (tick below):

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

Advance equality of opportunity between those who share a protected characteristic and those who do not

Foster good relations between people who share a protected characteristic and those who do not

Equality Impact Assessment Template

1. About your function

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| <p>Briefly describe the key delivery objectives of the function being assessed</p> | <p>The Manchester Social Housing Allocations Scheme (the scheme) is the statutory scheme required under Part 6 of the Housing Act 1996 (as amended). It lays down and describes the council's rules for determining the relative priority of applicants for allocations of social homes in Manchester. The current scheme has been in operation since February 2011 with only minor amendments since then. Since 2011 the demand for social homes has risen while the supply of social homes has reduced. The council determined to review the scheme in order to improve access for those in greatest need, for instance, people who have a disability or are elderly and need adapted properties are categorised as being in reasonable preference and are awarded higher priority. In recognition that the supply and demand situation means that the majority of applicants will find it hard to be rehoused into a social home in a reasonable period.</p> |
| <p>What are the desired outcomes from this function?</p> | <p>The main delivery objectives of the scheme are to ensure that social housing is allocated to those in greatest need while also helping to deliver the council's wider objectives of assisting people to access good quality affordable housing across the city.</p> |

2. About your customer

| Do you currently monitor the function by the following protected characteristics? | Protected Characteristics | Y/N | If no, please explain why this is the case and / or note how you will prioritise gathering this equality data |
|---|---------------------------|-----|---|
| | Race | Y | |

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| | Gender (inc. gender reassignment, pregnancy and maternity) | Y | |
| | Disability | Y | |
| | Sexuality | Y | |
| | Age | Y | |
| | Religion or belief (or lack of religion or belief) | Y | |
| | Marriage or civil partnership | N | Historically not collected. Collecting this information has been included in the 2019 IT update project for Manchester Move. |
| <p>4. What information has been analysed to inform the content of this EIA?</p> <p>Please include details of any data compiled by the service, any research that has been undertaken, any engagement that was carried out etc.</p> | <p>The current scheme uses equalities monitoring information as supplied by applicants at the time of making an application for rehousing. This information is reported annually to the Housing Access Board for the board to determine if there are any issues or actions arising. To date there have been none.</p> <p>One of the key attributes of the scheme is that it is based on assessment of housing need (defined principally by reference to the number of bedrooms needed), and it is unaware of applicants' protected characteristics except where characteristics such as age or disability give rise to a need for certain types of housing, for example, sheltered or accessible accommodation. Age and disability can have implications for the types of housing that are suitable where applicants have specific needs, and both of these are treated explicitly within the wider scheme.</p> | | |

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| | <p>The race characteristic includes travellers and a recent court of appeal judgement has highlighted the need for careful consideration of any proposed changes to the scheme as they might be found to advantage or disadvantage applications from travellers. (Reference Ward & Ors, R (on the application of) v The London Borough of Hillingdon & Ors [2019] EWCA Civ 692.) The current allocations scheme treats applications from travellers in the same way as applications from all other applicants.</p> <p>The proposed new scheme follows government guidance in looking to introduce a two-year continuous residency qualification. Such a residency qualification was the matter of the appeal court judgment noted above. The court of appeal acknowledged the legitimacy of the government's preferred two-year minimum qualifying period while finding that a ten-year residency qualification was disproportionately disadvantageous for travellers.</p> <p>The data from equalities monitoring responses show no significant percentage change outcomes for protected characteristics groups as a consequence of the proposed scheme changes.</p> |
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3. Delivery of a customer focused function

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| Does your analysis indicate a disproportionate impact relating to race ? | Y | N | |
| | | X | |
| Please describe the nature of any disproportionate impact/s Please indicate what actions will be taken to address these | <p>The scheme will introduce a two-year residency qualification for all applicants. The court of appeal judgement referred to above in part 2.4 recognises that such qualification periods, while lawful, must be proportionate.</p> <p>Manchester intends to introduce the Government's preferred two-year minimum qualification period. In looking at the equalities impact we have noted the availability of a serviced site exclusively for travellers that allows such an applicant to acquire the residency qualification. We have also noted that the current users of the site have been living there for many years and have not chosen to take advantage of the fact that the current allocations scheme would give them the highest priority for rehousing if they wished to move into permanent social housing in Manchester.</p> | | |
| Which action plans have these actions been transferred to? | | | |
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| Does your analysis indicate a disproportionate impact relating to disability ? | Y | N | |
| | | X | |

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| <p>Please describe the nature of any disproportionate impact/s</p> <p>Please indicate what actions will be taken to address these</p> | <p>The proposed allocations scheme will retain the use of assessments that ensure applicants with such specific needs are awarded appropriate (high) priority in order to have their needs met in the shortest possible time scale. In addition, the management of housing stock ensures that, for example, homes with adaptations in place are not available to all applicants, instead they are reserved for bids from applicants who need the adaptations. People who are assessed as needing particular types of properties for reasons of mental health are prioritised accordingly and are prevented from being allocated properties that do not meet their needs and would run the risk of worsening their health.</p> | | |
| <p>Which action plans have these actions been transferred to?</p> | | | |
| <p>Does your analysis indicate a disproportionate impact relating to Gender (including gender reassignment or pregnancy and maternity)?</p> | <p>Y</p> | <p>N</p> <p>X</p> | |
| <p>Please describe the nature of any disproportionate impact/s</p> <p>Please indicate what actions will be taken to address these</p> | <p>Pregnancy is recognised in the scheme, and assessment of housing need takes into account the unborn child/ren of a pregnant applicant at a point when the pregnancy is likely to go to full term but not before because that would mean pregnant applicants might gain an unfair advantage over other applicants. This balance is achieved by assessing applicants bedroom need at the point they are 26 weeks pregnant, and, if they will need an additional bedroom, allowing them to bid for the relevant size of home from that point on. All other aspects of this</p> | | |

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| | characteristic have no implications for assessment of housing need and the scheme is unaware of them. | |
| Which action plans have these actions been transferred to? | | |
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| Does your analysis indicate a disproportionate impact relating to age ? | Y | N |
| | | X |
| <p>Please describe the nature of any disproportionate impact/s</p> <p>Please indicate what actions will be taken to address these</p> | <p>Some homes, by their nature, are unsuitable for applicants who have age-related needs, for example, accessibility. This disadvantage is mitigated for applicants who, at point of application, specify that they either need or want age-specific accommodation, such as retirement, sheltered or extra care homes, by such homes being allocated separately and not being made available to other applicants. The Housing Options for Older People (HOOP) service exists to ensure elderly people are prioritised and supported to move to a smaller property if they wish.</p> | |
| Which action plans have these actions been transferred to? | | |
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| Does your analysis indicate a disproportionate impact relating to sexual orientation ? | Y | N |
| | | X |

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| <p>Please describe the nature of any disproportionate impact/s</p> <p>Please indicate what actions will be taken to address these</p> | <p>The scheme is designed to be unaware of this characteristic, which has no implications for assessing housing need in the terms of the bedroom standard. Data tell us the the allocations scheme and the proposed changes do not impact on this characteristic.</p> <p>The council has commissioned work from the LGBT Foundation in recent years that suggests 1) there are independent housing issues for LGBT people, 2) there's a lack of LGBT-friendly social housing provision, 3) LGBT people in shared accommodation (i.e. extra care) either can't come out or actually some people have gone 'back in the closet' because they face prejudice, 4) LGBT people but particularly trans people report they have faced significant prejudice in housing provision.</p> <p>These societal prejudices are important. Although a housing allocations scheme can't change prejudice, these issues have been responded to outside the scheme. Hence the LGBT majority extra care scheme that's being developed. Allocations for this provision are outside of this scheme.</p> | | |
| <p>Which action plans have these actions been transferred to?</p> | | | |
| <p>Does your analysis indicate a disproportionate impact relating to religion and belief (including lack of religion or belief)?</p> | <p>Y</p> | <p>N</p> | |
| | | <p>X</p> | |

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| <p>Please describe the nature of any disproportionate impact/s</p> <p>Please indicate what actions will be taken to address these</p> | <p>The scheme is designed to be unaware of this characteristic, which has no implications for assessing housing need according to the bedroom standard. The Manchester Move system is a choice-based lettings system and all applicants are free to bid for homes for which they are eligible according to the bedroom standard and which they feel meet their needs.</p> | | |
| <p>Which action plans have these actions been transferred to?</p> | | | |
| <p>Does your analysis indicate the potential to <i>cause discrimination</i> in relation to marriage and civil partnership?</p> | Y | N | |
| <p>Please describe the nature of any disproportionate impact/s</p> <p>Please indicate what actions will be taken to address these</p> | | X | <p>The scheme is designed to be unaware of this characteristic, which has no implications for assessing housing need. Beyond the fact of applicants having this characteristic, the societal assumption that marriage generally leads to starting a family and people shouldn't be discriminated against on that basis is taken into account in the current and the proposed schemes by changing circumstances being taken into account. For example, a couple would be entitled to a 1 bedroom home under the bedroom standard. If they start a family, their circumstances change and their bedroom need would increase, with the scheme taking that into account.</p> |

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| Which action plans have these actions been transferred to? | | | |
| Does your analysis indicate a disproportionate impact relating to carers ? | Y | N | |
| Please describe the nature of any disproportionate impact/s Please indicate what actions will be taken to address these | Carers are already accounted for in the current allocations scheme, and there is no suggestion of that changing. In brief, carers are allocated a bedroom subject to them needing one. Given that there is no change the proposed changes will not have a disproportionate effect on carers. | | |
| Which action plans have these actions been transferred to? | | | |

4. EIA Action Plan

Service / Directorate lead:
 Strategic Director:
 Equality Team lead:

| Actions identified from EIA | Target completion date | Responsible Officer | Is this action identified in your Directorate Business Plan and / or Equality Action Plan? (Yes / No / n/a) | Comments |
|-----------------------------|------------------------|---------------------|---|----------|
| No actions identified | | | | |
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5. Director level sign off

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| Name: | Martin Oldfield | Date: | 7 October 2019 |
| Directorate: | Strategic Development | Signature: | See Signed PDF. |

NB: Sign-off must be in the form of an actual signature; not an emailed authorisation.

Appendix 2

Each Directorate has a nominated officer from within the HROD Service's Equality Team to provide consultation, advice, guidance and support.

The nominated officers for each Directorate are:

| Directorate | Nominated Equality Team Lead |
|--|---|
| Corporate Core | Keiran Barnes – 234 3036 (33036) keiran.barnes@manchester.gov.uk |
| Neighbourhoods and Strategic Development | Ryan Lamey-McArthur– 234 1822 (31822) r.lamey-mcarthur@manchester.gov.uk |
| Children's Services | Lorna Young – 234 8596 (38596) l.young2@manchester.gov.uk |
| Adults Services | Sofia Higgins – 234 8458 (38458) Sofia.higgins@manchester.gov.uk |

Useful Background information

Equality

Act

2010:

<http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/equality-act-guidance-downloads/>

Equality and Human Rights Commission – Guidance to the Public Sector Equality Duty (includes an essential guidance document and detailed guidance on equality analysis, engagement, equality objectives and equality information):

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

State of the City reports, State of the Ward reports and Communities of Interest reports:

http://www.manchesterpartnership.org.uk/manchesterpartnership/downloads/file/190/state_of_the_city_report_2012_complete_report