

Equality Impact and Outcome Assessment (EIA) Template - 2019

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 | Private Rented Sector Offer Policy | ID No.⁶ | |
| Team/Department⁷ | Housing Needs – Housing, Neighbourhoods and Communities Directorate | | |
| Focus of EIA⁸ | The Housing Needs department proposes to implement a policy on when Brighton & Hove City Council ('the Council') will make an offer of private rented sector accommodation to households who are homeless or threatened with homelessness. These offers of private rented sector offers will bring the prevention, relief or main housing duty owed to these households under Part 7 of the Housing Act 1996 to an end. The policy provides a framework to officers who are bringing the Council's housing duties under Part 7 of the Housing Act 1996 to an end, so that offers are legally suitable. The policy aims to maximise the supply of scarce suitable accommodation available to the Council and to make best use of all available housing supply. The policy will enable households owed a duty by the Council to receive an offer of accommodation in a shorter time than waiting for an allocation of social housing. | | |

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 further actions do you need to take? (add these to the Action plan below) |
|---|--|--|
| Not applicable – this is the first time the Council has proposed to implement a private rented sector offer policy. | N/A | N/A |

3. Review of information, equality analysis and potential actions

| Groups to assess | What do you know ¹⁰ ? Summary of data about your service-users and/or staff | What do people tell you ¹¹ ? Summary of service-user and/or staff feedback | What does this mean ¹² ? Impacts identified from data and feedback (actual and potential) | What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations | | | | | | | | | | | | | | | | | | | | | | |
|-------------------|---|--|---|---|------|-------|-----|-------|-----|-------|-----|-------|-----|-------|-----|-------|----|-----|----|-----------|---------------------------------|--|--|---|--|--|
| Age ¹⁴ | <table border="1"> <thead> <tr> <th>Age Group</th> <th>% of main applicants</th> </tr> </thead> <tbody> <tr> <td>16-17</td> <td>< 1%</td> </tr> <tr> <td>18-24</td> <td>10%</td> </tr> <tr> <td>25-34</td> <td>27%</td> </tr> <tr> <td>35-44</td> <td>26%</td> </tr> <tr> <td>45-54</td> <td>19%</td> </tr> <tr> <td>55-64</td> <td>11%</td> </tr> <tr> <td>65-74</td> <td>5%</td> </tr> <tr> <td>75+</td> <td>2%</td> </tr> </tbody> </table> <p>Table: Age of main applicants assessed as owed a prevention or relief duty by Brighton & Hove City Council 2022-2023</p> <table border="1"> <thead> <tr> <th>Age Group</th> <th>% of Brighton & Hove Population</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table> | Age Group | % of main applicants | 16-17 | < 1% | 18-24 | 10% | 25-34 | 27% | 35-44 | 26% | 45-54 | 19% | 55-64 | 11% | 65-74 | 5% | 75+ | 2% | Age Group | % of Brighton & Hove Population | | | <p><i>In Brighton & Hove, people aged 25 – 44 disproportionately experience homelessness and are therefore more likely to be impacted by this policy. Children are most likely to be part of households where the main applicant is aged 25 – 44.</i></p> | <p><u>Children</u> <i>Children will be negatively affected if a private rented sector offer means that they need to move schools. Moving schools will always be disruptive. The most disruption will likely occur for children subject to welfare or safeguarding concerns, or with special educational needs, or are about to take GCSEs or A level exams.</i></p> <p><u>People with caring responsibilities for those outside their household (typically aged 25 – 60)</u> <i>People with caring</i></p> | <p><u>Children</u> <i>To safeguard and promote the welfare of children, private rented sector offers will not be made in a way which seeks to minimise the disruption to the education of children. Private rented sector offers will not be made where the officer is satisfied that the level of disruption to children's lives - including (but not limited to) involvement with Children's</i></p> |
| Age Group | % of main applicants | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16-17 | < 1% | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18-24 | 10% | | | | | | | | | | | | | | | | | | | | | | | | | |
| 25-34 | 27% | | | | | | | | | | | | | | | | | | | | | | | | | |
| 35-44 | 26% | | | | | | | | | | | | | | | | | | | | | | | | | |
| 45-54 | 19% | | | | | | | | | | | | | | | | | | | | | | | | | |
| 55-64 | 11% | | | | | | | | | | | | | | | | | | | | | | | | | |
| 65-74 | 5% | | | | | | | | | | | | | | | | | | | | | | | | | |
| 75+ | 2% | | | | | | | | | | | | | | | | | | | | | | | | | |
| Age Group | % of Brighton & Hove Population | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Groups to assess | What do you know ¹⁰ ? Summary of data about your service-users and/or staff | | What do people tell you ¹¹ ? Summary of service-user and/or staff feedback | What does this mean ¹² ? Impacts identified from data and feedback (actual and potential) | What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations | | | | | | | | | | | | | | | | | | |
|--|---|--|--|---|---|-----|-----------------------------------|------|---|---|--|------|-------|------|-------|-----|-------|-----|-----|---|--|---|--|
| | <table border="1"> <tr><td>0-15</td><td>15</td></tr> <tr><td>16-19</td><td>5.4</td></tr> <tr><td>20-24</td><td>10.1</td></tr> <tr><td>25-34</td><td>15</td></tr> <tr><td>35-49</td><td>21.3</td></tr> <tr><td>50-64</td><td>19.1</td></tr> <tr><td>65-74</td><td>7.6</td></tr> <tr><td>75-84</td><td>4.4</td></tr> <tr><td>85+</td><td>2</td></tr> </table> <p><i>Table: Office for National Statistics 2021 Census Data on Age of Brighton & Hove Population</i></p> | | 0-15 | 15 | 16-19 | 5.4 | 20-24 | 10.1 | 25-34 | 15 | 35-49 | 21.3 | 50-64 | 19.1 | 65-74 | 7.6 | 75-84 | 4.4 | 85+ | 2 | | <p><i>responsibilities will be negatively affected if a private rented sector offer means they have to travel further to fulfil their caring responsibilities, such as to an elderly relative.</i></p> <p><u><i>People receiving care due to frailty or infirmity (typically aged 60+)</i></u> <i>People who rely on care from relatives or friends they do not live with will be negatively affected if a private rented sector offer means they cannot continue to receive care.</i></p> | <p><i>Services, specialist education and studying for key examinations – makes the location of the offer unsuitable.</i></p> <p><u><i>Caring responsibilities</i></u> <i>Private rented sector offers will not be made where the officer is satisfied that the location of accommodation will cause disruption to the giving or receiving of care which is likely to be so significant as to make the offer unsuitable.</i></p> |
| 0-15 | 15 | | | | | | | | | | | | | | | | | | | | | | |
| 16-19 | 5.4 | | | | | | | | | | | | | | | | | | | | | | |
| 20-24 | 10.1 | | | | | | | | | | | | | | | | | | | | | | |
| 25-34 | 15 | | | | | | | | | | | | | | | | | | | | | | |
| 35-49 | 21.3 | | | | | | | | | | | | | | | | | | | | | | |
| 50-64 | 19.1 | | | | | | | | | | | | | | | | | | | | | | |
| 65-74 | 7.6 | | | | | | | | | | | | | | | | | | | | | | |
| 75-84 | 4.4 | | | | | | | | | | | | | | | | | | | | | | |
| 85+ | 2 | | | | | | | | | | | | | | | | | | | | | | |
| Disability ¹⁵ | <table border="1"> <thead> <tr> <th>Support needs of households owed a homeless duty by Brighton & Hove 2022 - 2023</th> <th>% of households owed a homeless duty</th> </tr> </thead> <tbody> <tr> <td>Physical ill health and disability</td> <td>24</td> </tr> <tr> <td>History of mental health problems</td> <td>35</td> </tr> </tbody> </table> | | Support needs of households owed a homeless duty by Brighton & Hove 2022 - 2023 | % of households owed a homeless duty | Physical ill health and disability | 24 | History of mental health problems | 35 | <p><i>In Brighton & Hove, people impacted by disability disproportionately experience homelessness and are therefore more likely to be impacted by this policy.</i></p> | <p><i>Tenants who require adaptations to their home to meet the accessibility needs of a physical disability may be at a disadvantage when in private rented sector accommodation when compared with accommodation in the social rented sector. For example, a landlord can refuse adaptations to be made where</i></p> | <p><i>When considering whether to make a private rented sector offer, the officer will consider whether the applicant is likely to be able to sustain the accommodation offered. When doing so, Officers will refer to the Homelessness Code of Guidance and</i></p> | | | | | | | | | | | | |
| Support needs of households owed a homeless duty by Brighton & Hove 2022 - 2023 | % of households owed a homeless duty | | | | | | | | | | | | | | | | | | | | | | |
| Physical ill health and disability | 24 | | | | | | | | | | | | | | | | | | | | | | |
| History of mental health problems | 35 | | | | | | | | | | | | | | | | | | | | | | |

| Groups to assess | What do you know ¹⁰ ? Summary of data about your service-users and/or staff | What do people tell you ¹¹ ? Summary of service-user and/or staff feedback | What does this mean ¹² ? Impacts identified from data and feedback (actual and potential) | What can you do ¹³ ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations | | | | | | | | | | |
|-------------------------------|--|--|---|--|--------------------------------------|----------------------------|------|-------------------------------|-------|--------------|-------|--|--|---|
| | <table border="1" data-bbox="474 363 965 438"> <tr> <td>Learning disability</td> <td>5</td> </tr> </table> <p data-bbox="474 443 965 528"><i>Table: Support needs of households owed a homeless duty by Brighton & Hove City Council 2022 – 2023</i></p> <table border="1" data-bbox="474 715 954 1098"> <thead> <tr> <th>Disability status</th> <th>% of Brighton & Hove Population 2021</th> </tr> </thead> <tbody> <tr> <td>Disabled and limited a lot</td> <td>8.0%</td> </tr> <tr> <td>Disabled and limited a little</td> <td>11.5%</td> </tr> <tr> <td>Not disabled</td> <td>80.5%</td> </tr> </tbody> </table> <p data-bbox="474 1102 954 1187"><i>Table: Office for National Statistics 2021 Census Data on Disability in Brighton & Hove Population</i></p> <p data-bbox="474 1225 981 1517"><i>A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities. Households with support needs as a result of a physical or mental impairment are</i></p> | Learning disability | 5 | Disability status | % of Brighton & Hove Population 2021 | Disabled and limited a lot | 8.0% | Disabled and limited a little | 11.5% | Not disabled | 80.5% | | <p data-bbox="1294 363 1733 762"><i>the mortgage lender, or freeholder, or other owners in the building object. Private rented sector landlords are generally more likely to have mortgages and are generally less likely to own the freeholds of their properties, which makes refusal of adaptations more likely in the private rented sector.</i></p> <p data-bbox="1294 810 1733 1098"><i>Some disabled applicants are less likely to be able to sustain a private rented tenancy when compared with a social rented tenancy, for example due to a fluctuation health condition b that physical or mental or often both combined.</i></p> <p data-bbox="1294 1145 1733 1533"><i>Disabled applicants are more likely to be receiving support and care. Disabled applicants receiving care and support are likely to be adversely affected if a private rented sector offer disrupts care, and/or results in them having to move to an area where equivalent essential care or support is unavailable.</i></p> | <p data-bbox="1758 363 2089 1134"><i>the Homelessness (Suitability of Accommodation) Order 2012. The officer will also consider the proximity and accessibility of the accommodation to medical facilities and other support which are currently used by or provided to the applicant or members of the person's household; and the proximity and accessibility of the accommodation to local services, amenities and transport.</i></p> <p data-bbox="1758 1182 2089 1533"><i>A private rented sector offer will only be made where it will be affordable for the applicant. The wider context of the applicant's particular circumstances should be considered when considering their</i></p> |
| Learning disability | 5 | | | | | | | | | | | | | |
| Disability status | % of Brighton & Hove Population 2021 | | | | | | | | | | | | | |
| Disabled and limited a lot | 8.0% | | | | | | | | | | | | | |
| Disabled and limited a little | 11.5% | | | | | | | | | | | | | |
| Not disabled | 80.5% | | | | | | | | | | | | | |

| Groups to assess | What do you know¹⁰? Summary of data about your service-users and/or staff | What do people tell you¹¹? Summary of service-user and/or staff feedback | What does this mean¹²? Impacts identified from data and feedback (actual and potential) | What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations |
|-------------------------|--|---|---|--|
| | <p><i>likely to be disabled according to this definition.</i></p> <p><i>We have not used the data on homeless applicants who self-report whether they are disabled, as take-up for this option is low and will therefore likely produce unreliable data which will under-report the probable number of households owed a homelessness duty by Brighton & Hove City Council who have a disability.</i></p> <p><i>Instead, we have used the data on support needs of households, as this is mandatory data for officers to produce following a detailed needs assessment with each household, so is likely to be reliable.</i></p> | | <p><i>Disabled applicants are more likely to incur higher costs to meet their essential needs, including, but not limited to, travel.</i></p> | <p><i>household expenditure especially when these are higher than might be expected. For example, an applicant with a disabled child may have higher travel costs to ensure that the child is able to access additional support or education that they require and so this should be taken into account when assessing their essential needs, and the income that they have available for accommodation costs.</i></p> <p><i>Account will be taken of medical facilities and other support currently provided for the applicant and their household. An officer will consider the potential impact on the health and wellbeing of an applicant, or any person reasonably</i></p> |

| Groups to assess | What do you know¹⁰? Summary of data about your service-users and/or staff | What do people tell you¹¹? Summary of service-user and/or staff feedback | What does this mean¹²? Impacts identified from data and feedback (actual and potential) | What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations |
|-------------------------|--|---|--|--|
| | | | | <p><i>expected to reside with them, were such support to be removed or medical facilities were no longer accessible. They should also consider whether similar facilities are accessible and available near the accommodation being offered and whether there would be any specific difficulties in the applicant or person residing with them using those essential facilities, compared to the support they are currently receiving.</i></p> <p><i>No private rented sector offer will only be made in cases where the officer is satisfied that it will be affordable and are satisfied that it will not be likely to have such a disruption to the</i></p> |

| Groups to assess | What do you know ¹⁰ ? Summary of data about your service-users and/or staff | | What do people tell you ¹¹ ? Summary of service-user and/or staff feedback | What does this mean ¹² ? Impacts identified from data and feedback (actual and potential) | What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations | | | | |
|--|---|--|--|---|---|------|--|--|--|
| | | | | | <i>applicant's car and support needs as to make it unsuitable.</i> | | | | |
| Gender reassignment ¹⁶ | <table border="1" data-bbox="474 646 954 1061"> <thead> <tr> <th data-bbox="474 646 719 1018">% of Brighton & Hove Population Where Gender identity is different from sex registered at birth 2021</th> <th data-bbox="719 646 954 1018">% of England Population Where Gender identity is different from sex registered at birth 2021</th> </tr> </thead> <tbody> <tr> <td data-bbox="474 1018 719 1061">0.99%</td> <td data-bbox="719 1018 954 1061">0.5%</td> </tr> </tbody> </table> <p data-bbox="474 1061 954 1125"><i>Table: Office for National Statistics 2021 Census Data on Gender Reassignment</i></p> | | % of Brighton & Hove Population Where Gender identity is different from sex registered at birth 2021 | % of England Population Where Gender identity is different from sex registered at birth 2021 | 0.99% | 0.5% | <i>The number of people indicating that their gender identity is different from their sex registered at birth in Brighton & Hove is twice as great as the average across of England. Accordingly, Brighton & Hove is home to health services, a charity and a peer support service for trans and non-binary residents.</i> | <i>Applicants who have undergone/ are undergoing/ are proposing to undergo gender reassignment who are receiving treatment, care and/or support are likely to be adversely affected if a private rented sector offer disrupts care, and/or results in them having to move to an area where equivalent essential care or support is unavailable. Such services are less likely to be available outside the city, so any offers made outside the city would likely result in applicants from this group having to travel into the city to access these services.</i> | <i>Private rented sector offers will only be made in cases where the officer is satisfied that it will be affordable. No private rented sector offer will be made where the officer is satisfied that it will likely cause such a disruption to the applicant's care, support and treatment needs as to make it unsuitable. Travel to access essential services must be affordable and over a reasonable distance.</i> |
| % of Brighton & Hove Population Where Gender identity is different from sex registered at birth 2021 | % of England Population Where Gender identity is different from sex registered at birth 2021 | | | | | | | | |
| 0.99% | 0.5% | | | | | | | | |
| Pregnancy and maternity ¹⁷ | <table border="1" data-bbox="474 1276 965 1540"> <thead> <tr> <th data-bbox="474 1276 757 1500">Household composition 2022 - 2023</th> <th data-bbox="757 1276 965 1500">% of households who are owed a homeless duty</th> </tr> </thead> <tbody> <tr> <td data-bbox="474 1500 757 1540">Pregnant woman</td> <td data-bbox="757 1500 965 1540">2%</td> </tr> </tbody> </table> | | Household composition 2022 - 2023 | % of households who are owed a homeless duty | Pregnant woman | 2% | <i>In Brighton & Hove, single parent households disproportionately experience homelessness</i> | <i>Applicants who are pregnant will likely have links to local services and these links could be disrupted if they need to move out of the city to take up a private rented sector offer. An applicant who</i> | <i>Account will be taken of medical facilities and other support currently provided for the applicant and their household. An officer will consider the</i> |
| Household composition 2022 - 2023 | % of households who are owed a homeless duty | | | | | | | | |
| Pregnant woman | 2% | | | | | | | | |

| Groups to assess | What do you know ¹⁰ ? Summary of data about your service-users and/or staff | What do people tell you ¹¹ ? Summary of service-user and/or staff feedback | What does this mean ¹² ? Impacts identified from data and feedback (actual and potential) | What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations | | | | | | | | | | | | |
|----------------------------|--|--|---|---|-----|----------------------------|------------------------------------|----------------|-----------|--------------------------|-------|----------------|----|--|---|---|
| | <table border="1" data-bbox="474 363 965 480"> <tr> <td>Households with children</td> <td>17%</td> </tr> <tr> <td>Single parents</td> <td>28%</td> </tr> </table> <p data-bbox="474 483 965 571"><i>Table: Household composition of households owed a homeless duty by Brighton & Hove City Council 2022 – 2023</i></p> <table border="1" data-bbox="474 635 965 943"> <thead> <tr> <th>Household composition 2021</th> <th>% of households in Brighton & Hove</th> </tr> </thead> <tbody> <tr> <td>Pregnant woman</td> <td>Not known</td> </tr> <tr> <td>Households with children</td> <td>17.7%</td> </tr> <tr> <td>Single parents</td> <td>6%</td> </tr> </tbody> </table> <p data-bbox="474 946 965 1002"><i>Table: Office for National Statistics 2021 Census Data on Household Composition</i></p> | Households with children | 17% | Single parents | 28% | Household composition 2021 | % of households in Brighton & Hove | Pregnant woman | Not known | Households with children | 17.7% | Single parents | 6% | <p data-bbox="1014 363 1274 507"><i>and are therefore more likely to be impacted by this policy.</i></p> | <p data-bbox="1296 363 1733 544"><i>is on maternity leave may be unable to return to work if they must move out of the city whilst they are on maternity leave.</i></p> | <p data-bbox="1760 363 2087 1321"><i>potential impact on the health and wellbeing of an applicant, or any person reasonably expected to reside with them, were such support to be removed or medical facilities were no longer accessible. They should also consider whether similar facilities are accessible and available near the accommodation being offered and whether there would be any specific difficulties in the applicant or person residing with them using those essential facilities, compared to the support they are currently receiving.</i></p> <p data-bbox="1760 1361 2069 1538"><i>No private rented sector offer will only be made in cases where the officer is satisfied that it will be</i></p> |
| Households with children | 17% | | | | | | | | | | | | | | | |
| Single parents | 28% | | | | | | | | | | | | | | | |
| Household composition 2021 | % of households in Brighton & Hove | | | | | | | | | | | | | | | |
| Pregnant woman | Not known | | | | | | | | | | | | | | | |
| Households with children | 17.7% | | | | | | | | | | | | | | | |
| Single parents | 6% | | | | | | | | | | | | | | | |

| Groups to assess | What do you know ¹⁰ ? Summary of data about your service-users and/or staff | What do people tell you ¹¹ ? Summary of service-user and/or staff feedback | What does this mean ¹² ? Impacts identified from data and feedback (actual and potential) | What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations | | |
|---|---|--|---|--|--|---|
| | | | | <p><i>affordable and are satisfied that it will not be likely to have such a disruption to the applicant's care, support and treatment needs as to make it unsuitable.</i></p> <p><i>The suitability of a private sector offer will be assessed over the long-term, as well as the immediate term. Where an applicant is on maternity leave, the officer must work on the basis that the applicant must be practicably able to return to work. Therefore, it must be affordable and reasonable for the applicant to travel to work from any private rented sector offer.</i></p> | | |
| Race/ethnicity¹⁸ Including migrants, refugees and asylum seekers | <table border="1"> <tr> <td data-bbox="472 1390 757 1543">Ethnicity of households owed a homeless duty</td> <td data-bbox="757 1390 965 1543">% of households owed a homeless</td> </tr> </table> | Ethnicity of households owed a homeless duty | % of households owed a homeless | <i>In Brighton & Hove, Black, Caribbean, African residents and residents of</i> | <i>A private rented sector offer may result in applicants from some racially minoritised groups being less able to access community and cultural</i> | <i>Where a private rented sector offer is being made to an applicant who has difficulty</i> |
| Ethnicity of households owed a homeless duty | % of households owed a homeless | | | | | |

| Groups to assess | What do you know ¹⁰ ? Summary of data about your service-users and/or staff | | What do people tell you ¹¹ ? Summary of service-user and/or staff feedback | What does this mean ¹² ? Impacts identified from data and feedback (actual and potential) | What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations | | | | | | | | | | | | | | | | | | | | | | |
|----------------------------------|--|--|--|---|---|----|-----------------------------|----|------------------------|----|---------------------------|-------|----------------------------------|------|--------------------|----|-----------|-----|--------------|--------------------------------------|-------|------|-----------------------------|----|--|---|--|
| | <table border="1"> <thead> <tr> <th data-bbox="472 363 757 475">by Brighton & Hove 2022 - 2023</th> <th data-bbox="757 363 965 475">duty</th> </tr> </thead> <tbody> <tr> <td data-bbox="472 475 757 515">Asian</td> <td data-bbox="757 475 965 515">4%</td> </tr> <tr> <td data-bbox="472 515 757 592">Black, Caribbean or African</td> <td data-bbox="757 515 965 592">5%</td> </tr> <tr> <td data-bbox="472 592 757 668">Multiple ethnic groups</td> <td data-bbox="757 592 965 668">2%</td> </tr> <tr> <td data-bbox="472 668 757 745">White British/Irish/Other</td> <td data-bbox="757 668 965 745">60.7%</td> </tr> <tr> <td data-bbox="472 745 757 821">White Gypsy/Irish Traveller/Roma</td> <td data-bbox="757 745 965 821">0.3%</td> </tr> <tr> <td data-bbox="472 821 757 898">Other ethnic group</td> <td data-bbox="757 821 965 898">5%</td> </tr> <tr> <td data-bbox="472 898 757 938">Not known</td> <td data-bbox="757 898 965 938">23%</td> </tr> </tbody> </table> <p data-bbox="472 938 965 1026"><i>Table: Ethnic group of households owed a homeless duty by Brighton & Hove City Council 2022 – 2023</i></p> <table border="1"> <thead> <tr> <th data-bbox="472 1058 757 1249">Ethnic Group</th> <th data-bbox="757 1058 965 1249">% of Brighton & Hove Population 2021</th> </tr> </thead> <tbody> <tr> <td data-bbox="472 1249 757 1289">Asian</td> <td data-bbox="757 1249 965 1289">4.8%</td> </tr> <tr> <td data-bbox="472 1289 757 1364">Black, Caribbean or African</td> <td data-bbox="757 1289 965 1364">2%</td> </tr> </tbody> </table> | | by Brighton & Hove 2022 - 2023 | duty | Asian | 4% | Black, Caribbean or African | 5% | Multiple ethnic groups | 2% | White British/Irish/Other | 60.7% | White Gypsy/Irish Traveller/Roma | 0.3% | Other ethnic group | 5% | Not known | 23% | Ethnic Group | % of Brighton & Hove Population 2021 | Asian | 4.8% | Black, Caribbean or African | 2% | <p data-bbox="1016 363 1272 691"><i>'Other ethnic group' disproportionately experience homelessness and are therefore more likely to be impacted by this policy.</i></p> <p data-bbox="1016 730 1272 946"><i>Brighton & Hove has the largest North African community outside of London¹</i></p> <p data-bbox="1016 994 1272 1356"><i>Language barriers can cause applicants for whom English is not their first language to have difficulty understanding the consequences of</i></p> | <p data-bbox="1299 363 1736 579"><i>groups, services, and support and becoming very isolated. This includes local refugee and migrant support services which may not be available elsewhere.</i></p> <p data-bbox="1299 619 1736 874"><i>Difficulties understanding English could result in some applicants from racially minoritised groups not understanding the consequences of a private rented sector offer.</i></p> | <p data-bbox="1762 363 2087 842"><i>understanding English, the offer letter should be translated into their language and an officer should meet the applicant with an interpreter to explain the consequences of the offer and the steps the applicant will need to take when moving to the new property.</i></p> <p data-bbox="1762 882 2087 1321"><i>Account must be taken of the impact that moving away from community groups and no private sector offer should be made where the impact is of such a significance as to make the location of the property unsuitable for the affected household.</i></p> |
| by Brighton & Hove 2022 - 2023 | duty | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Asian | 4% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Black, Caribbean or African | 5% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multiple ethnic groups | 2% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| White British/Irish/Other | 60.7% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| White Gypsy/Irish Traveller/Roma | 0.3% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other ethnic group | 5% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Not known | 23% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Ethnic Group | % of Brighton & Hove Population 2021 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Asian | 4.8% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Black, Caribbean or African | 2% | | | | | | | | | | | | | | | | | | | | | | | | | | |

¹ See page 8 of

| Groups to assess | What do you know¹⁰? Summary of data about your service-users and/or staff | | What do people tell you¹¹? Summary of service-user and/or staff feedback | What does this mean¹²? Impacts identified from data and feedback (actual and potential) | What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations |
|--|---|------------------------------|--|---|---|
| | Multiple ethnic groups | 4.8% | <i>a private rented sector offer¹.</i> | | |
| | White British/Irish/Other | 85.1% | | | |
| | White Gypsy/Irish Traveller/Roma | 0.4% | | | |
| | Other ethnic group | 2.9% | | | |
| | <i>Table: Office for National Statistics 2021 Census Data on ethnic groups in Brighton & Hove 2021</i> | | | | |
| Religion or belief¹⁹ | Religion or belief of households who made an application for homelessness assistance to Brighton & Hove City Council 2022 - 2023 | % of total households | <i>Brighton & Hove is home to one of only 27 Coptic Orthodox churches in the British Isles². Muslim people account for only 3.1% of the Brighton & Hove population meaning they are overrepresented in applications for</i> | <i>There is a potential impact that a private rented sector offer could result in an applicant being offered a property in a location which could make it more difficult for them to access their faith groups and place of worship – particularly if equivalent faith groups do not exist in the area offered. Judging the by data, the numbers of people who may be potentially adversely impacted by this will likely be</i> | <i>Where a private rented sector offer is made, an officer should discuss the location of the property with the applicant and consider the perspective of the applicant with regard to their religion or belief, and the area the applicant aspires to live. The suitability of the offer should be</i> |
| | Buddhist | 0.78% | | | |
| | Christian | 13.84% | | | |
| | Hindu | 0.29% | | | |
| | Jewish | 0.1% | | | |

¹ For example, see the case of Mekonen v LB Waltham Forest, County Court at Central London, 08/08/2022 <https://www.nhas.org.uk/news/article/round-up-of-legislation-case-law-guidance-and-news-october-2022>

² <https://web.archive.org/web/20080723140932/http://www.hertsdirect.org/comdirectory/comvol/relig2y/rechri3y/recchu4y/12237204/12212398>

| Groups to assess | What do you know¹⁰? Summary of data about your service-users and/or staff | | What do people tell you¹¹? Summary of service-user and/or staff feedback | What does this mean¹²? Impacts identified from data and feedback (actual and potential) | What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations | | | | | | | | | | |
|---|---|--|---|--|--|--------|------|--------|-------|-------|------------|--------|---|--|---|
| | <table border="1"> <tr> <td>Muslim</td> <td>4.95%</td> </tr> <tr> <td>No religion</td> <td>25.59%</td> </tr> <tr> <td>Sikh</td> <td>0.1%</td> </tr> <tr> <td>Other</td> <td>2.87%</td> </tr> <tr> <td>Not stated</td> <td>51.48%</td> </tr> </table> | | Muslim | 4.95% | No religion | 25.59% | Sikh | 0.1% | Other | 2.87% | Not stated | 51.48% | <i>homelessness assistance.</i> | <i>very small, but the impact on those individuals could be significant.</i> | <i>carefully considered with regard to the applicant's ability to access their faith groups or place of worship from the property.</i> |
| Muslim | 4.95% | | | | | | | | | | | | | | |
| No religion | 25.59% | | | | | | | | | | | | | | |
| Sikh | 0.1% | | | | | | | | | | | | | | |
| Other | 2.87% | | | | | | | | | | | | | | |
| Not stated | 51.48% | | | | | | | | | | | | | | |
| Sex/Gender²⁰ | <table border="1"> <thead> <tr> <th>Sex/Gender of lead applicant of households who made an application for homelessness assistance to Brighton & Hove City Council 2022 - 2023</th> <th>% of total households</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>49.43%</td> </tr> <tr> <td>Male</td> <td>29.37%</td> </tr> <tr> <td>Other</td> <td>0.55%</td> </tr> <tr> <td>Not stated</td> <td>20.65%</td> </tr> </tbody> </table> | | Sex/Gender of lead applicant of households who made an application for homelessness assistance to Brighton & Hove City Council 2022 - 2023 | % of total households | Female | 49.43% | Male | 29.37% | Other | 0.55% | Not stated | 20.65% | <i>Women are disproportionately represented among lead homeless applicants and are therefore more likely to be impacted by this policy.</i> | <p><i>Women are more likely to be lone parents, so the location of a private rented sector offer may impact family life and the welfare of children.</i></p> <p><i>Women are more likely to be carers who may be adversely impacted by a move which takes them further away from those they have caring responsibilities for.</i></p> <p><i>Women are more likely to be or have experienced domestic abuse. A private rented sector offer may enable the woman to have the opportunity to move into settled accommodation more quickly than if they were restricted to bidding for a socially rented home.</i></p> | <p><i>Private rented sector offers will not be made where the officer is satisfied that the location of accommodation will cause disruption to the giving or receiving of care which is likely to be so significant as to make the offer unsuitable.</i></p> <p><i>Private rented sector offers will not be made where the offer fails to safeguard and promote the welfare of children.</i></p> <p><i>Private rented sector offers will not be made where the location of the property will place the applicant at</i></p> |
| Sex/Gender of lead applicant of households who made an application for homelessness assistance to Brighton & Hove City Council 2022 - 2023 | % of total households | | | | | | | | | | | | | | |
| Female | 49.43% | | | | | | | | | | | | | | |
| Male | 29.37% | | | | | | | | | | | | | | |
| Other | 0.55% | | | | | | | | | | | | | | |
| Not stated | 20.65% | | | | | | | | | | | | | | |

| Groups to assess | What do you know ¹⁰ ? Summary of data about your service-users and/or staff | What do people tell you ¹¹ ? Summary of service-user and/or staff feedback | What does this mean ¹² ? Impacts identified from data and feedback (actual and potential) | What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations | | | | |
|--|--|--|---|---|------|--|--|--|
| | | | | <i>probable risk of domestic abuse. A private rented sector offer may enable a victim of domestic abuse to move to a place of safety.</i> | | | | |
| Sexual orientation ²¹ | <table border="1" data-bbox="474 735 954 1114"> <thead> <tr> <th data-bbox="474 735 719 1070">% of Brighton & Hove Population aged over 16 years who are lesbian, gay, bisexual or other (LGB+) 2021</th> <th data-bbox="719 735 954 1070">% of England Population aged over 16 years who are lesbian, gay, bisexual or other (LGB+) 2021</th> </tr> </thead> <tbody> <tr> <td data-bbox="474 1070 719 1114">10.73%</td> <td data-bbox="719 1070 954 1114">3.2%</td> </tr> </tbody> </table> <p data-bbox="474 1114 987 1174"><i>Table: Comparison of LGB+ populations in Brighton & Hove and England 2021</i></p> | % of Brighton & Hove Population aged over 16 years who are lesbian, gay, bisexual or other (LGB+) 2021 | % of England Population aged over 16 years who are lesbian, gay, bisexual or other (LGB+) 2021 | 10.73% | 3.2% | | <i>LGB+ applicants who rely on LGB+ services in the city are likely to be adversely affected if a private rented sector offer disrupts support, and/or results in them having to move to an area where equivalent support is unavailable. Such services are less likely to be available outside the city, so any offers made outside the city would likely result in applicants from this group having to travel into the city to access these services.</i> | <i>Private rented sector offer will only be made in cases where the officer is satisfied that it will be affordable. No private rented sector offer will be made where the officer is satisfied that it will likely cause such a disruption to the applicant's support requirements as to make it unsuitable. Travel to access essential services must be affordable and over a reasonable distance.</i> |
| % of Brighton & Hove Population aged over 16 years who are lesbian, gay, bisexual or other (LGB+) 2021 | % of England Population aged over 16 years who are lesbian, gay, bisexual or other (LGB+) 2021 | | | | | | | |
| 10.73% | 3.2% | | | | | | | |
| Marriage and civil partnership ²² | Not held. | Not held. | <i>Households with adults who are married or in a civil partnership are likely to have a higher income, so will be more likely to be able to afford a</i> | A private rented sector offer will only be made where an officer is satisfied that the property will be | | | | |

| Groups to assess | What do you know ¹⁰ ? Summary of data about your service-users and/or staff | What do people tell you ¹¹ ? Summary of service-user and/or staff feedback | What does this mean ¹² ? Impacts identified from data and feedback (actual and potential) | What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations |
|-------------------------------------|---|--|--|--|
| | | | <i>private rented sector offer. Therefore, these groups are less likely to be affected by any affordability issues.</i> | affordable in the immediate and long term. |
| Other relevant groups ²³ | <p><i>8% of applicants to Brighton & Hove City Council in 2022 – 2023 were found to have a priority need for accommodation as a result of being homeless due to that person being a victim of domestic abuse.</i></p> <p><i>10% of applicants to Brighton & Hove City Council in 2022 – 2023 were found to have support needs relating to drug dependency.</i></p> <p><i>2.5% of applicants to Brighton & Hove City Council in 2022 – 2023 were found to be care leavers.</i></p> | <i>Victims of domestic abuse, those with drug dependency needs and care leavers are disproportionately more likely to experience homelessness and are therefore more likely to be affected by this policy.</i> | <p><i>Applicants with drug dependency needs may be less able to maintain private rented sector accommodation as a result of their drug dependencies. Applicants with drug dependency needs may be less able to access support services as a result of a private rented sector offer.</i></p> <p><i>Applicants with a history of being looked after, accommodated or fostered by the local authority may be less able to maintain private rented sector accommodation as a result of having less experience and support networks to rely on in setting up and maintaining a home.</i></p> <p><i>Impacts for domestic abuse victims are explored under ‘sex’ above. We anticipate that impacts for male victims of domestic abuse are likely to be</i></p> | <p><i>Officers will only make a private rented sector offer where they are satisfied that an applicant will be likely to be able to sustain the accommodation offered, taking into account their support needs and any services they require. Any consistent and reliable support available to the applicant should be considered.</i></p> <p><i>Mitigations for domestic abuse victims are outlined in ‘sex’ above. We anticipate that mitigations for male victims of domestic abuse are likely to be similar.</i></p> |

| Groups to assess | What do you know¹⁰? Summary of data about your service-users and/or staff | What do people tell you¹¹? Summary of service-user and/or staff feedback | What does this mean¹²? Impacts identified from data and feedback (actual and potential) | What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations |
|-------------------------|--|---|--|--|
| | | | <i>similar.</i> | |

Assessment of overall impacts and any further recommendations²⁴

The Private Rented Sector Offer policy aims to enable the Council to move applicants to whom it owes a homelessness duty from temporary accommodation to suitable, more stable private rented sector accommodation and to make the offer process consistent and transparent for officers and service users. Using this policy will enable the Council to increase the supply of suitable accommodation available to the Council to meet the needs of applicants for homelessness assistance. The use of this policy is intended to improve the outcomes for homeless applicants who may otherwise have to stay in temporary accommodation for an unsustainable length of time. This policy will promote stability and minimum standards in the private rented sector accommodation occupied by our service users because it will ensure that landlords under the scheme are fit and proper and that properties meet minimum safety standards. These factors, taken together with the mitigation actions set out in this document and the policy itself, outweigh the potential adverse impacts identified in this document.

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) |
|---|------------------------|--|---|
| Data on applicants who have made an application for homelessness assistance to Brighton & Hove City Council from our computerised record system, Home Connections | October 2023 | Data on marriage and civil partnership was not recovered from the computerised record system. | The data should be accessed from the computer system. |
| Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government Statistical data set statutory homelessness live tables | 11 October 2023 | None known | N/A |
| Office for National Statistics Census Data 2021 | 2021 | None known | N/A |

5. Prioritised Action Plan²⁵

| 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. | | | | |
| All groups affected. See 'Review of information' tables above | Mitigating actions taken in the application of the policy | To reduce disadvantage outlined above | No unsuitable private rented sector offers are made in the application of the policy | Ongoing |
| No local data used in this EIA on marriage or civil partnership | Gather local data on marriage and civil partnership | Data to be downloaded from our computerised record system Home | Data secured. If this is not achieved, then the data must be recorded in | November 2023 |

| | | | | |
|---|--|---|---|---------|
| | | Connections | future. | |
| All groups affected. We will need to provide information about support available to those who experience discrimination when relocating | Develop awareness of internal and local sources of support for those experiencing discrimination so we can signpost people to these services if/when discrimination arises in their new premises | Anyone who experiences discrimination in their new private rented location will be signposted to relevant support networks e.g – Tenancy services contact details, Third Party Reporting Centre | Anyone experiencing discrimination as a direct result of their relocation will be signposted to support | Ongoing |

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: Luke Harris Project Manager Date: 20/10/2023

Head of Service Harry Williams Date: 6th November 2023

CCG or BHCC Equality lead: Jamarl Billy Date: 6th November 2023

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 is 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 **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

²⁴ **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?

²⁵ **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.