

**Equality Impact Assessment  
Level One Assessment Form**

**Service Area...HOUSING ALLOCATIONS POLICY (STRATEGIC HOUSING).....**

<b>1. What is the name of the proposed policy, procedure, project etc to be assessed.</b>	
Housing Allocations Policy. (This policy will be adopted by the sub-regional choice based lettings partnership called B-with-Us, in September 2009)	
<b>2. What are the aims or intended outcomes of the policy to be assessed.</b>	
The allocations policy ensures that social rented housing within the borough is allocated fairly in accordance with legislation, recognising housing needs and making the best use of the limited stock available. The policy establishes the priorities in which applicants may be allocated to properties from the housing register. To help and maintain sustainable local communities within the borough	
<b>3. Is there any potential public or staff concern that this function, policy or proposal may have a discriminatory impact</b>	
<b>PUBLIC</b> Applicants who are ineligible due to being subject to immigration control- this is a legislative requirement and not discretionary. Applicants who are ineligible due to their behaviour- circumstances in which this can apply are clearly identified in legislation and the allocations policy. This is discretionary and the applicant can appeal against any decision to exclude them from the housing register. Refusal to accommodate serious offenders can only be considered justifiable or legitimate if appropriate or relevant risk assessment has taken	<b>STAFF</b>  None Identified

place. A RSL does have the right to refuse nominations if they can consider it appropriate, this can make it difficult for the Council to discharge any housing duty that it may have to such applicants or lead to the applicant having to live in unsuitable accommodation.

**4. Is there any other evidence (results of consultations, monitoring data etc) to suggest that the proposals could have an adverse/differential impact on the grounds of**

- a. Race May impact on residents who are ineligible due to immigration control, or English not as a first language as information on the register is only available in English. Gypsy/Travellers as may not meet local connection rules, also may wish to have a pitch for caravan rather than housing
- b. Religion. None Identified
- c. Gender. None Identified
- d. Disability. Disability Discrimination Act ensures that it is unlawful to treat disabled people less favourably than other people for a reason related to their disability.
- e. Sexual Orientation. None Identified
- f. Age Anyone 16 plus can register for accommodation but cannot

legally hold a tenancy until aged 18. This can impact on this age group accessing a social tenancy

**5. If there is no evidence are there any experts/ relevant groups who you can approach to explore their views on the issues**

- Age Concern
- Blackburn with Darwen Borough Council
- Blackburn Disability Forum
- Blackburn with Darwen Older People's Forum
- Calico Partnership
- CBL Steering Group
- Citizens Advice Bureau (CAB)
- Disabled Living Manchester (Northwest)
- East Lancashire Disability Partnership Forum
- East Lancashire Landlords Association
- East Lanc's PCT
- Green Vale Homes
- Housing Pendle
- Hyndburn Borough Council
- Hyndburn Homes
- Hyndburn Tenants Group
- ICT Working Group
- Lancashire Supporting People (Social Inclusion)
- Operational Group,
- Pendle Borough Council
- Pendle Senior Citizens
- Rossendale Borough Council
- Service Users -Trevor Walsh, Chris Cammiss, Shaz Afzal (Wheel Chair Users),
- The STAR Centre Rossendale ( Domestic Abuse)
- Twin Valley Homes
- Vulnerable and Hard to Reach Working Group

The above groups have been consulted on the sub-regional allocations policy which is due to be used by all partners in September 2009. The current policy used by Hyndburn is the sub-regional policy

## 6. How will the views of these groups be obtained

The current allocations policy is the policy that has been adopted for the sub-regional CBL scheme in which widespread consultation has already taken place with various community groups and statutory and voluntary agencies. The policy has also been checked by legal consultants (Garden Court Chambers) for legal compliance. Changes have been made to reflect the advice received. (see section 5 for groups who were consulted)

## 7. Please detail the outcomes of these consultations

Changes made to the policy After consultation took place for the proposed sub-regional CBL allocations policy which is currently used by Hyndburn BC. (A summary of amendments is listed below)

### **Summary of amendments to Allocations Policy after consultation**

The consultation process involved various organisations and 'groups' working with potential and existing service users across Pennine Lancashire.

The main aims of the consultation are:

- (a). To ensure full compliance with Communities and Local Government (CLG) Code of Guidance for Local Housing Authorities (August 2008 Version),
- (b). To implement and operate a Pennine Lancashire CBL Scheme that allows all Social Housing Provider partner organisations to exercise their functions as required by the 1996 Housing Act.
- (c). To ensure that the Pennine Lancashire CBL Scheme Allocations Policy is compatible with existing legislation, in addition to Part 6 of the Act, including but not limited to:

The Race Relations Act 1976  
 The Disability Discrimination Act 1995  
 The Sex Discrimination Act 1975  
 The Equality Act (Sexual Orientation) Regulations 2007  
 The Human Rights Act 1998  
 The Data Protection Act 1998

(d). To ensure that the Pennine Lancashire CBL services are Transparent, Inclusive, Easy to Understand and Accessible across the whole of the Pennine Lancashire region.

The CBL Allocations Policy consultation has been carried out over a six month period through active involvement and engagement of existing CBL Groups and the following organisations, groups and individuals: (Section 5)

**8. What are the risks (if any) associated with the policy in relation to the adverse/differential impact on the ETG's**

Non compliance of the allocations policy will have legal implications for the Council of not meeting Equality Act 2006 and legal homeless statutory duty in line with the Housing Act 1996 (as amended by the 2002 Act)

**9. Considering the evidence above what priority would you give this policy in relation to the Equality Target Groups. Please provide a rationale for your conclusions**

	High	Medium	Low
<b>Disability</b>			<b>X</b>
<b>Race</b>		<b>X</b>	
<b>Gender</b>			<b>X</b>

<p><b>Sexual Orientation</b></p> <p><b>Age</b></p> <p><b>Religion or Belief</b></p>	<p><b>X</b></p> <p><b>X</b></p> <p><b>X</b></p>
<p><b>10. If in your judgment the proposed service/policy etc does have an adverse impact? Can that impact be justified?</b></p>	
<p>The allocations policy is guided by the legislation set out in the Housing Act 1996 (Part V1). Any allocation of social housing is made to applicants who are deemed eligible within the terms of the legislation. The policy can be justified for non eligible applicants. The proposed new ICT system due to be used in September 2009 will be able to report on bidding patterns, ethnic origin of applicants, why applications have been suspended, rejected reasons from the housing register. where applicants are coming from. This information will enable continuous and robust monitoring of the policy and to ascertain if certain groups of applicants are being subject to an adverse impact of the allocations policy</p>	
<p><b>11. What steps will you take to address any unjustified impact</b></p>	
<p>Monthly monitoring of the housing register is carried out with Hyndburn Homes who manage the housing register on behalf of Hyndburn Council. This continuous review identifies any potential adverse impact on applications to the register. Updates and any potential impacts can be addressed through the Hyndburn Homeless Forum, and our RSL partners. A large number of the groups consulted (section 5) have signed up to the Hyndburn Homeless Forum</p>	

<b>12. Are there any additional resource implications for the steps that need to be taken, both in terms of time and finances</b>	
Within existing resources/budgets	
<b>13. How will you monitor the effect of this function, policy etc on the equality target groups</b>	
Monitoring through the Hyndburn Homeless forum which is attended by a wide reaching number of voluntary and statutory organisations. Hyndburn Tenants Association in conjunction with Hyndburn Homes. Customer survey questionnaires to be updated and used for feedback.	

**14. (HR Policies Only) Is the Policy consistent with employment Codes of Practice on Race, Gender and Disability? If not what else needs to be included**

**15. Does this Policy need to be fully impact assessed? Please give reasons**

Not at this time. Hyndburn Council is joining the sub-regional CBL scheme in September 2009. The sub-regional policy has already had an EIA which has been agreed by the steering and operational groups.

Name Denis Aldridge Strategic Housing ( Housing Advice)  
Service

Signed

Dated

**Service Manager Signature**

Approved by Corporate Equalities Planning and Scrutiny Group

**Signed**

**Date**