

Stage 1: Equality Impact Assessment

<p>1. What are the main aims purpose and outcomes of the Policy and how do these fit with the wider aims of the organisation?</p>
<p>This policy details the circumstances where the council may exercise its power to end the duty to homeless applicants under s193 of the Housing Act 1996 by way of making an offer of private rented accommodation.</p> <p>The policy seeks to increase the housing options, and reduce the length of time that homeless applicants remain in emergency temporary accommodation, and this supports the council's priority for Maidstone to be a decent place to live.</p>
<p>2. How do these aims affect our duty to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act. • Advance equality of opportunity between people who share a protected characteristic and those who do not. • Foster good relations between people who share a protected characteristic and those who do not.
<p>The proposed policy will ensure fair and transparent treatment of all applicants.</p> <p>The proposed policy will equalise opportunity for all homeless applicants to access suitable accommodation for applicants and their households with and without protected characteristics.</p>
<p>3. What aspects of the policy including how it is delivered or accessed could contribute to inequality?</p>
<p>The proposed policy will not in itself contribute to inequality. However, the policy relies on the council being able to access suitable accommodation that meets the specific needs of all homeless households.</p> <p>The availability of accommodation in the private rented sector for some groups (e.g. households containing a wheelchair user) is likely to be poorer than for those households who do not require adapted accommodation.</p>
<p>4. Will the policy have an impact (positive or negative) upon the lives of people, including particular communities and groups who have protected characteristics ? What evidence do you have for this?</p>
<p>The policy seeks to provide a fair and transparent system of offering homeless households suitable accommodation. This will apply to all applicants.</p> <p>Where applicants have specific housing needs (e.g. wheelchair</p>

accessibility) this will be safeguarded through the council's Allocation Scheme which provides for adapted properties to be prioritised for those households requiring the adaptation.

If the answer to the second question has identified potential impacts and you have answered yes to any of the remaining questions then you should carry out a full EQIA set out as stage 2 below.

Stage 2: Equality Impact Assessment

Name of Policy/Service/Function
Policy for ending the housing duty under s193 of the Housing Act 1996
Purpose
What are you trying to achieve with the policy / service / function?
<p>The Housing Act 1996 has been amended by s148 of the Localism Act 2011 to give local housing authorities the power to end their duties under s193 of the Housing Act 1996 (i.e. to secure accommodation) by way of an offer of suitable accommodation in the private rented sector.</p> <p>The policy seeks to define the circumstances where the council may exercise this power.</p> <p>The policy also details the legislative requirements relating to offers of private rented accommodation to ensure that the council acts fairly when ending its duty to secure accommodation through an offer of private rented accommodation.</p>
Who defines and manages it?
<p>The power to end the council's housing duty through an offer of private rented accommodation is introduced by s148 of the Localism Act 2011, which amends the Housing Act 1996.</p> <p>Further regulations detail the specific requirements in respect of the suitability requirements for private rented accommodation (The Homelessness (Suitability of Accommodation) (England) Order 2012).</p> <p>Government guidance also covers this area of work (Supplementary Guidance on the homelessness changes in the Localism Act 2011 and on the Homelessness (Suitability of Accommodation) (England) Order 2012).</p> <p>The policy has been written to encompass both the legislative requirements and</p>

also the relevant guidance.

There is also a statutory review mechanism for those applicants who disagree with the suitability of the accommodation offered, and these reviews are considered by an independent expert rather than being dealt with internally to ensure that decisions are made fairly and without discrimination.

Who do you intend to benefit from it and how?

All homeless applicants have the potential to benefit from the policy depending on the availability of private rented accommodation that meets the requirements of the household (e.g. bedroom need).

What could prevent people from getting the most out of the policy / service / function?

The ability for the council to make an offer of private rented accommodation will depend on the availability of accommodation available at any given point in time.

How will you get your customers involved in the analysis and how will you tell people about it?

Customers will be advised of the potential for an offer of private rented accommodation being made when they present to the council as being potentially homeless.

Evidence

How will you know if the policy delivers its intended outcome / benefits?

The benefits of the policy will be measured through both the number of private rented sector offers made to homeless households, and the length of stay in temporary accommodation for homeless households.

Both of these indicators can be measured against those households with protected characteristics to determine whether any group is being unfairly disadvantaged.

How satisfied are your customers and how do you know?

Where the council ends its housing duty, customers are able to request a review of that decision, and ultimately issue proceedings at the County Court.

The measure of the number of reviews upheld, as well as the number of County Court actions taken provides a measure of customer satisfaction.

What existing data do you have on the people that use the service and

the wider population?
The council's homelessness case management database contains all relevant information relating to homeless households, including household composition and most protected characteristics.
What other information would it be useful to have? How could you get this?
N/A
Are you breaking down data by equality groups where relevant (such as by gender, age, disability, ethnicity, sexual orientation, marital status, religion and belief, pregnancy and maternity)?
Data is currently provided in respect of equality groups for the council's statutory monitoring of homelessness interventions.
Are you using partners, stakeholders, and councillors to get information and feedback?
Feedback on the operation of this proposed policy will be sought through the council's Housing Consultative Board, and will inform future policy reviews.
Impact
Are some people benefiting more – or less - than others? If so, why might this be?
Information from Quarters 1 & 2 of the P1E Homelessness Activity Return indicates that single females with dependent children are the predominant characteristic of households assisted through the homelessness legislation. Similarly, there is an over-representation of individuals diagnosed with mental illness within households assisted through homelessness legislation. This suggests that these groups are likely to be offered accommodation in the private rented sector more often than other groups.
Actions
If the evidence suggests that the policy / service / function benefits a particular group – or disadvantages another - is there a justifiable reason for this and if so, what is it?
This policy aims to reduce the negative impacts caused by homelessness in a fair and transparent manner for all households who find themselves in a homelessness position regardless of their characteristics. The absence of this policy would result in the council being unable to fairly exercise the power to end the statutory housing duty.

Is it discriminatory in any way?
The policy is not discriminatory as it applies to all applicants who are considered homelessness as specified in the Housing Act 1996.
Is there a possible impact in relationships or perceptions between different parts of the community?
No. This policy aims to provide suitable accommodation for all homeless households in the shortest period of time. Where an offer of private rented accommodation is made this may be perceived as a less desirable offer than that of subsidised housing which those households who are not homeless are able to bid for using the council's choice based lettings scheme.
What measures can you put in place to reduce disadvantages?
The Housing Service will monitor and review quarterly those households where the housing duty is ended by way of an offer of private rented accommodation to ensure that there are no adverse impacts.
Do you need to consult further?
No, the policy is framed around legislative requirements.
Have you identified any potential improvements to customer service?
The proposed policy will be transparent and understandable by customers and this should maintain high standards of customer service.
Who should you tell about the outcomes of this analysis?
N/A
Have you built the actions into your Service Plan or Policy Implementation Plan with a clear timescale?
N/A
When will this assessment need to be repeated?
N/A