

Equality & Poverty Impact Assessment 00222 (Version 1)

SECTION ONE: ESSENTIAL INFORMATION

Service & Division:	Corporate & Housing Services Housing & Communities	Lead Officer Name:	Stephen Convill
		Team:	Service Development
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Proposal:	Amendments to the Council Housing Allocations Policy.	Reference No:	

What is the Proposal?	Budget & Other Financial Decision	Policy (New or Change)	HR Policy & Practice	Change to Service Delivery / Service Design
	No	Yes	No	No
Who does the Proposal affect?	Service Users	Members of the Public	Employees	Job Applicants
	Yes	No	No	No
Other, please specify:				

Identify the main aims and projected outcome of this proposal (please add date of each update):	
01/06/2020	Bring forward detailed proposals to improve the Allocations Policy by focusing more on applicants in the greatest housing need.
05/06/2020	Bring forward proposals to improve equity and equality for all Housing Register Applicants while improving clarity of processes within allocations.

Identify the main aims and projected outcome of this proposal (please add date of each update):

05/06/2020	<p>Taking into consideration expert advice, reviewing current relevant legislation and statutory guidance, and to meet obligations of Falkirk's Rapid Rehousing Plan as agreed with Scottish Government, the following proposals are made.</p> <p>(1) Local Letting Initiative High Flats - reduce the age restriction to 50 years old.</p> <p>(2) Local Letting Initiative New Builds - all categories can apply in line with the quota systems.</p> <p>(3) Under Occupancy - align the application of Band 1 priority for under occupation with overcrowding. In addition, once an applicant has been allocated a house they cannot apply for a move within 12 months unless there is a significant change of circumstance.</p> <p>(4) Time limiting Priority (Band 1 Applicants)* - limit applicants with Band 1 and 2 priorities in Home Mover and Home Starter categories to 3 months of non-bidding and reduce to a Band 4. Furthermore that people who are on Band 3 or 4 will have their application cancelled after 12 months of no bidding activity.</p> <p>(5) Home Seeker Category Offers - reduce the number of offers to Home Seekers from two to one.</p> <p>(6) Housing Debt and Allocations – continue with a three month payment plan for a suspension to be uplifted as per the consultation response (42%) wanted three month to remain.</p> <p>(7) Letting Quotas – increase the quota to Home Seekers from 33% to 45%. Analysis of current homeless data has indicated this figure will allow us to realise Rapid Re-housing. This figure has been amended from 50% as per the consultation response.</p> <p>* There are four levels of priority for housing which we refer to as Bands. The highest level is Band One, and the lowest level is Band Four. You will be placed in one of these Bands depending on your level of housing need.</p>

SECTION TWO: FINANCIAL INFORMATION

For budget changes ONLY please include information below:		Benchmark, e.g. Scottish Average	
Current spend on this service (£'0000s)	Total:		
Reduction to this service budget (£'0000s)	Per Annum:		
Increase to this service budget (£'000s)	Per Annum:		
If this is a change to a charge or concession please complete.	Current Annual Income Total:		
	Expected Annual Income Total:		
If this is a budget decision, when will the saving be achieved?	Start Date:		
	End Date (if any):		

SECTION THREE: EVIDENCE

Please include any evidence or relevant information that has influenced the decisions contained in this EPIA. (This could include demographic profiles; audits; research; health needs assessments; national guidance or legislative requirements and how this relates to the protected characteristic groups.)

A - Quantitative Evidence

This is evidence which is numerical and should include the number people who use the service and the number of people from the protected characteristic groups who might be affected by changes to the service.

Proposals are being brought forward to change Allocations Policy to focus on those in greatest housing need on the Housing Register and to allow the policy to function more equitably.

Of the Council's available housing stock an average of 8% (1,385) properties come available for re-letting annually. As of 31/12/2019 there were 12,930 mainstream applicants on the register (N.B. The proposed policy changes do not have a specific bearing on specialist Council Housing reserved exclusively for people with disabilities.)

Applicants on the register are classified into three groups. Averaged over three years the breakdown of applicants is:

Homeless **Seekers**

4%

Tenant **Movers**

29%

Home **Starters**

67%

With only an 8% turnover in properties, approximately one applicant in 10 will be housed, nine out of 10 will be disappointed. Hence the decision to bring forward, consulted upon, proposals to focus on those applicants in greatest housing need. People who have protected characteristics alongside being in the greatest housing need, will benefit from these proposals.

Allocations are choice based through bidding. The current policy gives each of the three groups first choice quotas of 33.3%. Unallocated properties are re-advertised to all groups. **78%** of households on the list had not made any bids for housing in two years. If applicants with equal priority bid on the same property, the applicant on the register the longest will be allocated the property. The most recent validated homelessness figures are for 2018/19 and show that of the Homeless Seekers who secured Scottish Secure tenancies, 7.62% were from BAME backgrounds. The following table provides context.

Registered Applicants

New (2018/19) tenants (i.e. successful applicants)

White

83.99%

White

93.40%

Undeclared

13.82%

Undeclared

4.66%

BAME

2.19%

BAME

1.87%

Self-assess as having a disability.

20.47%

Self-assess as having a disability

26.25%

Of particular relevance to the proposals are the following breakdowns:

Ethnicity

Tenants

Homeless Applicants

White Scottish

89.14%

85.27%

Other British

4.59%

5.11%

Irish

0.18%

0.39%

Other White Ethn Grp

3.21%

3.05%

African Scot/British

0.07%

0.10%

Carrib Scot/British

0.02%

0.10%

Other Carrib Or Blk

0.03%

0.00%

Indian Scot/British

0.05%

Pakist Scot/British	0.20%
	0.30%
Other Asn Scot/Brit	0.39%
	0.09%
	0.00%
Chinese Scot/British	0.04%
	0.10%
Mixed/Mult Ethn Grp	0.22%
	0.10%
Other Ethnic Group	0.57%
	0.29%
Gypsy/Traveller	0.19%
	1.57%
Polish	1.17%
	0.98%
Other African	0.07%

Black Scot/British

2.06%

0.07%

0.29%

Age of Homeless Applicants

%

16 - 17

4%

18 - 25

23

26 - 59

68

60 +

5

Marital Status

Tenants (if known)

Register (if known)

Civil Partnership

0.16%

0.22%

Cohabiting	12.62%
	7.45%
Divorced	6.80%
	5.29%
Married	22.49%
	10.24%
Separated	8.86%
	10.08%
Single	42.80%
	63.54%
Widowed	6.26%
	3.17%

It is worth noting in terms of the proposals:

(1) **Local Letting Initiative High Flats - reduce the age restriction to 50 years old.** Only 5% of Homeless Applicants are aged 60 plus but 68% are aged - 26-59. This policy change will allow more Seekers to bid for vacancies in the High Flats.

(2) **Local Letting Initiative New Builds - all categories can apply in line with the quota systems.** Currently only Tenant Movers can apply for New Build Properties. 3.93% of Tenants, 2.19% of Register Applicants and 1.87% of New Tenants are from BAME backgrounds. 7.62% of Homeless Applicants, who would be termed as Seekers are BAME.

(3) **Under Occupancy - align the application of Band 1 priority for under occupation with overcrowding. In addition, once an applicant has been allocated a house they cannot apply for a move within 12 months unless there is a significant change of circumstance.** Overcrowding often means that children/young adults are often sharing bedrooms with siblings of the opposite sex, children with disabilities do not have single occupancy rooms. Parents can be sharing rooms with children. 27% of homeless households include children. The lack of availability of larger properties mean longer stays in Temporary Accommodation (TA). On 31/03/20 there were 133 children in TA.

(4) **Time limiting Priority (Band 1 Applicants)* - limit applicants with Band 1 and 2 priorities in Home Mover and Home Starter categories to 3 months of non-bidding and reduce to a Band 4. Furthermore that people who are on Band 3 or 4 will have their application cancelled after 12 months of no bidding activity.** Section 20 of the Housing (Scotland) Act 1987 has the effect of ensuring that 'time on a housing list must not dominate an allocation policy'. Falkirk's priority Banding system precludes that happening. However, time spent within a band of an unrevised policy may lead to the unintended consequence that Applicants who have been on the Register longer are advantaged. Women (overwhelmingly) who experience domestic abuse frequently have to make homelessness applications outside Local Authorities where they have established residence, possibly including time on the local Housing Register. BAME households are often highly mobile due to economic reasons, tend to be more recent arrivals. Gypsy/Traveller households are mobile for social reasons and don't build up time on Registers for practical reasons (e.g. annual renewal forms).

(5) **Home Seeker Category Offers - reduce the number of offers to Home Seekers from two to one.** Rapid Rehousing requires minimal waiting time in Temporary Homeless Accommodation. Single Male household represent 45.53% of Homeless Applicants. Single Female households represent 25.66%. Children are adversely affected by prolonged stay in Temporary Accommodation. Disclosing a pregnancy or sexual identity and gender transitioning are identified as common triggers of homelessness, as is gender based violence and harassment. Disability harassment and exploitation are other known reasons for homelessness. Relationship breakdown is also a major factor in homelessness applications. The move to permanent accommodation is accepted as the key to recovering from the trauma of homelessness.

(6) **Housing Debt and Allocations - continue with a three month payment plan for a suspension to be uplifted as per the consultation response (42%) wanted three month to remain.** No change is proposed to current debt policy so no impact is anticipated.

(7) **Letting Quotas - increase the quota to Home Seekers from 33% to 45%. Analysis of current homeless data has indicated this figure will allow us to realise Rapid Re-housing. This figure has been amended from 50% as per the consultation response.** Falkirk's current quota arrangements do not allow the possibility of all homeless households (including many in protected characteristic groups) to be permanently housed within 12 months. An increase in the Seeker quota to 42% for a time limited period would allow this achievable milestone to be met.

B - Qualitative Evidence

This is data which describes the effect or impact of a change on a group of people, e.g. some information provided as part of performance reporting.

Social - case studies; personal / group feedback / other

The Scottish Housing Regulator <https://www.housingregulator.gov.scot/> exercises governance oversight of all Scottish public sector landlords, including Falkirk Council. "Social landlords must meet the requirements of relevant equalities and human rights legislation. This includes working to understand the individual needs of their tenants and other service users, and to deliver services that recognise and meet these needs.... Each year we require landlords to confirm through their Annual Assurance Statement that they comply with our requirements.

Falkirk Council 's current statement states we are complying with the Regulator's Charter.

<https://directory.scottishhousingregulator.gov.uk/2019%20Documents/Falkirk%20Council%20Annual%20Assurance%20Statement.pdf>

Of relevance to the proposed Policy changes is the following quote from the Regulator - "In our sixth National Panel report we explored people's experiences of the homelessness system and found that Most said they could not get information on how long they would have to wait for a permanent home. A substantial proportion though had been moved around a number of temporary accommodation places, which caused disruption and distress, particularly for those with children. • a substantial proportion of participants had waits of one to two years or more to access their own tenancy which could have a negative impact on their wellbeing and mental health"

A number of the proposals to change the Allocations policy are geared to improve these outcomes. Success will only become apparent through monitoring which happens on quarterly basis with regard to Homelessness Statistics and annually for Regulator and Rapid Rehousing Plan purposes.

Best Judgement:	
Has best judgement been used in place of data/research/evidence?	No
Who provided the best judgement and what was this based on?	
What gaps in data / information were identified?	
Is further research necessary?	No
If NO, please state why.	Expert evidence was received during the drafting of original proposals that were subsequently the subject of advertised Public Consultation run on the Council's Citizen Space Consultation Hub. 315 questionnaires were completed including 1,796 individual responses. Evidence was provided by: Tony Cain, Policy Manager Association of Chief Housing Officers (ALACHO) Link Housing Association Officers

SECTION FOUR: ENGAGEMENT

Engagement with individuals or organisations affected by the policy or proposal must take place

Has the proposal / policy / project been subject to engagement or consultation with service users taking into account their protected characteristics and socio-economic status?	Yes	
If YES, please state who was engagement with.	Members of the public, tenants, Tenants and Residents Associations, Housing Consultation Panel, people in Temporary Homeless Accommodation, Housing Register Applicants, Voluntary Sector Organisations, Housing Associations, Support Providers, Criminal Justice System Partners, Youth Champions	
If NO engagement has been conducted, please state why.		
How was the engagement carried out?	What were the results from the engagement? Please list...	
Focus Group	Yes	Focus groups held with Members of the Public, members of Tenants and Residents Associations, people with disabilities, Voluntary Sector Organisations, Housing Associations, Support Providers, Criminal Justice System Partners. Specific travel and access arrangements were made to allow people in Protected Characteristic Groups to attend. Older people and people with disabilities were represented at the Focus Groups.
Survey	Yes	Widely advertised on-line Consultation Survey hosted on Citizen Space. Paper copies were made available and other medium copies were offered. It is apparent from the 1,789 individually monitored comments that members of protected characteristic groups were able to participate along with the community as a whole.
Display / Exhibitions	Yes	Display panel commissioned and produced Advertising carried in online and free printed versions of HomeSpot vacancies magazine for those who potentially rely on printed copies for economic reasons.
User Panels	Yes	Display panel used to accompany staff to (pre-advertised) Road Shows at Denny, Grangemouth and Falkirk Hubs for afternoon/evening meetings
Public Event	No	

Other: please specify	<p>Specially designed flyer mailed out to all addresses used as Temporary Homeless Accommodation</p> <p>On-line survey advertised through Twitter and Facebook</p> <p>Advertising carried over 7 weeks in extensive mailing list of Falkirk Voluntary Services Council</p> <p>Adverts on the Council's Website</p> <p>Digital and print adverts in the Allocations HomeSpot digital and print magazine</p> <p>Printed flyers in Hubs</p> <p>Support workers were available to physically assist people to complete surveys in their preferred manner</p>
Has the proposal / policy/ project been reviewed / changed as a result of the engagement?	Yes
Have the results of the engagement been fed back to the consultees?	Yes
Is further engagement recommended?	No

SECTION FIVE: ASSESSING THE IMPACT

Equality Protected Characteristics: What will the impact of implementing this proposal be on people who share characteristics protected by the Equality Act 2010 or are likely to be affected by the proposal / policy / project? This section allows you to consider other impacts, e.g. poverty, health inequalities, community justice, public protection etc.

Protected Characteristic	Neutral Impact	Positive Impact	Negative Impact	Please provide evidence of the impact on this protected characteristic.
Age		✓		People who are homeless of all ages, particularly the 100 plus children currently living in Temporary Accommodation, will benefit from the increased quota of vacancies directed to Seekers. Children living in overcrowded accommodation will benefit from proposals designed to free up larger accommodation. People who are homeless in the 50 - 60 age cohort of the 68% of applicants who fall into the 26-59 age bracket will now be able to bid for vacant High Flats properties. Although there was 73% support from all Consultation Respondents to the proposal to lower the entry age to the High Flats to 50, there is anecdotal evidence from Consultation Feedback that existing residents (aged 60 +) have misgivings over the policy change fearing disruption. These potential risks can be managed resulting in an overall positive impact.
Disability				It is anticipated that the proposal to time limit how long Applicants have urgent priority band status and how long applicants stay on the list without bidding may cause problems for Disabled applicants (who make up 26.25% of new Tenants.) Applicants with disabilities can already receive varied assistance with bidding. The proposal is accompanied by a commitment to offer review meetings before applications are removed from the register. This was strongly supported by Consultation Respondents anecdotally.

Sex		✓	<p>52.48% of tenants are know to be female. 45.53% of homeless applicants are males not accompanied by children, 25.66% are females. Women, who are disproportionately victims of domestic violence, and who are new to the area, whether accompanied by children or not, will benefit from proposals designed to promote Rapid Rehousing. Proposals to increase the quota of available lets to homeless Seekers and to reduce the access age of the Falkirk High Flats should logically remove unintended consequences for this group and will have an overall positive effect.</p> <p>The reduction of offers of accommodation to 'one only' holds a potential negative impact to both women (and men), particularly those who have experienced violence or harassment. The whereabouts of perpetrators is not always known. Person centred casework should adequately manage any risk.</p>
Ethnicity		✓	<p>Proposals to increase the quota of available lets to homeless Seekers, 7.62% of whom have BAME backgrounds, will be largely positive. The (time limited) reduction in the quota of vacancies to Starters, 2.19% of whom have BAME backgrounds, or Movers, is less clear.</p> <p>The process to remove some of the 75% of applicants from the Register who are inactive bidders, who would have precedence due to time on the Register in the case of two households of equal priority bidding on the same vacancy, will increase the prospects of rehousing for households with shorter residence histories in the area and less time on the register. (The advantage of permissible waiting time on the register will be capped at two years). This will remove any unintended consequences for newer arrivals to the area including BAME Households.</p>
Religion / Belief / non-Belief			Unknown.
Sexual Orientation			<p>60.26% of the Register identify their Sexual Orientation: 97.19% identify as Heterosexual, 1.11% as Bisexual, 1.20% as Gay and 0.49% as Lesbian.</p> <p>Research shows that sexual orientation is a particular factor in youth homelessness. There is national evidence that disclosure of sexual identity is a trigger for homelessness as relationships break down and people are asked to leave. Length of time spent in Temporary Accommodation is seen as a particular obstacle for the younger LGBTQ community. Proposals supporting Rapid Rehousing will mean quicker moves to permanent housing and the opportunity to build stable lives. Evidence of progress will be evidenced in quarterly monitoring of homelessness.</p>
Transgender			Unknown.

Pregnancy / Maternity				Of 1,032 homeless applicants in 2018/19 only 1 gave pregnancy as a specific reason for homelessness.
Marriage / Civil Partnership				6.80% of tenants are known to be divorced (5.29% of Register applicants) and 8.86% are separated (10.08% applicants). There is strong anecdotal evidence from Consultation comments of frustration in obtaining alternative housing arrangements, due to relationship breakdowns, particularly where access to children are involved.
Poverty				Unknown.
Other, health, community justice, public protection etc.				Unknown.
Risk (Identify other risks associated with this change)				

Public Sector Equality Duty: Scottish Public Authorities must have 'due regard' to the need to eliminate unlawful discrimination, advance quality of opportunity and foster good relations. Scottish specific duties include:

	Evidence of Due Regard
Eliminate Unlawful Discrimination (harassment, victimisation and other prohibited conduct):	The review of Allocations Policy has considered potential unlawful discrimination to ensure that services are delivered to all and has brought forward proposals to eliminate it by aligning the use of available stock (e.g. Falkirk High Flats) to better reflect the age profile of homelessness applicants.
Advance Equality of Opportunity:	The review of policy has ensured that future provision advances equality of opportunity by removing the unintended consequences of allowing people to stay on the Register as non-bidders but then being allocated property before another bidder of equal need simply due to time on the Register. The unsuccessful applicant may fall into a protected characteristic group (e.g. ethnicity, gender) or have had to relocate for personal safety reasons due to being a member of a protected characteristic group (e.g. transgender)
Foster Good Relations (promoting understanding and reducing prejudice):	

SECTION SIX: PARTNERS / OTHER STAKEHOLDERS

Which sectors are likely to have an interest in or be affected by the proposal / policy / project?		Describe the interest / affect.
Business	No	
Councils	Yes	Support Services throughout the Falkirk Council area were interested in contributing to the review to ensure they can achieve the best housing outcomes for their service users.
Education Sector	Yes	Education were interested in contributing to the review to ensure they can achieve the best housing outcomes for their service users as well as ensuring that they are delivering messages about equality and prejudice within education settings.
Fire	No	
NHS	Yes	NHS were interested in contributing to the review to ensure they can achieve the best housing outcomes for their service users as well as ensuring that they are delivering messages about equality and prejudice within health settings.
Integration Joint Board	Yes	IJB were interested in contributing to the review to ensure they can achieve the best housing outcomes for their service users as well as ensuring that they are delivering messages about equality and prejudice within health and social settings.
Police	Yes	Police Scotland (and Criminal Justice Colleagues) were interested in contributing to the review to ensure they can achieve the best housing outcomes to keep people safe as well as ensuring that they are delivering messages about equality and prejudice within criminal justice settings. Personal invitations to Focus Groups were sent by specialist Liaison Officers
Third Sector	Yes	The Third Sector were interested in the review of policy to ensure they can achieve the best housing outcomes for their clients. The Consultation was regularly Tweeted to 1,582 CVS Falkirk followers
Other(s): please list and describe the nature of the relationship / impact.		

SECTION SEVEN: ACTION PLANNING

Mitigating Actions: If you have identified impacts on protected characteristic groups in Section 5 please summarise these in the table below detailing the actions you are taking to mitigate or support this impact. If you are not taking any action to support or mitigate the impact you should complete the No Mitigating Actions section below instead.

Identified Impact	To Who	Action(s)	Lead Officer	Evaluation and Review Date	Strategic Reference to Corporate Plan / Service Plan / Quality Outcomes
Perceived negative impact on 'quiet enjoyment' of current tenancies.	Existing Aged 60 plus residents of Falkirk High Flats.	Liaise with Housing Management Colleagues to highlight need for sensitive letting.	Laura Smith	30/06/2022	
Potential removal from the register.	People with disabilities (and age related access issues).	Checking procedures will be put in place to ensure that all reasonable and appropriate steps will be taken before someone is removed from the register.	Laura Smith	30/06/2022	
Potential improvement to rehousing prospects.	Unaccompanied homeless males, particularly those 50 plus.	Continue to monitor statistical returns.	Laura Smith	30/06/2022	Scottish Government Homelessness Quarterly Statistics
Potential removal from the register.	People for whom English is not their first language, including BAME residents.	As above. Procedures will need to check that there are no language barriers and that translation is not required.	Laura Smith	30/06/2022	Scottish Housing Regulator Annual Returns

Identified Impact	To Who	Action(s)	Lead Officer	Evaluation and Review Date	Strategic Reference to Corporate Plan / Service Plan / Quality Outcomes
Reduction of reasonable offers to Seekers from two to one only.	Women or men	When the 'one offer' homelessness allocation is being considered, attention will have to be paid to the reason why someone, particularly someone escaping: domestic violence, violence from outside the home, harassment, or hate crime, became homeless. Safety, and the current location of perpetrators, will have to be carefully considered through person centred casework and promotion of statutory rights to review. Careful monitoring of offer refusals will highlight any problems.	Laura Smith	30/06/2022	
Potential removal from the register. Potential improvement to rehousing prospects.	People whose marital status is changing and/or have been made homeless through relationship breakdown.	Revised Housing Options advice will stress the rehousing opportunities of a refreshed Register that focusses more on immediate need.	Laura Smith	30/06/2022	

No Mitigating Actions

Please explain why you do not need to take any action to mitigate or support the impact of your proposals.

Are actions being reported to Members?	Yes
If yes when and how ?	Executive Board meeting 11/06/20.

SECTION EIGHT: ASSESSMENT OUTCOME

Only one of following statements best matches your assessment of this proposal / policy / project. Please select one and provide your reasons.

No major change required	Yes	The Proposals are designed to improve access to housing for everyone in need, including those people covered by protected characteristics
The proposal has to be adjusted to reduce impact on protected characteristic groups	No	
Continue with the proposal but it is not possible to remove all the risk to protected characteristic groups	No	
Stop the proposal as it is potentially in breach of equality legislation	No	

SECTION NINE: LEAD OFFICER SIGN OFF

Lead Officer:

Signature:	<i>Stephen Conwill</i>	Date:	20/05/2020
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SECTION TEN: EPIA TASK GROUP ONLY

OVERALL ASSESSMENT OF EPIA:	Has the EPIA demonstrated the use of data, appropriate engagement, identified mitigating actions as well as ownership and appropriate review of actions to confidently demonstrate compliance with the general and public sector equality duties?	Yes
ASSESSMENT FINDINGS If YES, use this box to highlight evidence in support of the assessment of the EPIA If NO, use this box to highlight actions needed to improve the EPIA	Although the engagement exercise did not ask for information on protected characteristics there was sufficient information on the protected characteristics of those on the waiting lists and other housing systems to inform the EPIA	
Where adverse impact on diverse communities has been identified and it is intended to continue with the proposal / policy / project, has justification for continuing <u>without making changes been made</u>?	Yes	If YES, please describe: The changes proposed themselves reduce the disadvantage and discrimination that people who have not been on waiting lists for long period experience

LEVEL OF IMPACT: The EPIA Task Group has agreed the following level of impact on the protected characteristic groups highlighted within the EPIA		
LEVEL	COMMENTS	
HIGH	Yes / No	
MEDIUM	Yes / No	
LOW	Yes	

SECTION ELEVEN: CHIEF OFFICER SIGN OFF

Director / Head of Service:			
Signature:	<i>Stuart Ritchie</i>	Date:	05/06/2020