

Equality Impact Assessment

The Council is required (under the Equality Act 2010) to consider the impact a change in any policy or procedure (or to create a policy or procedure) will have on people with equality protected characteristics. The Council also has additional general duties to ensure fairness and foster good relationships. A timely Equality Impact Assessment must be carried out before making a decision on any material change (i.e. which have an impact on people with protected characteristics).

1 Details

1.1 What is the name of the policy / service in question?

Gwynedd Common Housing Allocations Policy.

1.2 What is the purpose of the policy / service that is being created or changed? What changes are being considered?

Review Gwynedd's Common Housing Allocations Policy, specifically moving away from a points based system to prioritise housing need to a banding system.

Gwynedd Common Housing Allocations Policy (December 2018 version). This version of the policy is essentially a new policy, because it is very different to the previous version.

The key objectives of the Policy is that it:

- helps to meet the housing needs and local housing issues in Gwynedd,
- giving priority to those in greatest housing need and with the strongest connection to the area to which they are applying
- is easy for applicants and staff to understand
- consistently prioritises applicants in similar circumstances
- would enable all applicants to be considered by all providers of social housing with only one application
- includes applicants' preferences as far as possible
- make the best use of the housing stock
- take into account of local circumstances
- provide all applicants with advice about their housing options
- provides assistance for applicants to apply as required

The day to day functions include:

- accepting applications for social housing
- assess eligibility for inclusion on the common housing register

- application assessment to determine in which priority band the application will appear
- offer social housing tenancies
- provide housing options advice for those in housing need

1.3 Who is responsible for this assessment?

Housing Service, Gwynedd Council.

1.4 When did you begin the assessment? What version is this?

An initial assessment had been completed in November 2018. This is the second version following a consultation process.

2 Implementation

2.1 Who are the partners that you will have to work with to carry out this assessment?

The Gwynedd Common Housing Register Partnership includes:

- Gwynedd Council
- Cartrefi Cymunedol Gwynedd
- Grŵp Cynefin
- North Wales Housing

2.2 What steps have you taken to engage with people with protected characteristics?

Between 3 December 2018 and 1 March 2019 consultation on proposed changes to the Common Housing Allocations Policy and Equality Impact Assessment was carried out. The consultation was advertised in public on the Council's website and social media and invited everyone on the Common Housing Register to participate. Agencies and organisations who will, or could, represent people with protected characteristics have been invited to take part in the consultation, including:

- Disability Wales
- Body Positive
- Cais
- Canllaw
- Cymorth Cymru
- Welsh Womens Aid
- Cyngor Iechyd Cymunedol Betsi Cadwaladr
- Cynllun Adfocatiaeth Iechyd Meddwl
- Gofal
- Gorwel

- GISDA
- National Health Service
- Gwynedd Ni
- Hafan Cymru
- Llinell Gymorth Byw Heb Ofn
- Mantell Gwynedd
- National Federation of Gypsy Liaison Groups
- Tai Pawb
- Tîm Integredig Plant Anabl Derwen

2.3 What was the result of the engagement?

We received a number of specific and general comments about the proposed Common Housing Allocations Policy, with some comments relevant from the perspective of equality and protected groups. Full attention has been given to the comments with a variety of changes made to the Policy as a result.

2.4 What other information informed the way you operate?

The contents of housing allocations policies in Wales are influenced by legislation and Welsh Government guidance as follows:

- Housing Act 1996 (in particular part 6 of the Act) (as amended)
- the Welsh Government Code of Guidance on Allocation of Accommodation and Homelessness (2016)

The Act states that each local housing authority in Wales shall have a scheme ("their allocation scheme") for determining priorities, and about the procedure to be followed when allocating housing accommodation. This is the Common Housing Allocations Policy.

The Code is a guide published by the Welsh Ministers. Local authorities must have regard to the code when carrying out their functions in relation to homelessness and housing allocation. Local authorities must have regard to any guidance issued by the Welsh Ministers. Ministerial guidelines issued under the provisions of the Act are contained in the Code.

2.5 Are there any gaps in our evidence that need to be gathered?

No.

3 Identifying the Impact

3.1 The Council must give due regard to the impact of any changes will have on people with equality characteristic below. What impact will the

**policy/new service or the proposed changes have on these characteristics?
You are welcome to add other features if you wish.**

Characteristic	What type of effect?	In which way? What is the evidence?
Race (including nationality)	Negative	<p>Not everyone is eligible to be on the Common housing register. Statutory regulations determine that citizens of some countries cannot qualify for social housing allocation, and the policy confirms that.</p> <p>Subject to these regulations, the Policy does not discriminate on the basis of race or nationality.</p>
The Welsh Language	Positive	<p>By using local connection as a tool to determine who will be given which band, it is believed that the policy is positive in terms of protecting Welsh communities, with 65.4% of Gwynedd residents (3 years and older) able to speak Welsh.</p>
Disability	Positive / negative	<p>It is a statutory requirement to ensure that reasonable preference is shown to an applicant (or family member) who need to move on medical or welfare grounds including grounds related to a disability (section 167 (2) of the Act). This can therefore be seen as positive.</p> <p>However there may be challenges on providing properties for people with physical disabilities due to the nature of the social housing stock, that is the relative lack of supply of accessible properties or properties with adaptations in them compared to the demand for such properties. Please note that new social properties developed do meet accessible homes standards.</p> <p>It should be noted that the Policy is not inherently negative, but the implementation of the policy may be disadvantaged.</p>
Sex	None	<p>Information on applicants' and family members' sex is used for assessing needs in terms of property size and bedroom needs, and to determine if overcrowding or under-occupation are present and may affect the priority given to an application.</p>
Age	None	<p>Anyone over the age of 16 can apply for social housing (with a guarantor if they are 16 or 17). The policy also makes specific reference to different age groups</p>

		(young and older) as a result of various factors which affect people at different times in their lives. These include young people who leave local authority care, preventing children from being taken into care, older people who wish to move to designated schemes for older persons (this also relates to suitable accommodation based on Disability because often Age and Disability issues affect an individual at the same time).
Sexual Orientation	None.	An applicant's sexual orientation plays no part in the assessment of an application for social housing. The question is asked for equality monitoring purposes and an applicant may choose not to answer the question.
Religion or belief (or lack of belief)	None.	An applicant's religion, belief or non-belief plays no part in the assessment of an application for a social housing. The question is asked for equality monitoring purposes and an applicant may choose not to answer the question.
Gender reassignment	Positive	Although the policy makes no distinction between applicants of the same sex as allocated to them at birth, and those who have reassigned, it is recognised that transgender people could suffer abuse in society. The policy allows for consideration for an urgent need for housing if a transgender applicant is homeless because of abuse or hate crime.
Pregnancy and Maternity	None.	The policy refers to pregnancy and maternity as regards the household's bedroom requirements. An application may be affected by the need to look at the family circumstances at the time of application and in the near future in terms of the suitability of a property.
Marriage and Civil Partnership	None.	The policy refers to marital status and partnership in terms of the household's bedroom requirements, but there is no discrimination here between marriage, civil partnership or co-habiting partnership.

3.2 It is incumbent on the Council under the equality act 2010 to contribute positively to a fairer society by promoting equality and good relations in its activities in the areas of age, sex, sexual orientation, religion, race, transgender, disability and pregnancy and maternity. The Council must give due regard to how any change affects the duties here.

General Duties	Does it have	In what way? What is the evidence?
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of the Equality Act	an impact?	
Remove illegal discrimination, harassment and victimisation	Yes	<p>The Policy is based on legislation and addressing issues of equality is a duty on the Council according to the Welsh Government's Code of Guidance on Housing Allocations and Homelessness.</p> <p>The Policy places people who suffer from harassment or victimisation in the 'housing need' category, and if the harassment or victimisation is of a violent nature then they will be placed in the 'urgent housing need' category.</p>
Promoting equal opportunities	Yes	The Policy promotes equal opportunities, however we must also consider that the policy must give reasonable preference to 5 statutory categories of applicant.
Encouraging good relationships	Yes	The Council is working in partnership with Grŵp Cynefin, Cartrefi Cymunedol Gwynedd and North Wales Housing to implement this Policy. Applicants will be supported by various public and third sector agencies in their quest for social housing.

4) Analysing the results

4.1 Is the policy therefore likely to have a significant, positive impact on any of the equality characteristics or the General Duties and what is the reason for this?

It is not anticipated that there will be a significant positive impact on any of the equality characteristics or the General Duty. Please note that the Policy includes provision for a panel of professional officers set a higher priority for some applications based on circumstances of the application.

4.2 Is the Plan therefore likely to have a substantial, negative impact on any of the equality characteristics or General Duties and what is the reason for this?

It is not anticipated that there will be a significant negative impact on any of the equality characteristics or the General Duty. Please note that the Policy includes provision for a panel of professional officers set a higher priority for some applications based on circumstances of the application.

4.3 What should be done?

Choose one of the following:

Continue with the policy because it is robust	✓
Adapt the policy to eliminate any barriers	
Suspend and abolish policy because as the detrimental effects are too large	
Continue with the plan as any detrimental impact can be justified	

4.4 If continuing with the scheme, what steps do you take to reduce or mitigate any negative effects?

Race – will have to comply with legislation on access to the register for people who are subject to immigration control and people from abroad.

Disability – new social housing developments reaching modern accessibility standards will mean more properties in the social stock to meet the needs of applicants with disabilities.

Please note that the policy includes a provision for a panel of professional officers set a higher priority for applications based on circumstances of the application.

4.5 If you do not take further action to remove or reduce negative impacts, please explain why here.

5) Monitoring

5.1 What steps will you take to monitor the impact and effectiveness of the policy or service (action plan)?

The Common Housing Allocations Policy will be reviewed annually, or when there is a change in legislation or statutory guidance or at the request of the Partnership.