

MID SUSSEX DISTRICT COUNCIL

Equality Impact Assessment

Title of Policy/Service/Contract: Revisions to the Council's Housing Allocation Scheme

Division: Housing, Environmental Health and Building Control

Lead Officer: Julian Till, Housing Needs Manager

Date Assessment completed: January 2014

1. SCOPING

1.1 Aims of the service:

The Council's Housing Allocation Scheme seeks to provide a fair and transparent way of allocating affordable housing to those in housing need who are on the Mid Sussex Common Housing Register through a process of Choice-Based Lettings.

In summary, the proposed changes to the Allocation Scheme are designed to:

- Reflect new statutory guidance on local connection qualifying criteria ('Providing social housing for local people') issued by the Department for Communities and Local Government (DCLG) in December 2013. The new guidance strongly encourages local authorities to introduce a 2 year residency requirement to qualify for social housing.
- Ensure that the Council's housing register continues to remain affordable to administer whilst accurately reflecting housing need and more fairly targeting those in the greatest need.

The specific changes to the Allocation Scheme that are most relevant to this impact assessment are to:

- Disqualify people who do not have a local connection with Mid Sussex, with certain exceptions e.g. armed forces personnel and homeless applicants.
- Strengthen the local connection criteria
 - 2 years residence or 3 years out of the last 5 (instead of the current 6 months or 3 years out of the last 5); or
 - Close relative resident for at least 5 years, or 2 years if the applicant is aged 65 or over (instead of 5 years currently); or
 - Permanent paid employment for the last 2 years (instead of the current zero time in employment)
- Disqualify all housing association tenants living inside and outside Mid Sussex who have alternative access to their landlord's Mid Sussex stock.
- Disqualify applicants who have not bid within the last 12 months, with certain exceptions for those identified as being particularly vulnerable or in need of specific types of property (e.g. wheelchair users and under-occupiers).
- Place applicants who have been accepted by the Council as homeless in Band C, rather than the current practice of Band A.
- Place applicants who become ready for move-on from supported housing into Band C.

- Place particularly vulnerable applicants who have been selected by a multi-agency panel for a general needs tenancy with floating support into Band B rather than the current Band A).

The revised Housing Allocations Scheme is expected to be introduced with effect from May 2014. A consultation exercise has been undertaken with housing association partners of the Mid Sussex Common Housing Register and with other relevant stakeholder organisations advising or supporting those in housing need.

The revised Scheme will be considered by the Scrutiny Committee for Leisure and Community on 5 February 2014 and by Full Council on 9 April 2014.

1.2 Who the service affects and the main customers (internal or external)

The people affected by the proposed changes are those in housing need who are currently on the Common Housing Register and those who may seek to join it in the future. People affected are likely to be on low to modest incomes and disproportionately will be people who are vulnerable and have housing related support needs.

The changes will particularly affect those households who have become homeless and have been accepted under the main housing duty by the Council.

Revisions to the scheme will also have implications for housing associations who rely on the Council to provide nominations to their vacant tenancies and for organisations that provide supported housing and are looking to the Council to provide access for long term move-on accommodation.

Revisions will also have implications for those organisations who provide housing related support and/or housing advice to vulnerable people in housing need.

1.3 What equality information is available, including any evidence from engagement and analysis of use of services?

The Register contains information about each applicant's ethnicity, gender, age, income, disability and whether they have a support need. We are able to analyse bidding patterns by age and other vulnerability and to identify those who will be affected by the proposed changes to the scheme.

1.4 What does the information tell us about the equality issues associated with the service and implications for the protected groups?

Disqualifying those without a Local Connection to Mid Sussex

There are over 800 people on the Register who do not have a local connection under the current criteria and would in future be automatically be disqualified under the changes proposed. It is not known how many people would be disqualified under the proposed tighter local connection criteria. There is no obvious correlation between those without a local connection and them being in a protected group.

Disqualifying tenants who have alternative access to their social landlord's stock

There are over 600 social housing tenants on the Register who would be disqualified under the proposed changes as they have alternative access arrangements to their landlord's stock in Mid

Sussex if they wish to move. There is no obvious correlation between those affected and them being in a protected group

Disqualifying those who fail to bid within 12 months

Over 3000 of those on the Register have not made a bid during the last 12 months of their membership. There are over 1000 applicants on the Register who are flagged as being vulnerable due to old age, physical disability, mental health, learning disabilities, drug or alcohol issues, a history of offending behaviour, or are suffering domestic abuse, harassment or anti-social behaviour. It is likely that some of those not bidding for homes are vulnerable, do not understand the bidding process, or require homes that do not become available very often, e.g. wheelchair users requiring accessible homes.

Placing homeless acceptances into Band C

At current rates, around 50 people per annum are likely to be affected by the change to the banding of those accepted as homeless. Such people are likely to be vulnerable.

Placing applicants who become ready for move-on from supported housing into Band C

This proposal will affect around 20 applicants a year. Such people are likely to be vulnerable.

Placing applicants selected for a general needs tenancy with floating support into Band B

This proposal will affect around 10 applicants a year. Such people are likely to be vulnerable.

1.5 Are contractors or partnerships used to deliver the service?

The review of the scheme does not have any direct procurement implications.

2. ASSESSMENT OF IMPACT: ANALYSIS AND ACTION PLANNING

2.1 Current measures taken by the service to address issues of the protected groups

In assessing issues associated with the protected groups, people on the Housing Register are likely to be on low incomes. Around 20% of those on the Register are flagged as being vulnerable. The protected groups and other characteristics most affected by the proposed changes are:

- ethnicity
- disability
- age
- low income or skill level
- living in a rural area

Current measures to provide for these groups include:

- Assisted bidding, where bids for properties are made on behalf of vulnerable applicants by the Homemove and Housing Needs Teams.
- Free use of computers at public libraries in the District to bid for properties.
- The existing Allocation Scheme and Choice-Based lettings process is designed to match suitably designed and adapted properties with people with mobility problems.
- Supported housing is allocated by multi-agency panels to ensure that vulnerable people are supported in finding accommodation that is right for them.

- Priority for first lettings of new developments is given to applicants with a local connection to the town or village where the new development is situated.

For the following remaining protected groups, no specific issues have been identified from the proposed changes to the Allocation Scheme:

- The needs of faith groups and faith issues
- The needs of gay men, lesbians, bisexual and heterosexual people
- The needs of men and women
- The needs of transgender communities
- Issues arising from pregnancy and maternity
- Issues arising from marriage and civil partnership

2.2 Consultation on the proposed changes

The proposals have been the subject of a consultation exercise with 109 individuals from a wide range of stakeholder organisations including our housing associations partners, supported housing providers and those organisations who provide advice to those in housing need.

A total of 12 individuals responded to the consultation and expressed general support for the proposals and their responses in the main simply sought clarification of what was being proposed. There was some concern expressed, however, that particularly vulnerable individuals should not be disadvantaged and that we should ensure that such people continue to receive appropriate priority. We have responded individually to each person who responded and have amended our proposals where this was appropriate in the light of the views we have received.

Following implementation in May 2014, the revised allocation scheme will be subject to review throughout its first year of operation to ensure that it is meeting the aims we have set out above whilst continuing to appropriately target those in the greatest housing need.

2.3 Issues arising from the proposed changes to the Allocation Scheme and how they are to be addressed

Disqualifying those without a Local Connection to Mid Sussex

The proposed criteria to disqualify those without a local connection could disadvantage those who may be fleeing violence from elsewhere. Applicants who have been accepted under the main housing duty under the homelessness legislation will therefore be exempted from the local connection criteria unless it has been decided to refer them for housing to another local authority where they do have a connection.

Certain Armed Forces Personnel are automatically exempted in law from local connection qualifying criteria.

It is proposed that other applicants who cannot meet the Local Connection criteria may be allowed to qualify, in exceptional circumstances only, at the discretion of the Council's Housing Needs Manager.

It is acknowledged that those applicants over the age of 65 who wish to move to Mid Sussex to be closer to support from relatives may not be able to meet the requirement that those relatives should have been resident in the district for 5 years. To allow for this, it is proposed that this requirement be reduced to 2 years residence for those over 65.

An increase in the time resident in the District to qualify may have particular implications for the Gypsy and Traveller community who may habitually move between authorities. However, such families usually have close relatives who have been settled in the District so would therefore not be particularly disadvantaged.

Increasing the time in paid employment to qualify could disadvantage those who are unemployed, in temporary employment, or in a series of short term contracts. However, people living in the District don't need to also be employed here to qualify, so it is not felt that this unfairly disadvantages anyone.

Disqualifying tenants who have alternative access to their social landlord's stock

Allowing such tenants to benefit from nominations available to the Council as well as accessing their own landlord's allocations would reduce the number of vacancies available to other applicants in housing need and put them at a disadvantage. This proposal is therefore designed to ensure that access to social housing is retained for those who may be vulnerable and in high housing need. Where a tenant requires a particular form of housing to meet their needs (e.g. extra care or supported housing) arrangements will be put in place to enable them to access such accommodation.

Disqualifying those who fail to bid within 12 months

The proposal to remove people from the register who are not bidding needs to take into account that vulnerable applicants may not be bidding because they do not understand the process or need help in doing so. It is also important to be sensitive to those waiting for a particular property, such as those needing rarely available wheelchair adapted homes or those who are under-occupying their home and who may be waiting for a specific property to become available. Suitable safeguards will be put in place to ensure that all such applicants are not unfairly disadvantaged.

It is proposed that any applicant who is removed from the register because they have not been bidding will be able to reapply, although they will lose their earlier priority date.

Placing homeless acceptances into Band C

The proposal to place households accepted as homeless into Band C, rather than the current Band A, may lead to longer waiting times and possibly a silting up of temporary accommodation. The situation will need to be closely monitored and arrangements put in place to ensure that applicants' circumstances are reviewed on a case-by-case basis and, where considered appropriate, would be awarded additional priority for a move to more permanent housing.

Placing applicants who become ready for move-on from supported housing into Band C

The proposal to place households who are ready to move-on from supported housing into Band C, rather than the current Band A, may lead to longer waiting times and possibly a silting up of supported housing schemes. The situation will need to be closely monitored and arrangements put in place to ensure that applicants' circumstances are reviewed on a case-by-case basis and, where considered appropriate, would be awarded additional priority for a move to independent housing. Whilst a move to an independent tenancy in social housing should not be seen as the only option for every household moving out of supported housing, it is acknowledged that for some particularly vulnerable people it may be. In particular, officers would have regard to the needs of disabled or other particularly vulnerable applicants.

Placing applicants selected for a general needs tenancy with floating support into Band B

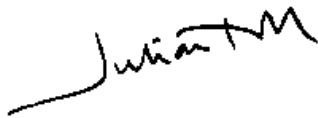
Following consultation with specialist support providers, it is acknowledged that particularly vulnerable people who are selected by a multi-agency panel for specialist floating support

funded by West Sussex County Council require some priority over other applicants if they are to obtain a tenancy in social housing in a reasonable time. It is considered that such households will adequately receive this priority if they are placed in Band B. It is felt that Band A, where such applicants are currently placed, should be reserved for those few applicants with an emergency or urgent need for housing.

2.4 Action Plan

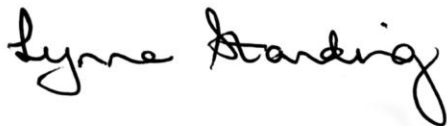
The Action Plan shown below is intended to demonstrate how the issues identified in this assessment are being addressed.

Action	Lead Officer	Timescale
Consultation on proposals with partner organisations	Julian Till	Dec-Jan 14
Homemove Team exercise to identify those not bidding who are to be left on the register due to a vulnerability or other circumstances	Julian Till	By May 14
Case-by-case review of priority, as appropriate, of homeless applicants in temporary accommodation and applicants ready to move-on from supported housing	Julian Till	2014/15
Review allocation scheme throughout first year of operation	Julian Till	2014/15



Date: 21/01/14

Julian Till Housing Needs Manager



Date 21/01/14

Lynne Standing Head of Housing, Environmental Health and Building Control