

# **Equality impact assessment form**

**Directorate: Communities and Place**

**Service area: Strategic Housing**

**Name of policy, strategy, review or function being  
assessed: Tenancy Strategy 2021**

**Date of assessment: TBC**

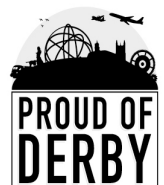
**Name of Director/Head of Service signing it off: Ian  
Fullagar**

**Decision of Cabinet, Personnel Committee or Chief  
Officer Group:**

January 2019



Derby City Council



## **Equality impact assessment – please read this section first before you do the assessment**

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact you need to do an equality impact assessment whenever a decision is needed that affects people and **before** that decision is made.

So why do we need to do equality impact assessments? Although the law does not require us to do them now, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications, so yes we still need to do them.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have '**due regard**' to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a '**relevant protected characteristic**' and people who don't.

Having 'due regard' means:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

The protected characteristics are:

- age
- disability
- gender identity
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

This completed form should be attached to any Chief Officer Group, Cabinet or Personnel Committee report to help elected members make their decisions by taking the equality implications into account. Equality impact assessments **must be done before** decisions are made. Include the Cabinet or Personnel Committee's decision on the front sheet when you know it.

You'll find that doing these assessments will help you to:

- understand your customers' and communities needs
- develop service improvements
- improve service satisfaction
- demonstrate that you have been fair and open and considered equality when working on re-structuring
- make sure you pay due regard to the requirements of the Public Sector Equality Duty.

Don't do the form by yourself, get a small team together and make sure you include key people in the team such as representatives from our Diversity Forums and employee networks and you could invite trade union representatives too – the more knowledge around the table the better. You also need to decide how and who you will consult with to help inform the equality impact assessment. Our Lead on Equality and Diversity can help with useful contacts – we have a team of people who are used to doing these assessments and can help with information on barriers facing particular groups and remedies to overcome these barriers.

You'll need to pull together all the information you can about how what you are assessing affects different groups of people and then examine this information to check whether some people will be negatively or positively affected. Then you'll need to look at ways of lessening any negative effects or making the service more accessible – this is where your assessment team is very useful and you can also use the wider community. Against every negative impact you will need to complete the mitigation section to explain how you will lessen the impact.

Agree an equality action plan with your assessment team, setting targets for dealing with any negative effects or gaps in information you may have found. Set up a way of monitoring these actions to make sure they are done and include them in your service business plans.

When you have completed the assessment, get it signed by your Head of Service or Service Director and **send it to our Lead on Equality and Diversity for checking and to publish on our website**. It is a public document so must not contain any jargon and be easy to understand.

Remember, we need to do these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010.

## **Equality groups and protected characteristics**

These are the equality groups of people we need to think about when we are doing equality impact assessments and these people can be our customers or our employees and job applicants...

- Age equality – the effects on younger and older people
- Disability equality – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties, people living with autism and people with physical impairments
- Gender identity – the effects on trans people
- Marriage and civil partnership equality
- Pregnancy and maternity equality - women who are pregnant or who have recently had a baby, including breast feeding mothers
- Race equality – the effects on minority ethnic communities, including newer communities, Gypsies and Travellers and the Roma community
- Religion and belief or non-belief equality – the effects on religious and cultural communities, customers and employees
- Sex equality – the effects on both men and women and boys and girls
- Sexual Orientation equality – the effects on lesbians, gay men and bisexual people

## **Contact for help**

Ann Webster – Lead on Equality and Diversity

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## The form

We use the term ‘policy’ as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures
- Key decisions such as allocating funding to voluntary organisations, budget setting
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions, procurement methods, disabled facilities grants, on street parking bays

If in doubt – it’s better and safer to do an Equality Impact Assessment than not to bother! You never know when we may get a legal challenge and someone applies for Judicial Review.

## What’s the name of the policy you are assessing?

**Tenancy Strategy 2021**

## The assessment team

Team leader’s name and job title – Martin Brown – Housing Strategy and

Initiatives Manager

Other team members

<b>Name</b>	<b>Job title</b>	<b>Organisation</b>	<b>Area of expertise</b>
Stuart Smith	Housing Strategy Development Officer	DCC	Housing Strategy

Name	Job title	Organisation	Area of expertise
Pamela Thompson	Community Development Officer	DCC	Equality and Diverse Communities
Rajeev Nath	Local Area Coordinator Arboretum ward	DCC	Neighbourhood working
Mamuna Altaf	Market Development Officer	DCC	Commissioning
Jenny Wizard	Policy Insight Officer	DCC	Policy and equality issues
Clare Mehrbani	Director	Derby Homes	
Donna Brady	Local Area Coordinator Chaddesden ward	DCC	Neighbourhood working
Ann Webster	Lead on Equality and Diversity	DCC	Equality and diversity
Andy Findlay	Access Hub/60+ Forum member	Access Hub/60+ Forum	Equality
Moira Findley	Access Hub/60+ Forum member	Access Hub/60+Forum	Equality

## Step 1 – setting the scene

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side tracked.

### 1 What are the main aims, objectives and purpose of the policy? How does it fit in with the wider aims of the Council and wider Derby Plan? Include here any links to the Council Plan, Derby Plan or your Directorate Service Plan.

The Localism Act of 2011 introduced a requirement for local housing authorities in England to prepare and publish a Tenancy Strategy. The legal purpose of a Tenancy Strategy is to help to shape the tenancy policies of registered providers of affordable housing who operate in a local authority's district. Registered providers (RPs) operating in Derby include non-profit making and charitable housing associations registered with Homes England and the Regulator for Social Housing. This includes the Council as a landlord of social housing and its Arm's Length Management Organisation (ALMO), Derby Homes. Derby's first Tenancy Strategy was published in 2012.

This updated strategy sets out the Council’s position for 2021 onwards. It provides the basis for action on our own housing stock while also giving a steer to other RPs. Other providers are legally required to ‘have regard to’ the tenancy strategy but are not bound by it and may in the end adopt a different approach when drawing up their own policies.

In line with the requirements of the Localism Act, the Tenancy Strategy must “set out, as a minimum, the matters to which registered providers of social housing for its district are to have regard in formulating tenancy policies in relation to:

- The kinds of tenancies they grant
- The circumstances in which they will grant a tenancy of a particular kind
- Where they grant flexible tenancies, the lengths of the terms; and,
- The circumstances in which they will grant a further tenancy on the termination of the existing tenancy.

Derby City’s Tenancy Strategy addresses the requirements, and should be considered alongside:

- The Housing Strategy 2020-2029
- The Homelessness and Rough Sleeping Strategy 2020-2025
- The Derby Homefinder Allocation Policy 2020-25

These documents can be found at <https://www.derby.gov.uk/housing/strategies-and-policies/>. They provide greater detail in relation to the housing priorities of the city; the Council’s own stock portfolio and the portfolio of its RP partners; the city’s housing need requirements; and Derby’s allocation/nominations arrangements.

‘Affordable rents’ were also introduced by the Localism Act 2011. This strategy, following our first strategy in 2012, also sets out our approach to the use of Affordable Rents.

Derby’s Housing Strategy 2020-2029 sets out the local picture regarding housing need and supply and where the most acute shortages are. It also sets out our vision for housing and the key priorities we must deliver on.

Our Vision, along with priorities 1 and 3 of the Housing Strategy are of particular relevance in the drafting of RP tenancy policies. These priorities are:

<b>Priority 1</b>	<b>Best use of stock</b> – getting the most out of the homes that already exist.
<b>Priority 2</b>	<b>Housing quality and standards</b> – promoting well managed, well maintained, greener homes.
<b>Priority 3</b>	<b>Vulnerable people and those with disabilities</b> – providing accommodation that is suitable for vulnerable people and those with disabilities
<b>Priority 4</b>	<b>Housing development and regeneration</b> – supplying a range of new housing that meets need and contributes to urban renewal.

Our vision and strategic priorities shape this tenancy strategy and provide information that is relevant to all RPs operating in Derby.

The position of the Council is that secure or assured, lifetime tenancies are preferred in the majority of cases. We consider that these are most supportive of our vision for housing and supporting communities.

Whilst being committed to the use of secure/assured tenancies for the majority of general needs properties, we recognise that flexible tenancies, non-secure tenancies and licences may be appropriate in some circumstances. These include:

- a) Temporary accommodation under provisions contained within the 1996 Housing Act.
- b) When they allow the use of an additional property for affordable housing. An example would be where a registered provider brings private sector properties into use as affordable accommodation as part of a leasing scheme and a lifetime tenancy could not be offered due to the length of the lease.
- c) Where the property is offered for a specific purpose, such as to support foster care by the occupant, but the foster caring comes to an end.
- d) Property in very short supply where greater control over occupation is necessary to ensure it most effectively meets housing need and makes best use of stock. For example, larger family houses of 4 beds or more or properties with substantial adaptations suited to a disabled person.
- e) Where the tenancy is offered in a property which is due to be decanted for regeneration purposes
- f) Some other legal or contractual obligation which prevents the giving of lifetime tenancies. For example, property procured using funding (such as government funding) which is given on the basis of the use of flexible tenancies or similar.

The Council accepts that non-secure tenancies may be preferred in some of the categories detailed in the above bullet points. In fact, where contractual requirements or overwhelming practicality (such as with properties due to be decanted for regeneration) have necessitated use of non-secure arrangements, it has already implemented them.

The Council will continue to assess the advantages and disadvantages of providing flexible tenancies for those living in larger properties or substantially adapted properties through a wider engagement process. At this stage the Council does not intend to implement flexible tenancies for this purpose but may choose to do so in the future. Any subsequent change made in this area will be subject to our standard consultation and formal approval processes. (Any change would only be applicable to new tenancies; secure and assured tenancies current at that time would be unaffected.)

However, this draft new strategy does go further than its predecessor in proposing to allow for the use of flexible tenancies for the provision of move-on accommodation for homeless households. In fact, Derby, along with many LAs has long since used occupational arrangements such as non-secure tenancies to provide accommodation for homelessness households under the provisions contained within the 1996 Housing Act.



In line with the Homelessness and Rough Sleeping Strategy 2020-25, housing pathways have been developed. These are aimed at responding to the housing and support needs of those at risk of rough sleeping, those actually rough sleeping and those recovering from rough sleeping. Our objective, mirroring that of the government's 'Everyone In' agenda, is to ensure that every rough sleeper has access to accommodation and support appropriate to what they need next. In order to maximise flow through these pathways towards greater levels of independence it is essential that move on options remain available. The use of flexible tenancies will allow for residents to move towards greater levels of independence when they are ready and ensures the continued availability of supported accommodation for those that need it.

## **2 Who delivers/will deliver the policy, including any consultation on it and any outside organisations who deliver under procurement arrangements?**

The Strategy is owned by the Head of Strategic Housing Services and delivered by the Strategic Housing Division and Derby Homes in relation to Council owned housing stock; and also sets out matters to which registered providers of social housing operating within the city are to have regard in formulating their tenancy policies, but are not bound by.

The Strategic Housing Division is delivering the consultation on the Strategy, with support from Consultation Officers and Engagement Officers within the Strategic Services.

## **3 Who are the main customers, users, partners, employees or groups affected by this proposal?**

- Residents of social housing, applicants for social housing, people who are homeless or who are at risk of becoming homeless and to whom the city council owes a duty under homelessness legislation and guidance, people who are sleeping rough or are recovering from sleeping rough.
- Derby Homes' employees working within allocations, homelessness and rough sleeping services and Housing Choice.
- Registered Providers with properties in Derby who must have regard to the Housing Strategy.
- Housing advice agencies in Derby.

However, the main change in the draft Tenancy Strategy 2021 is for the use of flexible fixed term tenancies only for accommodation let to recovering rough sleepers where "wrap around" support is to be provided and where the tenant is expected to move on to alternative accommodation at the end of the fixed term.

## **Step 2 – collecting information and assessing impact**

- 4 Who have you consulted and engaged with so far about this policy, and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents.**

- Consultation plan developed with Consultation Officers within Housing Strategy and Consultation Team;
- Wide spread of dissemination in the form of information about the consultation and links to the documents on Your City, Your Say – with links to response questionnaires;
- Appearing on DCC website;
- Coverage in In-touch to reach all DCC employees and Members;
- Equality Hubs and Forums
- Developed in consultation with Derby Homes colleagues;
- Consultation details emailed direct to known contacts at Registered Providers;
- Requested DCC Twitter and Facebook coverage;
- Consultation response questionnaire available for on-line completion or hardcopy submission;
- Access to translation and interpretation services is available; and these are used as required. Information, communications, and so on can be made available in other languages, formats or hard-copy on request

**5 Using the skills and knowledge in your assessment team, and from any consultation you have done, what do you already know about the equality impact of the policy on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each protected characteristic group whether this is a negative or a positive impact. If it's negative, fill in the mitigation section as well to explain how you are going to lessen the impact.**

**Age**

<b>What do you already know?</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>Mitigation</b>
Young people may be disproportionately affected by homelessness and rough sleeping.	X		

<b>What do you already know?</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>Mitigation</b>
Young people may lack access to social housing and unable to afford to buy or rent in the private sector	X		
Older people may be particularly vulnerable and at risk to the impacts of homelessness and rough sleeping.	X		
<p>No specific impact, age will not affect the type of tenancy to be offered. The position of the Council is that secure or assured, lifetime tenancies are preferred in the majority of cases. We consider that these are most supportive of our vision for housing and supporting communities. Registered Providers initially adopted flexible fixed term tenancies, but many have reverted to assured tenancies.</p> <p>New government funding schemes to provide "wrap-around" support to rough sleepers include the use of flexible tenancies.</p> <p>DCC's objective, mirroring that of the government's 'Everyone In' agenda, is to ensure that every rough sleeper has access to accommodation and support appropriate to what they need next. In order to maximise flow through these pathways towards greater levels of independence it is essential that move on options remain available. The use of flexible tenancies will allow for residents of whatever age to move towards greater levels of independence when they are ready and ensures the continued availability of supported accommodation for those that need it.</p>			

## **Disability**

<b>What do you already know?</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>Mitigation</b>
Lower income households that require substantially adapted accommodation because of a disabled person's access requirements may qualify for priority rehousing by the Council or a registered Provider, although appropriate housing may be scarce.	X		
Disabled people will be disproportionately affected by the impacts of homelessness and rough sleeping.	X		
A significant proportion of people who are homeless or are rough sleeping are disabled people and more than likely have mental health issues			
<p>The draft policy does not recommend the use of flexible tenancies when allocating substantially adapted properties but acknowledges this may be reviewed at some time. This could be because the household no longer needed the adaptations and could be moved to suitable alternative accommodation, releasing the adapted property to be allocated to another household who would benefit. RPs may already have such a policy in place or adopt one at any time.</p> <p>The current position of the Council is that secure or assured, lifetime tenancies are preferred in the majority of cases. We consider that these are most supportive of our vision for housing and</p>			

<b>What do you already know?</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>Mitigation</b>
<p>supporting communities. A high proportion of people who are homeless or rough sleeping have mental health issues and other health related issues</p> <p>Derby Homes has policies and procedures to ensure that offices and other venues for sign-up are accessible to disabled people. The tenancy agreement can be made available in alternative formats such as larger print or pictorially, Braille, or through a British Sign Language interpreter on request. The Council encourages other Registered Providers to provide similar accessibility.</p> <p>Through government funding that was matched by the Council Derby Homes acquired 20 one bed flats dispersed across the city to house rough sleepers with support that aims to enable them to be able to live independently within two years. Although this accommodation is not adapted for disabled people, ground floor flats could be adapted or other adapted property could be used.</p> <p>The Council's objective, mirroring that of the government's 'Everyone In' agenda, is to ensure that every rough sleeper has access to accommodation and support appropriate to what they need next. In order to maximise flow through these pathways towards greater levels of independence it is essential that move on options remain available. The use of flexible tenancies will allow for residents, whether disabled people or not to move towards greater levels of independence when they are ready and ensures the continued availability of supported accommodation for those that need it.</p> <p>Flexible tenancies for households in properties with substantial adaptations were considered but not adopted. At this stage the Council does not intend to implement flexible tenancies for this purpose but may choose to do so in the future. Any change would be subject to extensive consultation.</p>			

## Gender identity- trans

<b>What do you already know?</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>Mitigation</b>
No specific impacts, gender reassignment will not affect the type of tenancy to be offered.	<b>X</b>		
<p>The position of the Council is that secure or assured, lifetime tenancies are preferred in the majority of cases. We consider that these are most supportive of our vision for housing and supporting communities.</p> <p>Derby Homes has policies and procedures that ensure privacy, confidentiality and sensitivity to people's needs and requests during sign-up interviews.</p> <p>Our objective, mirroring that of the government's 'Everyone In' agenda, is to ensure that every rough sleeper has access to accommodation and support appropriate to what they need next. In order to maximise flow through these pathways towards greater levels of independence it is essential that move on options remain available. The use of flexible tenancies will allow for residents of whatever gender to move towards greater levels of independence when they are ready and ensures the continued availability of supported accommodation for those that need it.</p>			

## Marriage and Civil Partnership

<b>What do you already know?</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>Mitigation</b>
No specific impacts; that someone is married or in a civil partnership, or not, will not affect the type of tenancy to be offered.	<b>X</b>		
<p>The position of the Council is that secure or assured, lifetime tenancies are preferred in the majority of cases. We consider that these are most supportive of our vision for housing and supporting</p>			

communities.

Although couples have been housed most of Derby Homes' flats for rough sleepers are occupied by single people, but this reflects the profile of rough sleepers. Derby Homes has comprehensive policies for dealing with domestic abuse, with a range of options for dealing with it appropriately and sensitively.

Our objective, mirroring that of the government's 'Everyone In' agenda, is to ensure that every rough sleeper has access to accommodation and support appropriate to what they need next. In order to maximise flow through these pathways towards greater levels of independence it is essential that move on options remain available. The use of flexible tenancies will allow for residents of whatever partnership or single status to move towards greater levels of independence when they are ready and ensures the continued availability of supported accommodation for those that need it.

## Pregnancy and maternity

<b>What do you already know?</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>Mitigation</b>
No specific impacts, being pregnant or with a child(ren) will not affect the type of tenancy to be offered.	<b>X</b>		
<p>The position of the Council is that secure or assured, lifetime tenancies are preferred in the majority of cases. We consider that these are most supportive of our vision for housing and supporting communities.</p> <p>Derby Homes' rough sleepers' scheme is targeted at singles / couples and accommodation is one bed flats. Although there is no prohibition in the terms of the scheme and its funding to accommodate someone who is pregnant or a household with a child, it is likely an alternative solution would be sought, and a different housing pathway followed.</p> <p>Our objective, mirroring that of the government's 'Everyone In' agenda, is to ensure that every rough sleeper has access to accommodation and support appropriate to what they need next. In order to maximise flow through these pathways towards greater levels of independence it is essential that move on options remain available. The use of flexible tenancies will allow for residents in pregnancy/maternity phases to move towards greater levels of independence when they are ready and ensures the continued availability of supported accommodation for those that need it.</p>			

## Race

<b>What do you already know?</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>Mitigation</b>
No specific impacts, a person's race will not affect the type of tenancy to be offered.	<b>X</b>		
<p>The position of the Council is that secure or assured, lifetime tenancies are preferred in the majority of cases. We consider that these are most supportive of our vision for housing and supporting communities.</p> <p>Derby Homes has policies and procedures to ensure that everyone is dealt with sensitively and according to their individual needs. On request an interpreter can be made available at sign-up or the tenancy agreement can be translated into another language.</p> <p>The Council's objective, mirroring that of the government's 'Everyone In' agenda, is to ensure that every rough sleeper has access to accommodation and support appropriate to what they need next.</p>			

In order to maximise flow through these pathways towards greater levels of independence it is essential that move on options remain available. The use of flexible tenancies will allow for residents of whatever race to move towards greater levels of independence when they are ready and ensures the continued availability of supported accommodation for those that need it.

## Religion or belief or none

What do you already know?	Positive impact	Negative impact	Mitigation
No specific impacts, a person's religion or belief, or that they have none, will not affect the type of tenancy to be offered.	X		
<p>The position of the Council is that secure or assured, lifetime tenancies are preferred in the majority of cases. We consider that these are most supportive of our vision for housing and supporting communities.</p> <p>Derby Homes has policies and procedures that ensure sensitivity to an individual's needs due to their religion or belief e.g. arranging dates for sign-up during prominent events such as Christmas and Ramadan and will take account of those raised by individuals that are less prominent.</p> <p>The Council's objective, mirroring that of the government's 'Everyone In' agenda, is to ensure that every rough sleeper has access to accommodation and support appropriate to what they need next. In order to maximise flow through these pathways towards greater levels of independence it is essential that move on options remain available. The use of flexible tenancies will allow for residents of whatever religion or belief, or none, to move towards greater levels of independence when they are ready and ensures the continued availability of supported accommodation for those that need it.</p>			

## Sex

What do you already know?	Positive impact	Negative impact	Mitigation
No specific impacts, a person's sex will not affect the type of tenancy to be offered.	X		
Most of the Derby Homes' dispersed accommodation for rough sleepers has been let to men. This reflects that those sleeping rough or who have a history of sleeping rough are disproportionately male.	X		
<p>The position of the Council is that secure or assured, lifetime tenancies are preferred in the majority of cases. We consider that these are most supportive of our vision for housing and supporting communities.</p> <p>The Council's objective, mirroring that of the government's 'Everyone In' agenda, is to ensure that every rough sleeper has access to accommodation and support appropriate to what they need next. In order to maximise flow through these pathways towards greater levels of independence it is essential that move on options remain available. The use of flexible tenancies will allow for residents of whatever sex to move towards greater levels of independence when they are ready and ensures the continued availability of supported accommodation for those that need it.</p>			

## Sexual orientation

What do you already know?	Positive impact	Negative impact	Mitigation
No specific impacts, a person's sexual orientation will not affect the type of tenancy to be offered.	X		
<p>The position of the Council is that secure or assured, lifetime tenancies are preferred in the majority of cases. We consider that these are most supportive of our vision for housing and supporting communities.</p> <p>The Council's / Derby Homes' tenancy agreements are written in a manner that is gender neutral. The Council's objective, mirroring that of the government's 'Everyone In' agenda, is to ensure that every rough sleeper has access to accommodation and support appropriate to what they need next. In order to maximise flow through these pathways towards greater levels of independence it is essential that move on options remain available. The use of flexible tenancies will allow for residents of whatever sexual orientation to move towards greater levels of independence when they are ready and ensures the continued availability of supported accommodation for those that need it</p>			

**Important** - For any of the equality groups you don't have any information about, then make it an equality action at the end of this assessment to find out. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. You can get lots of information on reports done from organisations' websites such as the Equality and Human Rights Commission, Stonewall, Press for Change, Joseph Rowntree Trust and so on. Please don't put down that the impact affects 'everyone the same' – it never does!

**6 From the information you have collected, how are you going to lessen any negative impact on any of the equality groups? How are you going to fill any gaps in information you have discovered?**



The draft Tenancy Strategy includes the use of Flexible Fixed Term Tenancies for accommodation for rough sleepers, or people with a history of rough sleeping, who are likely to be highly vulnerable. The accommodation currently comprises of one bed flats that are dispersed across Derby and includes support to enable the tenants to move on to independent settled accommodation within two to three years, breaking the cycle of homelessness and rough sleeping. A Flexible Fixed Term Tenancy is more secure, certain, and suitable than a temporary homeless tenancy or a non-secure tenancy agreement (which may not be allowed by legislation in certain circumstances).

The position of the Council is that secure or assured (lifetime tenancies) are preferred in the majority of cases. This Equality Impact Assessment has identified no specific detrimental impacts will be caused by the Tenancy Strategy; rather it will have a positive benefit for every individual with a protected characteristic. The Council and Derby Homes has policies and procedures in place to ensure the Strategy is implemented in a manner that is accessible, sensitive and responsive to everyone's individual needs.

With regard to anyone in any of the equality groups that is homeless, rough sleeping in particular, by mirroring the government's 'Everyone In' agenda, there is positive benefit in helping ensure better access to accommodation and support appropriate to what they need next. In order to maximise flow through the homelessness/rough sleeping pathways towards greater levels of independence it is essential that move-on options remain available. The use of flexible tenancies will allow for residents, of whatever group, to move towards greater levels of independence when they are ready and ensures the continued availability of supported accommodation for those that need it.

The Council will continue to assess the advantages and disadvantages of providing flexible tenancies for those living in larger properties or substantially adapted properties through a wider engagement process. At this stage the Council does not intend to implement flexible tenancies for this purpose but may choose to do so in the future. Any subsequent change made in this area will be subject to our standard consultation and formal approval processes.

Regularly review intervention mapping and equalities data collected to maintain understanding and awareness of service take-up, to enable any adjustments necessary to be identified at an early stage.

### Step 3 – deciding on the outcome

#### 7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?

<b>Outcome 1</b>	<b>X</b>	<b>No major change needed</b> – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken
<b>Outcome 2</b>		<b>Adjust the policy</b> to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?
<b>Outcome 3</b>		<b>Continue the policy</b> despite potential for negative impact or missed opportunities to advance equality identified.

		<p>You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are:</p> <ul style="list-style-type: none"> <li>• sufficient plans to stop or minimise the negative impact</li> <li>• mitigating actions for any remaining negative impacts</li> <li>• plans to monitor the actual impact.</li> </ul>
<b>Outcome 4</b>		<b>Stop and rethink</b> the policy when the EIA shows actual or potential unlawful discrimination

Our Assessment team has agreed Outcome number(s)

<p><b>Outcome 1</b></p>
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Why did you come to this decision?

- |   |
|---|
| <ul style="list-style-type: none"> <li>• The draft new Tenancy Strategy seeks to ensure that we and other Registered Providers of social housing in Derby have strategies that are clear and transparent about the types of tenancies they will use and the circumstances in which these will be granted.</li> <li>• The new Tenancy Strategy will include that Tenancy Agreements be gender neutral. Derby Homes can assist with interpreting and translation where requested. The timing and carrying out of sign-ups will be sensitive to the particular needs of individuals.</li> <li>• The continued use of secure and assured ("lifetime") tenancies is preferred as they give security to households and stability to communities.</li> <li>• Where flexible tenancies are used fixed terms must be specified and normally not less than five years. It is expected that most will be renewed on review but that tenants will be informed at the start of their tenancies those circumstances in which it would not be renewed.</li> <li>• A tenant has a right to review a decision not to renew a fixed term tenancy.</li> <li>• The draft Tenancy Strategy recommends the use of flexible tenancies for limited and specified circumstances that seeks to balance housing need with best use of housing stock.</li> <li>• The use by Derby Homes of two year fixed term tenancies is limited to accommodation for those who are at risk of rough sleeping, rough sleepers or with a history of returning to the streets and where the aim is to break the cycle of homelessness and rough sleeping.</li> </ul> |
|---|

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the policy. You also need to make sure that there are actions in the Equality Action Plan to lessen the effect of the negative impact. This is really important and may face a legal challenge in the future.

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is really important that the equality impact assessment is done thoroughly, as this is what the Judge will consider.

#### Step 4 – equality action plan – setting targets and monitoring

**8** Fill in this table with the equality actions you have come up with during the assessment. Indicate how you plan to monitor the equality impact of the proposals, once they have been implemented.

#### Equality Action Plan –setting targets and monitoring

##### Age

<b>What are we going to do to advance equality</b>	<b>What difference will it make</b>	<b>When will we do it and who will lead</b>	<b>Monitoring arrangements</b>
Ongoing monitoring of allocations, homelessness, rough sleeping and age-related equalities data collected to maintain an understanding and awareness of service impact, usage and need	Enable issues to be identified, alternative options to be explored and considered, and any appropriate actions taken.	Bi-annual	Report to the Strategic Partnership Meeting (held between the Council and Derby Homes three times per year)

##### Disability

<b>What are we going to do to advance equality</b>	<b>What difference will it make</b>	<b>When will we do it and who will lead</b>	<b>Monitoring arrangements</b>
Ongoing monitoring of allocations, homelessness, rough sleeping and disability related equalities data collected to maintain an understanding and awareness of service impact, usage and need	Enable issues to be identified, alternative options to be explored and considered, and any appropriate actions taken.	Bi-annual	Report to the Strategic Partnership Meeting (held between the Council and Derby Homes three times per year)

##### Gender identity - trans

<b>What are we going to do to advance equality</b>	<b>What difference will it make</b>	<b>When will we do it and who will lead</b>	<b>Monitoring arrangements</b>
Ongoing monitoring of allocations, homelessness, rough sleeping and gender identity related equalities data collected to maintain an understanding and awareness of service impact, usage and need	Enable issues to be identified, alternative options to be explored and considered, and any appropriate actions taken.	Bi-annual	Report to the Strategic Partnership Meeting (held between the Council and Derby Homes three times per year)

## **Marriage and Civil Partnership**

<b>What are we going to do to advance equality</b>	<b>What difference will it make</b>	<b>When will we do it and who will lead</b>	<b>Monitoring arrangements</b>
Ongoing monitoring of allocations, homelessness, rough sleeping and marriage and civil partnership related equalities data collected to maintain an understanding and awareness of service impact, usage and need	Enable issues to be identified, alternative options to be explored and considered, and any appropriate actions taken.	Bi-annual	Report to the Strategic Partnership Meeting (held between the Council and Derby Homes three times per year)

## **Pregnancy and maternity**

<b>What are we going to do to advance equality</b>	<b>What difference will it make</b>	<b>When will we do it and who will lead</b>	<b>Monitoring arrangements</b>
Ongoing monitoring of allocations, homelessness, rough sleeping and pregnancy and maternity related equalities data collected to maintain an understanding and awareness of service impact, usage and need	Enable issues to be identified, alternative options to be explored and considered, and any appropriate actions taken.	Bi-annual	Report to the Strategic Partnership Meeting (held between the Council and Derby Homes three times per year)

## **Race**

<b>What are we going to do to advance equality</b>	<b>What difference will it make</b>	<b>When will we do it and who will lead</b>	<b>Monitoring arrangements</b>
Ongoing monitoring of allocations, homelessness, rough sleeping and race related equalities data collected to maintain an understanding and awareness of service impact, usage and need	Enable issues to be identified, alternative options to be explored and considered, and any appropriate actions taken.	Bi-annual	Report to the Strategic Partnership Meeting (held between the Council and Derby Homes three times per year)

### Religion or belief or none

<b>What are we going to do to advance equality</b>	<b>What difference will it make</b>	<b>When will we do it and who will lead</b>	<b>Monitoring arrangements</b>
Ongoing monitoring of allocations, homelessness, rough sleeping and race related equalities data collected to maintain an understanding and awareness of service impact, usage and need	Enable issues to be identified, alternative options to be explored and considered, and any appropriate actions taken.	Bi-annual	Report to the Strategic Partnership Meeting (held between the Council and Derby Homes three times per year)

### Sex

<b>What are we going to do to advance equality</b>	<b>What difference will it make</b>	<b>When will we do it and who will lead</b>	<b>Monitoring arrangements</b>
Ongoing monitoring of allocations, homelessness, rough sleeping and sex related equalities data collected to maintain an understanding and awareness of service impact, usage and need	Enable issues to be identified, alternative options to be explored and considered, and any appropriate actions taken.	Bi-annual	Report to the Strategic Partnership Meeting (held between the Council and Derby Homes three times per year)

## Sexual orientation

<b>What are we going to do to advance equality</b>	<b>What difference will it make</b>	<b>When will we do it and who will lead</b>	<b>Monitoring arrangements</b>
Ongoing monitoring of allocations, homelessness, rough sleeping and sexual orientation related equalities data collected to maintain an understanding and awareness of service impact, usage and need	Enable issues to be identified, alternative options to be explored and considered, and any appropriate actions taken.	Bi-annual	Report to the Strategic Partnership Meeting (held between the Council and Derby Homes three times per year)

We can give you this information in any other way, style or language that will help you access it. Please contact us on: 01332 Minicom: 01332 640666

## Polish

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku.

Prosimy o kontakt:

Tel. tekstowy: 01332 640666

## Punjabi

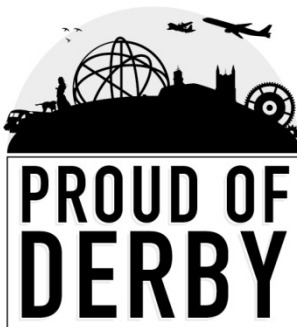
ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਟੈਲੀਫੋਨ ਮਿਨੀਕਮ 01332 640666 ਤੇ ਸੰਪਰਕ ਕਰੋ।

## Slovakian

Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Skontaktujte nás prosím na tel.č: Minicom 01332 640666

## Urdu

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم منی کام 01332 640666 پر ہم سے رابطہ کریں۔



Derby City Council