

Equality Impact and Outcome Assessment (EIA) Template - 2019

Appendix 3: Equality Impact Assessment: Allocations Plan

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age¹³) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact:

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Debbie Ludlam)**

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA⁵	Allocations Plan (part of the Allocations Policy).	ID No.⁶	
Team/Department⁷	Housing Needs/ Neighbourhoods Communities & Housing		

Focus of EIA⁸

The focus of this EIA is on the Allocations Plan that is found in the Allocations Policy that governs the way that Social Housing is allocated to those households on the Housing Register. There has not been a previous EIA on this specific element of the Allocation Policy. The EIA will cover the period April 2020 to September 2022.

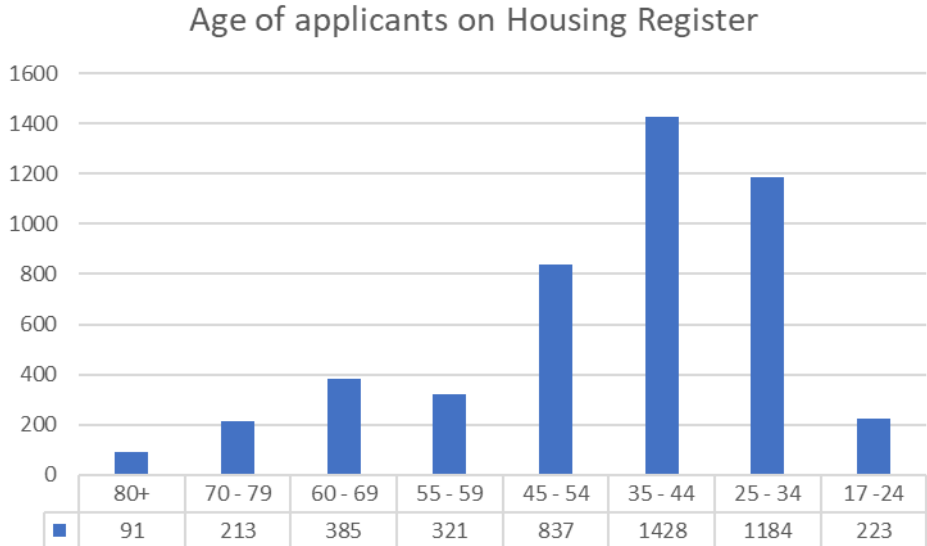
There is some new data available from the Office of National Statistics now available and we know that the population has increased in the City from 273,400 to 277,200 or 1.4% increase. This increase is below the England average of 6.6 and the South East of 7.5. Not all of the 2021 census data is currently available.

2. Update on previous EIA and outcomes of previous actions⁹

What actions did you plan last time? (List them from the previous EIA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action plan below)

3. Review of information, equality analysis and potential actions

Groups to assess	<p>What do you know¹⁰? Summary of data about your service-users and/or staff</p>	<p>What do people tell you¹¹? Summary of service-user and/or staff feedback</p>	<p>What does this mean¹²? Impacts identified from data and feedback (actual and potential)</p>	<p>What can you do¹³? All potential actions to:</p> <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination and • foster good relations
Age ¹⁴	<p><i>From the most recent census data we know that there has been an increase in the over 65-year-old in the city. The increase was 9.5%</i></p> <p><i>From the same data we also know that the number of 16–64-year-olds grew by 1.7</i></p> <p><i>From the same data we know that children under the age of 15 fell by 6.8</i></p>			
Age	<p><i>We know that we have services for older people as there are age restriction policies on some properties for those over 55.</i></p>		<p><i>We can expect there to be a lower number of older people both on the register and in each Queue. The continued use of Sheltered and Seniors Housing, which always returns to the council as there is no right to buy in this stock.</i></p>	

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	<p><i>The Council provides a Youth Homeless service to assist young people into accommodation. This service is for the under 26-year-olds. There are less Housing Options for the cohort, but they are more likely to live in HMO's or the Private Rented Sector.</i></p> <p><i>We know that there are large number of young people in the city but a large proportion of these will be accommodated in Student accommodation attached to the Universities.</i></p>																					
	<p style="text-align: center;">Age of applicants on Housing Register</p>  <table border="1" data-bbox="421 1380 1294 1449"> <thead> <tr> <th>Age Group</th> <th>Number of Applicants</th> </tr> </thead> <tbody> <tr> <td>80+</td> <td>91</td> </tr> <tr> <td>70 - 79</td> <td>213</td> </tr> <tr> <td>60 - 69</td> <td>385</td> </tr> <tr> <td>55 - 59</td> <td>321</td> </tr> <tr> <td>45 - 54</td> <td>837</td> </tr> <tr> <td>35 - 44</td> <td>1428</td> </tr> <tr> <td>25 - 34</td> <td>1184</td> </tr> <tr> <td>17 - 24</td> <td>223</td> </tr> </tbody> </table>	Age Group	Number of Applicants	80+	91	70 - 79	213	60 - 69	385	55 - 59	321	45 - 54	837	35 - 44	1428	25 - 34	1184	17 - 24	223		<p><i>There is nothing within the data of those on the Housing Register that would cause concern. We know that there are only small numbers in the CIQ and this has a number of Care leavers where the Council is the corporate</i></p>	<p><i>I would recommend that when a full EIA on the Allocations Policy is carried out that analysis is carried out by band reason for age to confirm this analysis.</i></p>
Age Group	Number of Applicants																					
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Groups to assess

What do you know¹⁰?
Summary of data about your service-users and/or staff

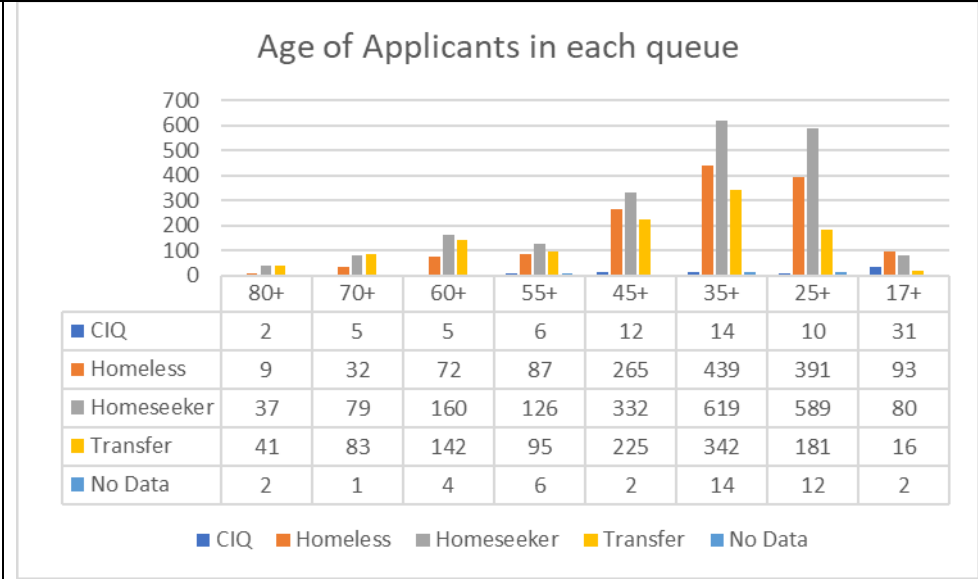
What do people tell you¹¹?
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What does this mean¹²?
Impacts identified from data and feedback (actual and potential)

What can you do¹³?
All potential actions to:

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parent. We also know that the age group 25 to 54 is likely to contain a large number of families in the cohort.



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Disability¹⁵				
Gender reassignment¹⁶				
Pregnancy and maternity¹⁷	Pregnancy and having children are two of the criterion for a priority need for homeless household. T			

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Race/ethnicity¹⁸
Including migrants, refugees and asylum seekers



There are only 85 cases currently in the Council's Interest Queue. These are nominations from Social Care, both adults and children's service to help meet Statutory Duties such as young people leaving care or those that require extra care accommodation

Groups to assess

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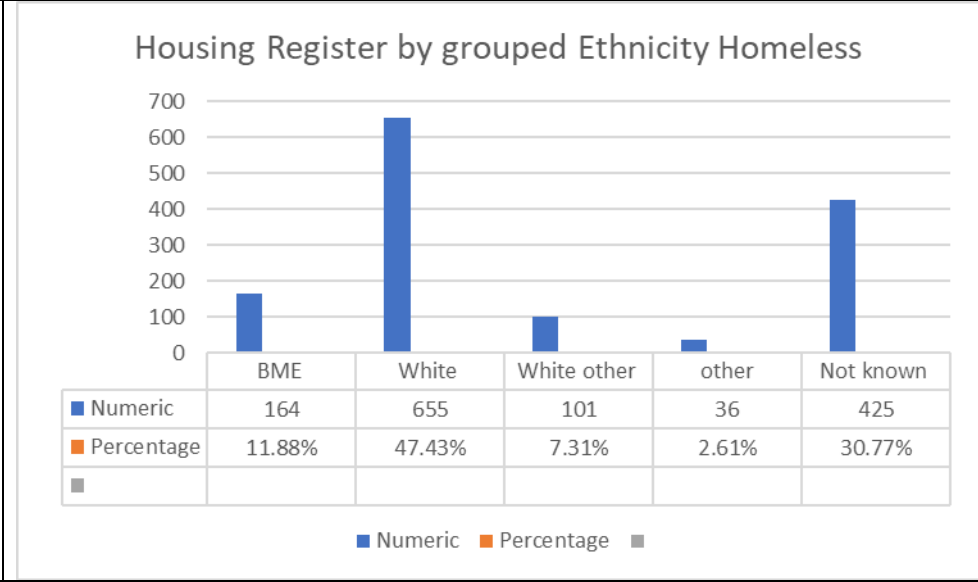
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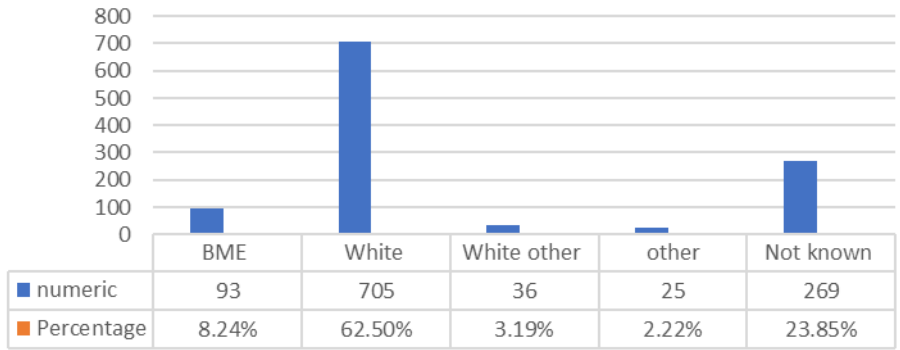
- advance equality of opportunity,
- eliminate discrimination and
- foster good relations

55



Again there are 30% of data where the ethnicity is not known. This therefore distorts the overall picture in this area.

Action Plan to tackle missing data in this area.

<p>Groups to assess</p>	<p>What do you know¹⁰? Summary of data about your service-users and/or staff</p>	<p>What do people tell you¹¹? Summary of service-user and/or staff feedback</p>	<p>What does this mean¹²? Impacts identified from data and feedback (actual and potential)</p>	<p>What can you do¹³? All potential actions to:</p> <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination and • foster good relations 																		
	<p style="text-align: center;">Housing Register by grouped Ethnicity Transfer</p>  <table border="1" data-bbox="403 957 1299 1085"> <thead> <tr> <th></th> <th>BME</th> <th>White</th> <th>White other</th> <th>other</th> <th>Not known</th> </tr> </thead> <tbody> <tr> <td>■ numeric</td> <td>93</td> <td>705</td> <td>36</td> <td>25</td> <td>269</td> </tr> <tr> <td>■ Percentage</td> <td>8.24%</td> <td>62.50%</td> <td>3.19%</td> <td>2.22%</td> <td>23.85%</td> </tr> </tbody> </table>		BME	White	White other	other	Not known	■ numeric	93	705	36	25	269	■ Percentage	8.24%	62.50%	3.19%	2.22%	23.85%		<p>Again a significant proportion is missing in this area and this will distort any analysis. There is a smaller number of BME applicants on the register</p>	<p>Investigate the lower number of BME community in this queue against the population as a whole in Social Housing.</p>
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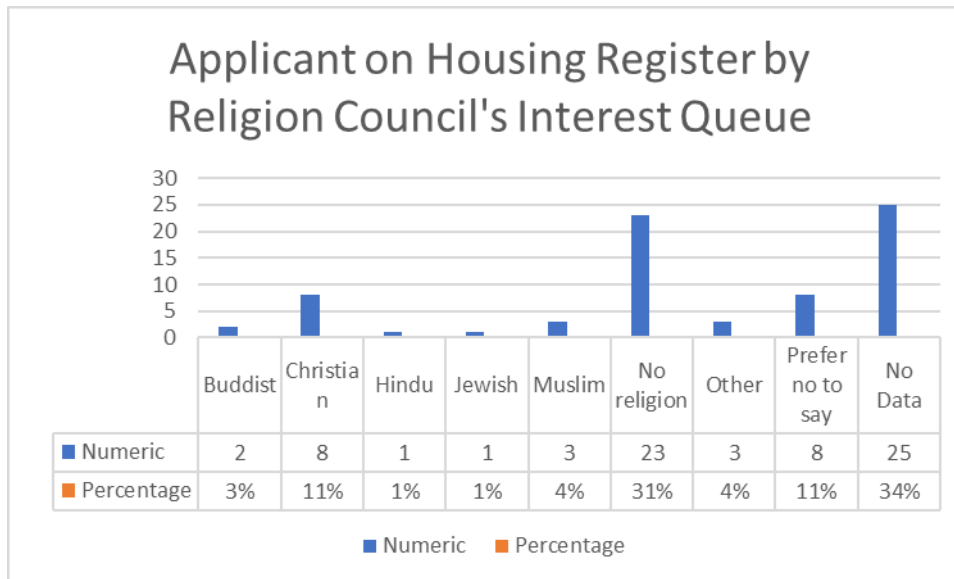
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Religion or belief¹⁹



There are a high number of cases where the data for religion is not in the system.

There is a low number of cases in the Council's interest Queue. This Queue contains applicants who are nominated by Social Service both Adult and Children

When the full Allocations Policy is being reviewed there will be an impact assessment carried out. When this is done it will be on the basis of information to hold a dialog with religious groups to find out if there are numbers of applicants who prefer

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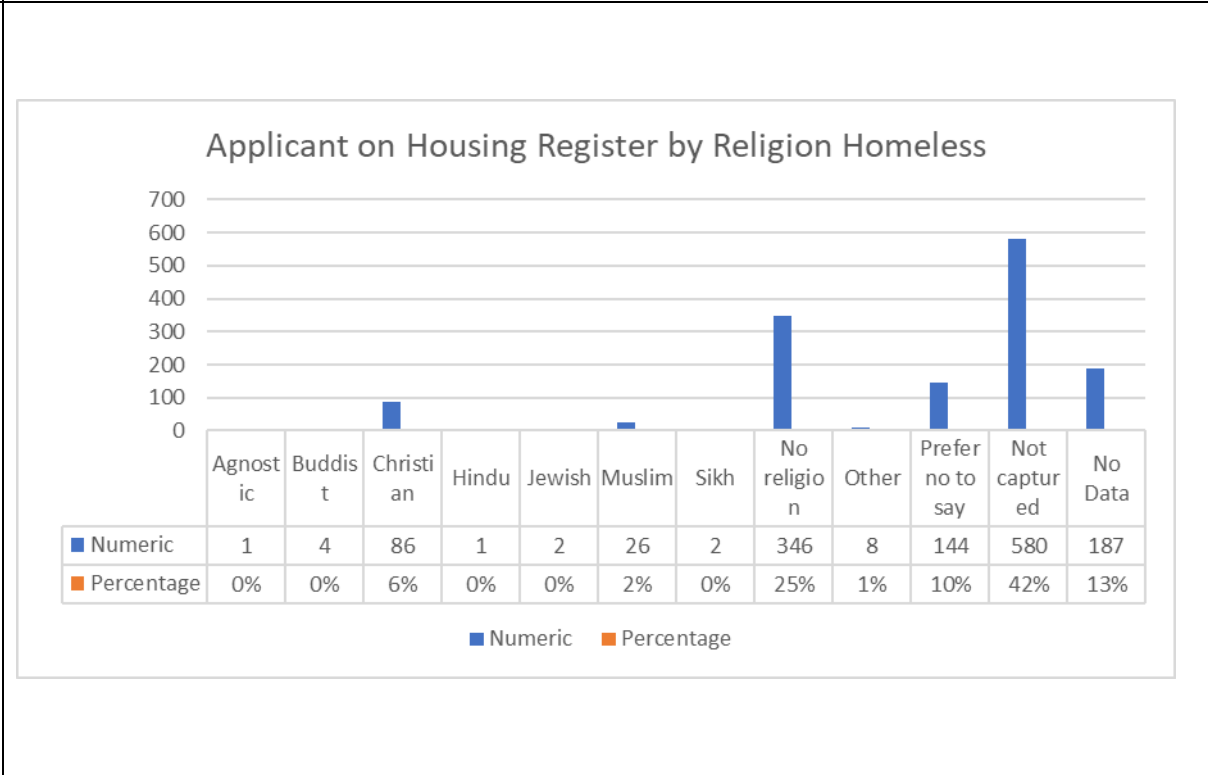
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not to divulge this information.

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Likewise there is a high percentage of cases where the data is not captured. This is mainly on older applications as there is now an online application form that means that we are getting more information

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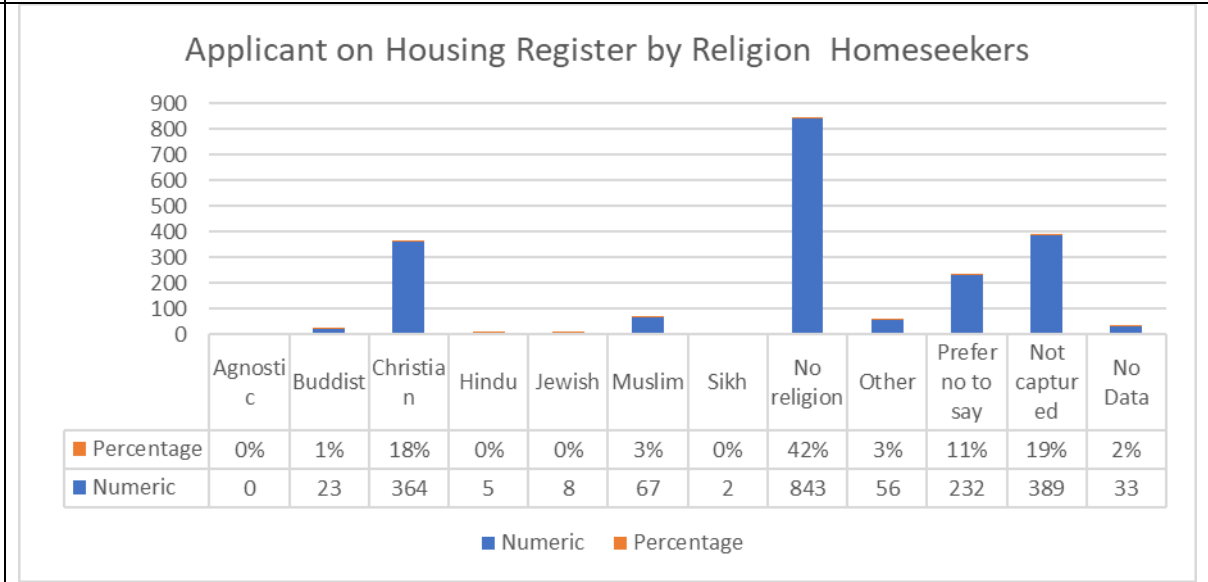
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in this area.



There is a significantly lower proportion in some religious group than would be expected.

This will be an action for the formal development of the new policy.

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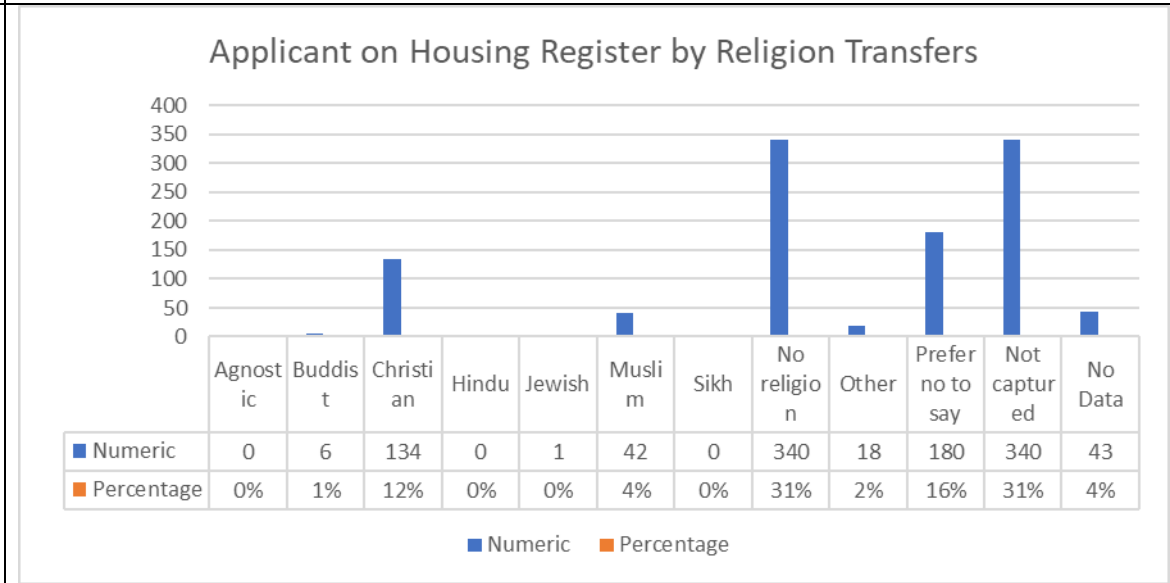
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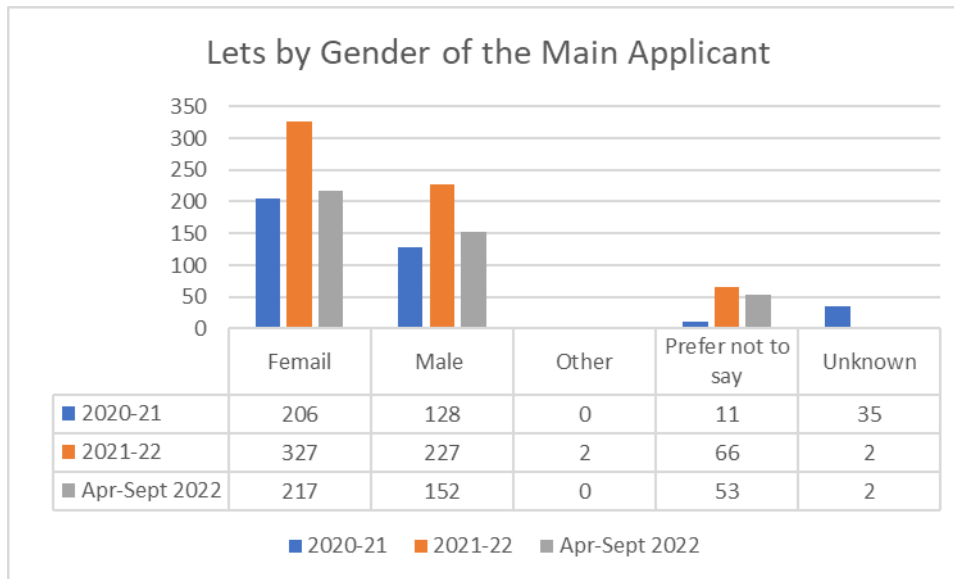
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Sex/Gender²⁰



The data show that Women are more likely to be the main applicant than Men. This is no surprising as Women are more likely to be the head of a single adult household than men. We are aware that Men are more prevalent in a single person household, and we also know that Men are more likely to be in Supported housing in the city.

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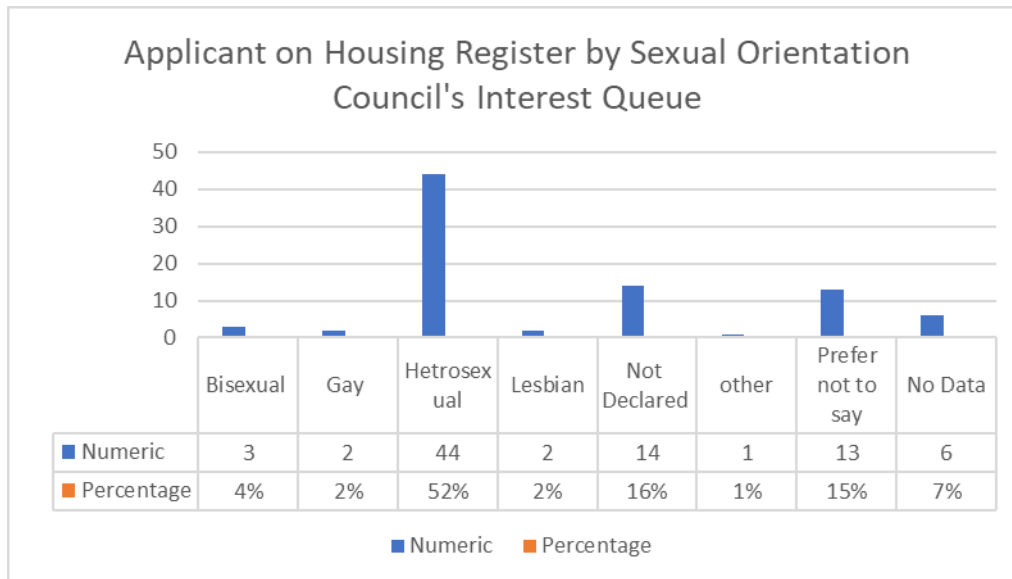
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Sexual orientation²¹



The Council's Interest Queue are effectively nomination from the Council's Social Care agencies and there are only 85 in this Queue. There are however still high levels of Not declared or no data or preferred not to say.

Discuss missing data with nominating agencies to find out if there are any issues.

Set up a focus group with some of the nominated applications such as care leavers or those leaving supported to better understand the reason behind this.

Groups to assess

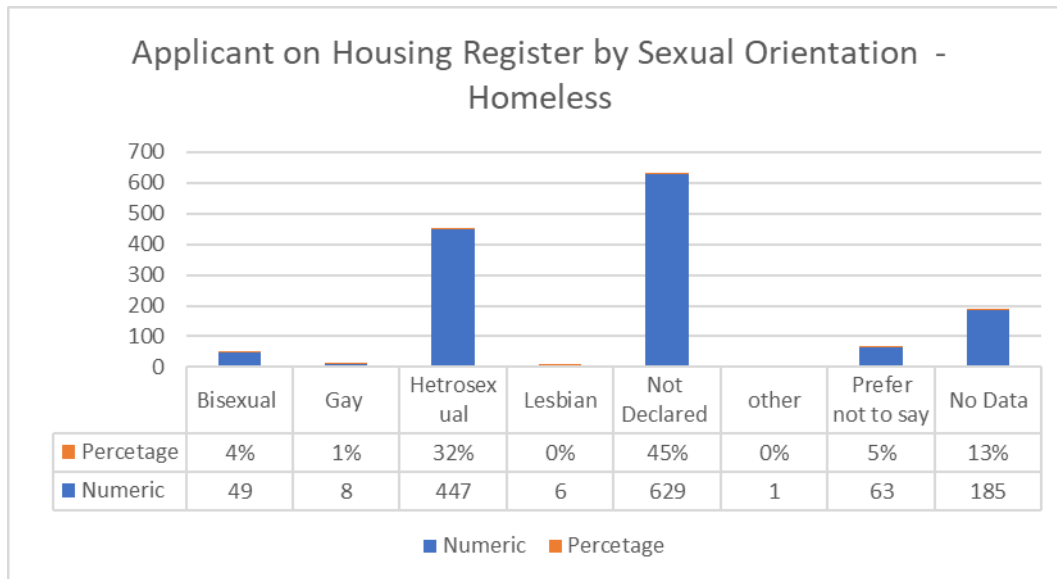
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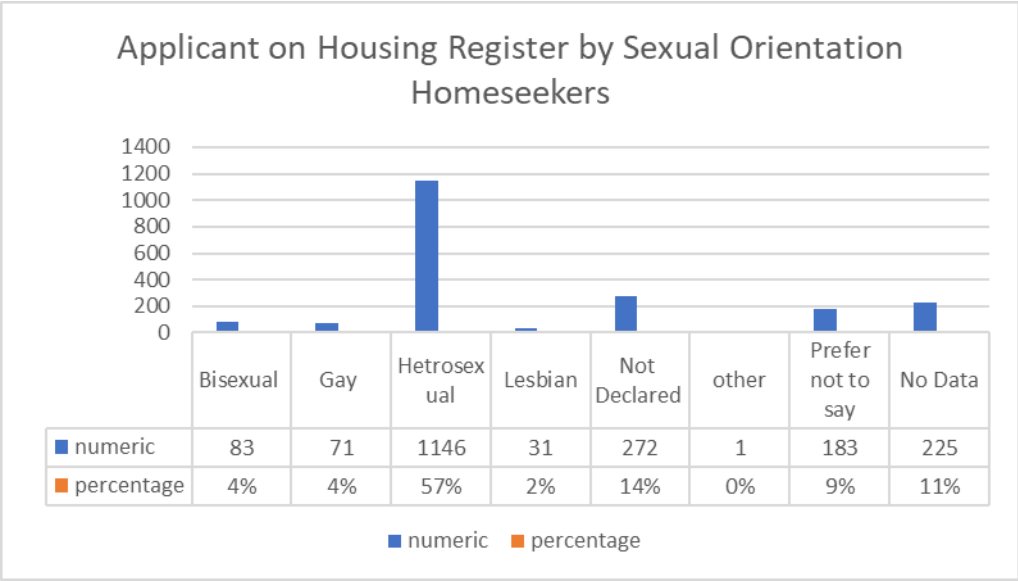


53% of data is no data or not declared. This means that no meaningful analysis can be take.

There is a very small number of applicants in the Lesbian and Gay groups (even given the missing data. This may be accounted for by Priority Need not applying to single/couple households

Need to address the lack of data especially as there is more likely to be an assigned office to the say we should expect better data than is currently showing.

Investigate to see if there are any barriers to staff raising someone's

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				<p>sexuality and see if there is a training requirement.</p>																											
<p>69</p>	<p>Applicant on Housing Register by Sexual Orientation Homeseekers</p>  <table border="1" data-bbox="409 1155 1350 1331"> <thead> <tr> <th></th> <th>Bisexual</th> <th>Gay</th> <th>Hetrosexual</th> <th>Lesbian</th> <th>Not Declared</th> <th>other</th> <th>Prefer not to say</th> <th>No Data</th> </tr> </thead> <tbody> <tr> <td>■ numeric</td> <td>83</td> <td>71</td> <td>1146</td> <td>31</td> <td>272</td> <td>1</td> <td>183</td> <td>225</td> </tr> <tr> <td>■ percentage</td> <td>4%</td> <td>4%</td> <td>57%</td> <td>2%</td> <td>14%</td> <td>0%</td> <td>9%</td> <td>11%</td> </tr> </tbody> </table>		Bisexual	Gay	Hetrosexual	Lesbian	Not Declared	other	Prefer not to say	No Data	■ numeric	83	71	1146	31	272	1	183	225	■ percentage	4%	4%	57%	2%	14%	0%	9%	11%		<p>Looking at the data it is hard to come to any firm conclusions as there are high levels of missing data or prefer not to say.</p>	<p>When developing a new policy, we need to meet with the relevant groups to understand why there is 9% “prefer not to say”</p> <p>We need to set targets to reduce the missing data “no data” and “not</p>
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<p>Marriage and civil partnership²²</p>	<p>The council does not collect data on the Marriage or Civil partnership arrangements of any applicants and therefore we are not able to provide any detail on the impact. Applicants are able to apply regardless of a marital or civil partnership</p>																														

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Community Cohesion²³	The Council is able to allocate housing on the basis on a local lettings plan that is contained within the Allocations Policy. This is normally used when the Council or Housing Associations build new properties to let. When this happens the properties will be let across the four queues to ensure that there is a balanced communities as some of these developments can be substantial			
Other relevant groups²⁴	Homeless applicants have a significant number of applications on the housing register. This is to be expected as they have to be given a “reasonable preference” under legislation.		This is governed by national legislation and a code of guidance which local authorities must have due regard in decision making. There are groups who will automatically be considered to have a priority need and therefore included on the housing register	

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			<p>such as someone pregnant of someone fleeing domestic abuse. Other will fall in the Vulnerable due to mental or physical disability.</p>	
<p>Cumulative impact²⁵</p>	<p>The proposed change in the percentage lets to the Allocations Plan is projected to be minimal. This is based on the facts that for properties let with a mobility group award must have been assessed as requiring this type of property. This will likely mean that a high percentage of properties will go to those with a disability.</p> <p>For some other groups there are two few applications from those in some religious group or for those in the LGBT community who do not wish to declare this information. It is therefore difficult to reach conclusion in some areas unless there is evidence elsewhere that there is a discriminatory approach to service delivery, for example information is a high number of complaints.</p>			<p>To ensure a wide ranging exercise to engage with religious, community and third sector groups to develop an options appraisal for member on</p>

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				a new allocation policy
Assessment of overall impacts and any further recommendations²⁶				
<p><i>In each of the data set for those on the housing register there are a large percentage where the data is missing. Having missing data in large quantities can have the effect of distorting the over all balance and it is therefore important to collect missing data.</i></p> <p><i>There is also evidence that significant numbers to not want to tell us information relating to protected characteristics. This can be seen in Religion for example. We need to understand more about why this is the case to understand there are issues. For example, is there any evidence within complaints that people feel that there has been discrimination on the basis of religion.</i></p>				

4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
<p>This EIA is a desktop analysis of the council's housing register to see what the impact will be in changing the percentage lets to those with protected characteristics.</p> <p>No Community feedback was sought at this stage as there will be a full community feedback sessions in the development of the review the Allocation Policy.</p>	<p>November/ December 2022</p>		
<p>Information has been obtained from the Council's data base that contains information supplied by applicants on the Housing Register.</p>		<p>There are gaps in the data across groups. This is partly due to historic information not being available and there is evidence of people not wanting to divulge information in certain areas such as religion and sexuality.</p>	<p>An action plan will be required to say how they will tackle the missing data in order to provide a more robust data set to assist in the formation of an Allocations Policy (and the Allocations review)</p>

5. Prioritised Action Plan²⁷

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Staff member completing Equality Impact Assessment:

Date:

Directorate Management Team rep or Head of Service/Commissioning:

Date:

CCG or BHCC Equality lead:

Date:

Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

⁴ **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

⁵ **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁶ **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

⁷ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁸ **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Previous actions:** If there is no previous EIA or this assessment if of a new service, then simply write 'not applicable'.

¹⁰ **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?¹⁰
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#>) and national ones where they are relevant.

¹¹ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.

-
- Try to consult in ways that ensure all perspectives can be considered.
 - Identify any gaps in who has been consulted and identify ways to address this.

¹² Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹³ Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

¹⁴ **Age:** People of all ages

¹⁵ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

¹⁶ **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

¹⁷ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁸ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

¹⁹ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

²⁰ **Sex/Gender:** Both men and women are covered under the Act.

²¹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²² **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²³ **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²⁴ **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

²⁵ **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

²⁶ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁷ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.