

Equalities and Communities Impact Assessment

Name of Officer/s completing assessment: Victoria Parsons

Date of Assessment September 2021.
Updated November 2021

1. What is the proposed Policy (please provide sufficient detail)?

Broadland District Council Allocations Scheme South Norfolk Council Allocations Scheme

Social housing is a much in demand resource and allocations schemes as policy documents have to clearly set out the process by which available social housing is allocated to households on the housing list, including how households are assessed as being eligible for social housing and prioritised.

The schemes were developed jointly by Broadland and South Norfolk Councils as part of the Best in Class Housing Offer and while two Allocations Scheme documents have been created to facilitate individual Council branding however, the content of the schemes is broadly the same. It is vital that the documents are kept under periodical review to ensure that they remain accurate and reflect current legislation and best practice.

As the schemes have been in force for nearly 6 months, this review also aims to remove any anomalies or loopholes identified where practical application identifies areas of the policy document that can be open to further interpretation.

The changes being proposed can be can be categorised under three themes:

- Policy Change
- Sections requiring updating or rewording to include more detail/guidance:
- Section to be moved to supplementary guidance document

These changes do not reflect a change in operational practice but instead seek to provide definition and clarity for officers, members and the public. As a result of this, the outcomes of the assessment are broadly neutral. Where a change has a perceived impact, this has been outlined at question 4 below.

This EqCIA has been updated following consultation on the proposed amendments with both Council's Portfolio Holders and the Chairs and Vice-Chairs of the relevant policy development panels in November.

2. Which protected characteristics under the Equalities Act 2010 does this Policy impact: (indicate whether the impact could be positive , neutral , or negative)			
Protected Characteristic	Potential Impact		
	Positive	Neutral	Negative
Age		✓	
Disability		✓	
Race		✓	
Sex		✓	
Religion or Belief		✓	
Sexual Orientation		✓	
Marriage/Civil Partnership		✓	
Pregnancy/Maternity		✓	
Gender Reassignment		✓	
3. Which additional Communities characteristics does this policy impact?			
Health		✓	
Place inc. Rurality		✓	
Low Income and Poverty		✓	

4. What do you believe are the potential equalities and communities impacts of this policy?

Please include:

- Partnership organisations worked with in the development of this policy
- Evidence gathered to inform your decision
- Where you have consulted, Who and How this has informed the decision/policy
- Any other groups impacted not detailed above
- Steps taken to mitigate, for example, other services that may be available
- If a neutral impact has been identified can a positive impact be achieved?
- If you are unable to resolve the issues highlighted during this assessment, please explain why
- How impacts will be monitored and addressed?
- Could the decision/policy be implemented in a different way?

- What is the impact if the decision/policy is not implemented?

Note: Impacts could be **positive**, **neutral**, or **negative** and impact groups differently

Location in policy	Item	Detail	Believed impact Positive Neutral Negative	Rationale/Mitigation
3.1.2	Persons from Abroad	Removed paragraph <i>The rules will change from 2021 due to the UK's exit from the EU and new regulations regarding eligibility for housing based on the EU settlement scheme. This policy will be amended to take into account any new rules.</i> The rules and eligibility are fully covered within the current policy	All characteristics Neutral	Paragraph is out of date and does not impact application of the allocations scheme.
4.4.11 Band 1	Removing from the Housing Priority Bands Band 1 People with an urgent need for an adapted property Band 2 Someone needing an adapted property	 The need for an adapted property falls within medical needs and it covered by this in the policy and priority bandings. (please see below regarding updates to the Medical need) The need for an adapted property falls within medical needs and it covered by this in the policy and priority bandings. (please see below regarding updates to the Medical need)	Disability Health Age Neutral/Negative	Removing this from the priority bands provides clarity for applicants and officers. It will be included as part of the priority bands for medical need. This will mean that priority for adapted properties will be assessed on need with applicants placed in Bands 1-3. There may be some cases that would previously have been assessed as being in band 2 will now be in band 3, however that will be commensurate with their need and allows those given priority bands 1 and 2 to be given swifter access to appropriate properties. Those assessed with urgent (band 1) or high (band 2) medical need will not see a change in banding. The Councils also seek to encourage availability of adapted properties by providing band 2 priority for those who are current tenants living in adapted properties that are no longer needed.
3.3	The Armed Forces Covenant	Update wording <i>Special consideration is appropriate in some cases, especially for those who</i>	Disability Age Sex and Gender	This wording provides detail and clarification and links the special consideration given to the relevant legislation, including where Section 166A(3) of the

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		<i>have given most such as the injured and the bereaved (as defined in Section 166A(3) of the Housing Act 1996 as amended by regulations made under section 166A(7))</i>	Health Neutral	Housing Act 1996 refers to definitions provided by s.374 of the Armed Forces Act 2006, also referred to in 3.3 bullet-point 3 of the Allocations Scheme. It is expected any impact will be neutral as a result of this amendment.
4.4.6 f	Priority on health grounds	Update wording to remove 'unreasonable': <i>you, or someone in your household, has either a permanent and substantial disability, or a severe long term limiting illness, or the severest form of learning disabilities or behaviour problems and for you to share a bedroom with that person would seriously affect the sleep of those you would normally share with, to the severe detriment of their or your health</i>	Disability Health Age Positive	Removal of the word 'unreasonable' seeks to resolve any ambiguity for this priority ground. The focus is less on whether it is reasonable to share a bedroom and more about the impact that would result from sharing. It is felt that this is a positive impact. It also ensures that two+ bedroom adapted homes are directed towards those with the most need.
4.4.6 f	Priority on health grounds	Update wording to essential health treatment <i>you are having essential health treatment at home that needs large machinery or a stock of health supplies to be stored e.g., you are having renal dialysis at home</i>	Disability Health Age Neutral/Negative	The inclusion of the word essential may mean that those assessed as having non-essential health treatment at home would not be entitled to additional space on health grounds resulting in a negative impact. In mitigation this amendment is being made to ensure that priority is given to those with the highest need.
4.4.6 g	Priority on health grounds	Remove category A or B <i>An additional recommendation that can be made is that an applicant must have ground floor on health or disability grounds or must have a ground floor property that is wheelchair accessible</i> category A or B	Disability Health Age Neutral	Category A or B refers to practice adopted through London Borough Councils and is not used by Broadland or South Norfolk Councils. In terms of any impact, while categories A and B represents specific levels of accessibility, not adopting them widens the scope of properties that can be available meaning that, providing they are appropriate for need, those on the housing list, can find a suitable property sooner.

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4.4.11	Housing Priority Bands	Change band names from Band 1 Band 2 Band 3 Band 4 To Emergency Band Band 1 Band 2 Band 3	Disability Health Age Neutral	Amendment to the change of name of the bands. It seeks to give clarity that to residents that the top band is for those in emergency situations.
4.4.11 (Band1)	Housing Priority Bands	<i>People with an urgent medical need Inc. hospital discharge</i> Update wording for more clarification and to include adapted properties to: <i>People with a serious medical need who are unable to be discharged home from medical care due to their changed accommodation need. This may include access to an adapted property.</i>	Disability Health Age Neutral/Negative	This change in wording provides clarification. It seeks to give the urgent priority to those with a serious medical need who, if they were discharged from medical care would be at risk of homelessness due to changed accommodation need. This includes where there is a need for an adapted property. This seeks to reduce delayed transfers of care from medical care, prevent re-admittances and ensure throughput for other people. This may mean that some applicants who would previously have been eligible for band 1 will now be given band 2 – High priority instead. In mitigation, demand for socially rented properties is high and the Council has to take steps to ensure that those most in need have greater priority, this includes considerations of wider impacts such as the provision of beds within the health system.
4.4.11 (Band 2)	High Medical Need	See Band Considerations	Disability Health Age Neutral	Amendments provide clarity on how applicants will be assessed for high and medium medical need.
4.4.11 (Band 3)	Medium Medical Need	See Band Considerations		

Location in policy	Item	Detail	Believed impact Positive Neutral Negative	Rationale/Mitigation
		<p>Add medical need to band considerations</p> <p>Priority on Health Grounds</p> <p><u>A high medical need</u> will be awarded where the applicant or a member of their household has an urgent need to move because their accommodation is unsuitable and cannot be made suitable. An applicant will be assessed as having an urgent need to move where there is an imminent risk of health deteriorating as a result of the unsuitability of the accommodation and there is a clear expectation, supported by relevant health professionals that a change in accommodation will have a significant impact on their health and wellbeing. This includes access to adapted properties.</p> <p><u>A Medium medical need</u> will be awarded where the current home is causing the applicant significant problems and whilst they are managing to some extent, a change in accommodation could reasonably be expected to alleviate or significantly improve the problem. The need will be supported by relevant health professionals. This includes access adapted properties</p>		

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4.4.11 (Band 2)	High Welfare need	See Band Considerations	All characteristics Neutral	Amendments provide clarity on how applicants will be assessed for high and medium welfare need.
4.4.11 (Band 3)	Medium Welfare Need	See Band Considerations		
4.4.11	Band Considerations	<p>Add Welfare need to band considerations</p> <p>Priority on welfare needs will only be awarded after an assessment confirms that a change of accommodation could reasonably be expected to alleviate the problem.</p> <p><u>A high welfare need</u> will be awarded where there is an urgent need to move as the circumstance is having a severe impact on the household's wellbeing or where there may be an imminent risk of future homelessness.</p> <p><u>A medium welfare need</u> will be awarded where the need to move is not urgent, but the circumstance is causing the applicant significant problems and is substantially affecting their wellbeing. Applicants may be provided with additional information and advice relating to their welfare need and may be signposted to appropriate agencies and services which provide specialist support. A welfare need may include, but is not limited to financial difficulties, anti-social behaviour, harassment, and</p>		

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		isolation. Circumstances will need to be verified and multi-agency information sharing, and assessment may be required, but it remains the Council's decision to determine if there is a housing need and the level of priority which should be awarded.		
4.4.13	Household type and property size allowed	In Carer household update wording to include overnight: <i>A bedroom will be allocated if the carer needs to reside at the property overnight and is not already part of the permanent household</i>	Disability Health Neutral	It is anticipated this change is neutral. Bedroom allocations are afforded to ensure the property size is appropriate for the household and also to make the best use of available housing. This amendment provides greater definition on the conditions for a bedroom allocation in that extra space is required for any carers who are not part of the household but are required to give overnight care to use for sleeping in.
4.4.13	Medical	Update wording to: Property Size <i>A bedroom will be allocated if recommended and evidenced as part of the medical need</i> Conditions <i>Subject to an agreed and evidenced medical need where the extra room may be needed to accommodate large essential equipment or there are serious mobility issues.</i>	Disability Health Neutral	It is anticipated this change is neutral. Bedroom allocations are afforded to ensure the property size is appropriate for the household and also to make the best use of available housing. So bedroom allocations can be provided accurately, the amendment provides definition that medical need for an additional room for large essential equipment or where there are serious mobility issues are evidenced.
4.4.11	Band Considerations	Band 1 will only be valid for 8 weeks. This can be extended where the applicant has not placed a bid because no suitable vacancy has arisen during that period. If the applicant does not meet the extension criteria, their priority will be reduced to Band 3 and they will	All characteristics Neutral	This could impact on all characteristics but markedly those more likely to be in temporary accommodations. This could be households with children, young homeless people and those with more complex needs including mental health needs. However, this amendment has been rated as neutral as although it restricts the time band 1 will be available for, this extended oversight

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		be directly offered the next available property suitable to their needs. If they refuse the offer of that property, the Council will view any housing duty as having been discharged.		allows the Council to recognise early where bidding is not taking place and to work to support and encourage those households to bid. It also seeks to make the best use of social housing, to minimise void times and to ensure good availability of temporary accommodation.
4.4.11 (Band 1)	Housing Priority Bands	s193 Duty and in TA/s189 Relief Duty, update wording to: <i>A homeless applicant who is either owed a s193 Duty and is currently living in temporary accommodation or who is owed a s189b Duty, have been placed in interim accommodation and is not likely to be assessed as intentionally homeless.'</i>	All characteristics Neutral	This amendment seeks to close a loophole in relation to priority banding and intentional homeless with the aim of ensuring the policy aligns intentional homelessness to priority band 3. Those who are intentionally homeless may identify as having any of the protected characteristics and can include those who are homeless as a result of: <ul style="list-style-type: none"> • Accruing rent/mortgage arrears • Anti-social behaviour or perpetrating domestic abuse • Leaving or being sacked from employment that had accommodation with it. • Refusing a reasonable offer of accommodation by the council. In mitigation, each application will be assessed individually and priority is afforded to those in the most need in order to make the best use of a scarce resource.
4.4.11 (Band 2)	Housing Priority Bands	Threatened with Homelessness and in Priority Need (next 12 weeks update to: <i>'An applicant in priority need who is either homeless or threatened with homelessness within the next 12 weeks and who is not likely to be assessed as intentionally homeless'.</i>		
4.4.11 (Band 2)	Housing Priority Bands	Disrepair/Unsafe Home/Lacking essential amenities Add note to definition of this: <i>Essential amenities means applicants living in homes lacking: : A kitchen (or cooking facilities)*, a bathroom, an inside WC, running water, or electricity.</i>	Age Health Disability Neutral	This may apply more to applicants who are older and those who have a disability or long term health condition, including those with hoarding and self-neglect behaviours. It is expected this is a neutral impact as it provides clarity on a definition of disrepair, unsafe homes and lacking essential amenities. The Councils will enable earlier access to the housing list and it asks that properties are considered eligible for formal action by Housing Standards teams rather than requesting that formal action has taken place. In some cases, work will be undertaken with partner organisations such as adult

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		<i>Disrepair/Unsafe Home A property assessed by the Council's Housing Standards department under the Housing Health and Safety Rating System and considered eligible for formal enforcement through either Improvement , Prohibition, Emergency Prohibition and Hazard Awareness Notices (including Suspended, Improvement and Prohibition Notices)</i>		social care to ensure the most appropriate outcomes are achieved.
4.4.12	Determination of Effective Band Date	Wording to be updated to: <i>If you are statutory homeless, the effective band date will be the date in which, through our investigations, you were deemed as actually homeless.</i>	All characteristics Positive	Reflects the date on which an applicant was deemed as actually homeless rather than the date a homelessness duty was accepted.
3.2	Qualification Rules	Update the employment requirements to: <ul style="list-style-type: none"> Have a current contract of employment that is effective, within Broadland / South Norfolk. Where it is anticipated employment will last 6 months 	Place/Rurality Neutral	This amendment may mean that those from outside of the district where their current employment contract is less than 6 months will not qualify. In mitigation, contracts under 6 month's duration are not numerous and amending the requirements supports best use of local social housing.
3.2	Qualification Rules	Move-on from supported accommodation <i>If they are residing in a supported housing project and approaching the Councils via a Move-on arrangement, they will have to have resided at the project at least 6 months before submitting an application. If the specialist provider has a move on arrangement with the Council this will provide the local connection</i>	All characteristics Neutral	This amendment is to reflect the process as laid out in the Move-on agreement and provides qualification for those who may have moved from out of the area into supported accommodation which is located in the district providing they have been there for at least 6 months. Adding the words <i>in the district</i> clears up any ambiguity for applicants and supported accommodation providers and removes the possibility that applicants that don't have a connection to the district and are in supported accommodation in another area would apply to join the register under the Move-on agreement. This

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		Update wording to: <i>If they are residing in a supported housing project in the district and approaching the Councils via a Move-on arrangement, they will have to have resided at the project at least 6 months before submitting an application. If the specialist provider has a move on arrangement with the Council this will provide the local connection.</i>		enables the Councils to make the best use of housing stock and ensure homes are available to those with the most need.
3.2	Qualification Rules	Move-on from supported accommodation <i>Are living in accommodation-based support services outside the district to which they were referred by or with the agreement of the Council and they lived in Broadland for 6 months immediately prior to the placement.</i> Update wording to: <i>Are living in accommodation-based support services outside the district to which they were referred by or with the agreement of the Council and they met the qualification criteria immediately before the placement.</i>	All characteristics Positive	The prior clause restricted qualification criteria under this category to those who had lived in the district immediately before placement. It did not include those who would qualify in another way, for example, through employment. This amendment widens that qualification criteria and is considered a positive impact.
4.4.11 (Band 2)	Housing Priority Bands	Tenant under-occupying by 1 or more <i>Tenant in social housing, within the Broadland or South Norfolk district under-occupying by 1 or more bedrooms (current property unaffordable)</i>	Place/Rurality Neutral	The amendment clarifies this banding and seeks give priority to existing tenants in the district to ensure they can move from a property that is bigger than needed and unaffordable. This mean that private rented tenants and those from outside the area will not have this priority afforded to them although they may sit elsewhere in the housing priority bands, dependant on individual circumstances. In mitigation, this criteria will

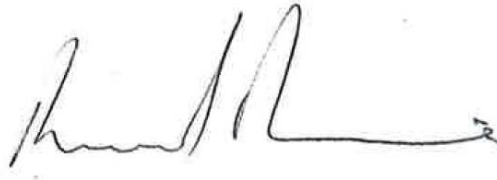
Location in policy	Item	Detail	Believed impact Positive Neutral Negative	Rationale/Mitigation
				help eligible households to prevent a potential build-up of arrears and possible homelessness. It also aims to free up a much in demand larger socially rented property
4.4.11 (Band 3)	Housing Priority Bands	Tenant under-occupying by 1 or more bedrooms update to: <i>Tenant in social housing, within the Broadland or South Norfolk district under-occupying by 1 or more bedrooms (current property affordable)</i>	Place/Rurality Neutral	As above, however as the property is considered affordable, a lower priority band is given.
4.4.11 (Band 3)	Housing Priority Bands	Two existing socially rented households moving into one property updated to: <i>Two existing socially rented households moving into one property, where at least one of the properties is in Broadland or South Norfolk Districts</i>	Place/Rurality Neutral	This amendment provides clarification in existing practice that one household must be an existing socially rented tenant in the districts. While this would then exclude socially rented tenants from outside of Broadland or South Norfolk, this ensures best use of local social housing and, where both households are in Broadland or South Norfolk, aims to free up a socially rented property.
3.4	Non-Qualification Rules	Add 3.4 m <i>'They or a member of their household, own residential property or are in the process of purchasing residential property, including a Right to Buy or Right to Acquire and have the financial means to find their own housing solution'</i>	All characteristics Positive	Currently we have non-qualification rules about capital and investments currently held. However, it does not cover applicants who are in the process of purchasing property. Tightening up of the definition around home ownership and access to social housing. A homeowner or potential homeowner with no housing need should not need access to social housing and to ensure that properties go to those in the greatest need, customers with the means to find their own housing solution should be encouraged to do so.
3.4	Non-Qualification Rules	Add 3.4 n <i>They or a member of their household are in arrears or have a debt of more</i>	All characteristics Neutral	This was not included in the policy non- qualification rules and aligns with 3.4 (f) that those with rent or mortgage arrears will not qualify. This could impact, for

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		<i>than £1000 with the council. This can include but is not limited to rent in advance, deposits, loan, Council Tax arrears, and temporary accommodation charges.</i>		example, on those with a low income, those who have arrears due to a health including mental health condition or those experiencing domestic abuse. In order to mitigate this, each application will be assessed individually for exceptional or mitigating circumstances (3.5)
3.4	Non-Qualification Rules	Add 3.4 o <i>Applicants who have deprived themselves of assets, to include property, savings or income will be treated as still possessing the value of the asset and will not qualify where, had the asset not been transferred, they would have had sufficient financial resources. Consideration will be given to the personal circumstances of the applicant and the length of time which has passed. Information and advice will be provided on alternative housing options. When considering this we will also consider benefit regulations with regard to deprivation of capital.</i>	All characteristics Neutral	Tightening up on rules for non-qualification if the applicant has gifted, transferred, or spent assets and worsened their housing situation. Someone who has knowingly done this should not have access to social housing, and these rules follow benefit regulations and those set out for care funding.
4.8	Deliberate or worsening of circumstances	To be added to 3.4 <i>Homeowners who have transferred their property to another family member within the last 5 years from the date they make their application to the register</i>	All characteristics Neutral	
3.4f	Non-Qualification Rules	Update working to add mortgage arrears section: <i>They, or a member of their household is/was responsible for paying rent or a mortgage and they have rent arrears or mortgage arrears and/or court costs greater than 16 weeks if charged weekly or greater than 4 months if charged</i>	All characteristics Neutral	This change in wording closes a loophole in the policy that those with mortgage arrears and applicants and household members with sufficient financial resources including income are able to circumnavigate non-qualification clauses. This provides parity to all applicants. As above, each application will be assessed individually for exceptional and mitigating circumstances under 3.5 and those with sufficient

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		<i>monthly and they have not met the criteria for reassessment.</i>		financial resources will be advised on low cost home ownership schemes or supported to access the private rented sector.
3.4 I	Non-Qualification Rules	Update wording to add household: <i>Applicants and their household who are considered to have sufficient financial resources to secure accommodation within the private sector.</i>		
3.4 I	Non-Qualification Rules	Update wording to include income: <i>Sufficient financial resources includes any income, assets or investments even if they are not immediately available to the applicant such as any residential or non-residential property that they own, or part own anywhere in the UK or abroad.</i>		
4.4.11 (Band 2)	Housing Priority Bands	Overcrowded by 2 or more bedrooms (affordability test) Update to remove affordability test, as this is not required when overcrowded	Age Disability Health Pregnancy and Maternity Low Income Neutral	This amends wording in the policy to reflect practice that affordability will not be assessed by the council at the point at banding when an overcrowding by two or more bedrooms banding is given and may impact, for example, on those on low incomes, those with larger families and households with a family member with a disability. However, at point of successful bidding for a property, affordability will be checked by the registered provider as part of standard checks (??)

Signed by evaluator: Victoria Parsons

Signed by responsible head of department:

A handwritten signature in black ink, appearing to be 'H. M. D.', written over a light blue horizontal line.

17.11.21

REVIEW DATE : September 2022