

General Equality Impact Assessment (EIA) Form

Support:

An [EIA toolkit](#), [workshop content](#), and guidance for completing an [Equality Impact Assessment \(EIA\) form](#) are available on the [EIA page](#) of the [EDI Internal Hub](#). Please read these before completing this form.

For enquiries and further support if the toolkit and guidance do not answer your questions, contact your Equality, Diversity, and Inclusion (EDI) Business Partner as follows:

- Economy, Environment and Culture (EEC) – [Chris Brown](#),
- Families, Children, and Learning (FCL) – [Jamarl Billy](#),
- Governance, People, and Resources (GPR) – [Eric Page](#).
- Health and Adult Social Care (HASC) – [Zofia Danin](#),
- Housing, Neighbourhoods, and Communities (HNC) – [Jamarl Billy](#)

Processing Time:

- EIAs can take up to 10 business days to approve after a completed EIA of a good standard is submitted to the EDI Business Partner. This is not considering unknown and unplanned impacts of capacity, resource constraints, and work pressures on the EDI team at the time your EIA is submitted.
- If your request is urgent, we can explore support exceptionally on request.
- We encourage improved planning and thinking around EIAs to avoid urgent turnarounds as these make EIAs riskier, limiting, and blind spots may remain unaddressed for the 'activity' you are assessing.

Process:

- Once fully completed, submit your EIA to your EDI Business Partner, copying in your Head of Service, Business Improvement Manager (if one exists in your directorate), Equalities inbox, and any other relevant service colleagues to enable EIA communication, tracking and saving.
- When your EIA is reviewed, discussed, and then approved, the EDI Business Partner will assign a reference to it and send the approved EIA form back to you with the EDI Manager or Head of Communities, Equality, and Third Sector (CETS) Service's approval as appropriate.
- Only approved EIAs are to be attached to Committee reports. Unapproved EIAs are invalid.

1. Assessment details

Throughout this form, 'activity' is used to refer to many different types of proposals being assessed.

Read the [EIA toolkit](#) for more information.

Name of activity or proposal being assessed:	Changes to the Housing Allocation Policy
Directorate:	Housing & Health
Service:	Homelessness & Housing Options
Team:	Housing Allocations
Is this a new or existing activity?	New activity
Are there related EIAs that could help inform this EIA? Yes or No (If Yes, please use this to inform this assessment)	https://democracy.brighton-hove.gov.uk/documents/s196020/APX.%20n%203%20-%20EIA%20on%20Policy%20Proposals.pdf - from: https://democracy.brighton-hove.gov.uk/ieListDocuments.aspx?CId=884&MId=11340&Ver=4

2. Contributors to the assessment (Name and Job title)

Responsible Lead Officer:	Luke Harris, Housing Options Manager
Accountable Manager:	Harry Williams, Head of Homelessness & Housing Options
Additional stakeholders collaborating or contributing to this assessment:	

3. About the activity

To make changes to the council's Housing Allocations Policy which will alter the priorities, and the procedure to be followed, in allocating housing accommodation.

The proposed changes include:

- Permitting direct offers.
- Awarding priority where households in certain circumstances work with us to prevent their homelessness.
- Removing the queue divisions set out in page 36 of the current policy.

- Permitting applications from joint tenants where the joint tenancy has come to an end and only one of two joint tenants wants to move.
- Changing the residency criteria so that applicants must have lived in Brighton & Hove for 5 out of the last 7 years to qualify to join the Housing Register.
- Reducing the groups which receive highest priority under the policy, to help ensure that housing is allocated to those in the greatest need.

Removing the queue divisions required careful analysis as it is a relatively complex policy provision. The queue divisions policy is explained in more detail below.

Under the current policy, applicants are placed into one of four queues. When a property becomes available to let through the Housing Register, it is given to one of the four queues for applicants from that queue to bid on. Each queue receives a different proportion of the available lettings each year. When a property is advertised for applicants to bid on, the advert will state that applicants in a particular queue will receive priority for the property. The bids for each property are placed in priority order. Priority is decided first on the advertised queue, and then by the priority band, and, thirdly, by priority date within the band. The exception to this approach is for mobility classified properties, such as ground floor level-access accommodation which is prioritised for disabled applicants. Mobility classified properties are available for applicants from any queue to bid on. Where a property has been advertised to give preference to a mobility group, bids from mobility-coded applicants will be prioritised in band order above bids from members who do not have a need for mobility-classified accommodation.

The four queues are:

1. Homeless (50% of properties go to this queue)
2. Transfer (30% of properties go to this queue)
3. Homeseecker (10% of properties go to this queue)
4. Council's Interest (care leavers and other quotas with Children's Services and Adult Social Care) (10% of properties go to this queue)

What are the desired outcomes of the activity?

To ensure the proposals for the new allocation policy changes are developed and implemented in an equitable way that minimises the disproportionate negative impacts on people groups.

Which key groups of people do you think are likely to be affected by the activity?

All potential and current applicants for social housing, those in queue for social housing.

4. Consultation and engagement

Summary of consultation and engagement

We carried out a public consultation on the proposed changes to the Housing Allocations Policy from 1 March 2024 to 8 June 2024 across three channels:

- an online consultation survey
- a paper version of the consultation survey
- in-person events with the public, with third sector organisations and with councillors

Through these activities, we were able to get a good range of both public and professional stakeholder views on the proposed changes to the Housing Allocations Policy.

All the proposed changes to the Housing Allocations Policy received agreement from most respondents to the consultation.

Headline data

We received 684 responses to the online consultation survey.

95.7% of responses were from members of the public and 3.3% of responses were from professionals who work in housing and related fields.

'Agree' and 'Strongly agree' were the most common responses to every proposed change to the Housing Allocations Policy.

Agreement with each of the proposed changes by respondents ranged from 42.2% - 78.2%.

For detailed information on the consultation, including details of the stakeholders consulted and detailed feedback on the proposals, see the Consultation Report.

5. Current data and impact monitoring

Age	YES

Age Group	Council Interest		Homeless		Homeseeker		Transfer		All four queues	
	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants
<0 or (blank)		0.00%		0.00%	1	0.05%		0.00%	1	0.02%
15-19	4	3.67%	5	0.33%	1	0.05%		0.00%	10	0.21%
20-24	35	32.11%	97	6.32%	57	2.77%	11	0.97%	200	4.13%
25-29	12	11.01%	174	11.33%	230	11.17%	52	4.57%	468	9.66%
30-34	5	4.59%	259	16.86%	317	15.39%	114	10.02%	695	14.35%
35-39	12	11.01%	242	15.76%	323	15.68%	187	16.43%	764	15.78%
40-44	7	6.42%	225	14.65%	287	13.93%	170	14.94%	689	14.23%
45-49	3	2.75%	167	10.87%	219	10.63%	112	9.84%	501	10.34%
50-54	10	9.17%	135	8.79%	147	7.14%	99	8.70%	391	8.07%
55-59	5	4.59%	88	5.73%	136	6.60%	119	10.46%	348	7.19%
60-64	4	3.67%	73	4.75%	115	5.58%	76	6.68%	268	5.53%
65-69	4	3.67%	21	1.37%	79	3.83%	67	5.89%	171	3.53%
70-74	4	3.67%	24	1.56%	65	3.16%	52	4.57%	145	2.99%
75-79	1	0.92%	12	0.78%	37	1.80%	30	2.64%	80	1.65%
80-84	1	0.92%	10	0.65%	22	1.07%	31	2.72%	64	1.32%
85-89	1	0.92%	4	0.26%	11	0.53%	10	0.88%	26	0.54%
90-94		0.00%		0.00%	7	0.34%	4	0.35%	11	0.23%
95-99	1	0.92%		0.00%	4	0.19%	4	0.35%	9	0.19%
100-104		0.00%		0.00%	1	0.05%		0.00%	1	0.02%
105-109		0.00%		0.00%	1	0.05%		0.00%	1	0.02%
Total	109	100.00%	1,536	100.00%	2,060	100.00%	1,138	100.00%	4,843	100.00%

Table: Age of main applicants on the Council's Housing Register, by priority queue

Census Data

Age Group	% of Brighton & Hove Population
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

Table: Office for National Statistics 2021 Census Data on Age of Brighton & Hove Population

Consultation Data

Age Group	% of Consultation respondents who answered the question on age
0-15	0
16-24	2.3
25-34	14.5
35-44	22.1
45-54	23.4
55-64	21.5
65-74	8.6
75-84	2.7
85+	0.8

Table: Data on the Age of respondents to the consultation on the Allocations Policy Review who answered the question on their age

The majority of the main applicants in all queues are aged 20–49: Homeless (75.79%); Transfer (56.77%); Homeseeker (69.57%); Council's Interest (67.89%).

In Brighton & Hove, people aged 20–49 are disproportionately in housing need and are therefore more likely to be impacted by these policy proposals. Children are most likely to be part of households where the main applicant is aged 20–49.

Disability and inclusive adjustments, coverage under equality act and not	YES
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Our computerised record system records whether applicants on the Housing Register have a 'mobility category'. Applicants are awarded a mobility category when a housing officer is satisfied that they are unable to traverse more than 3 stairs due to a long-term impairment. Any applicant with a mobility code would, by the above definition, also be disabled according to the definition set out in the Equality Act 2010. The mobility code group data is used a proxy for disability in this case. However, it is acknowledged that this approach would be unlikely to include those applicants who are disabled because of a mental impairment and will exclude those applicants who can traverse the stairs but who are nonetheless disabled by a physical impairment.

The proportion of applicants with a mobility category in each priority queue tends to be lower than the average number of households in Brighton & Hove who are disabled. This is evidence that using the mobility category as a proxy for disability is lacking as, we believe, disabled households are disproportionately more likely to be in housing need than non-disabled households. For example, the 2021 Census showed that 44.1% of people identified as homeless were disabled^[i].

8.8% of applicants on the Housing Register have a mobility code. The Transfer queue has the highest proportion of applicants with a mobility code (21.87%). The second highest is the Council Interest queue (16.60%).

[i]

[https://www.ons.gov.uk/peoplepopulationandcommunity/housing/articles/peopleexperiencinghomelessnessenglandandwales/census2021#:~:text=This%20figure%20shows%20that%2044.1,who%20were%20disabled%20\(17.5%25\).](https://www.ons.gov.uk/peoplepopulationandcommunity/housing/articles/peopleexperiencinghomelessnessenglandandwales/census2021#:~:text=This%20figure%20shows%20that%2044.1,who%20were%20disabled%20(17.5%25).)

Mobility Category	Council Interest		Homeless		Homeseeker		Transfer		All four queues	
	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants
1	5	4.59%	7	0.46%	8	0.39%	36	3.16%	56	1.16%
2	4	3.67%	21	1.37%	18	0.87%	73	6.41%	116	2.40%
3	8	7.34%	41	2.67%	67	3.25%	140	12.30%	256	5.29%
None	92	84.40%	1465	95.38%	1956	94.95%	883	77.59%	4396	90.77%
(blank)		0.00%	2	0.13%	11	0.53%	6	0.53%	19	0.39%
Total	109	100.00%	1536	100.00%	2060	100.00%	1138	100.00%	4843	100.00%

Table: Mobility Category of households on the Council's Housing Register, by priority queue

Census Data

Disability status	% of Brighton & Hove Population
Disabled under the Equality Act: Day-to-day activities limited a lot	8.0
Disabled under the Equality Act: Day-to-day activities limited a little	11.5
Not disabled under the Equality Act	80.5

Table: Office for National Statistics 2021 Census Data on Disability status of Brighton & Hove Population

Consultation Data

Disability status	% of Consultation respondents who answered the question on disability
Disabled under the Equality Act: Day-to-day activities limited a lot	37.2
Disabled under the Equality Act: Day-to-day activities limited a little	23.3
Not disabled under the Equality Act	39.5

Table: Data on the respondents to the consultation on the Allocations Policy Review who answered the question on their disability status

If you answered 'yes' to the previous question, please state the type of impairment. If you have more than one, please tick all that apply.	Number of choices by consultation respondents who reported being disabled
Long-standing illness	109
Mental health condition	107
Physical impairment	96

Autistic spectrum	34
Learning disability / difficulty	20
Sensory impairment	11
Developmental condition	4
Other	12

Table: Data on the type of impairment experienced by respondents to the consultation on the Allocations Policy Review who answered in the affirmative to the question on their disability status

Ethnicity, Race, ethnic heritage (including Gypsy, Roma, Travellers) YES

Ethnic Group	Council Interest		Homeless		Homeseeker		Transfer		All four queues	
	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants
Arabic	3	2.75%	18	1.17%	5	0.24%	2	0.18%	28	0.58%
Asian or Asian British - Bangladeshi	1	0.92%	14	0.91%	22	1.07%	18	1.58%	55	1.14%
Asian or Asian British - Indian		0.00%	2	0.13%	12	0.58%	2	0.18%	16	0.33%
Asian or Asian British - Other	8	7.34%	26	1.69%	21	1.02%	9	0.79%	64	1.32%
Asian or Asian British - Pakistani		0.00%	2	0.13%	4	0.19%	2	0.18%	8	0.17%
Black or Black British - African	6	5.50%	47	3.06%	42	2.04%	21	1.85%	116	2.40%
Black or Black British - Caribbean	1	0.92%	9	0.59%	10	0.49%	5	0.44%	25	0.52%
Black or Black British - other	1	0.92%	7	0.46%	3	0.15%	5	0.44%	16	0.33%
Chinese		0.00%	5	0.33%	11	0.53%		0.00%	16	0.33%
Gypsy or Traveller		0.00%	2	0.13%		0.00%		0.00%	2	0.04%
Mixed - other	2	1.83%	13	0.85%	28	1.36%	5	0.44%	48	0.99%
Mixed - White and Asian		0.00%	4	0.26%	10	0.49%	4	0.35%	18	0.37%
Mixed - White and Black African	1	0.92%	19	1.24%	23	1.12%	9	0.79%	52	1.07%
Mixed - White and Black Caribbean	1	0.92%	16	1.04%	18	0.87%	6	0.53%	41	0.85%
Not Known	15	13.76%	423	27.54%	286	13.88%	258	22.67%	982	20.28%
Other	6	5.50%	40	2.60%	48	2.33%	24	2.11%	118	2.44%
White - British	59	54.13%	706	45.96%	1286	62.43%	724	63.62%	2775	57.30%
White - Irish	2	1.83%	6	0.39%	16	0.78%	10	0.88%	34	0.70%
White - other	1	0.92%	88	5.73%	209	10.15%	22	1.93%	320	6.61%
(blank)	2	1.83%	89	5.79%	6	0.29%	12	1.05%	109	2.25%
Total	109	100.00%	1536	100.00%	2060	100.00%	1138	100.00%	4843	100.00%

Census Data

Ethnic group	% of Brighton & Hove Population
Asian, Asian British or Asian Welsh	4.8
Black, Black British, Black Welsh, Caribbean or African	2.0
Mixed or multiple ethnic groups	4.8
White	85.4
Other ethnic group	3.1

Table: Office for National Statistics 2021 Census Data on Household composition of Brighton & Hove Population

Consultation Data

Ethnic group	% of Consultation respondents who answered the question on ethnicity
Asian, Asian British or Asian Welsh	3.3
Black, Black British, Black Welsh, Caribbean or African	2.8
Mixed or multiple ethnic groups	3.5
White	88.8
Other ethnic group	1.6

Table: Data on the ethnicity of respondents to the consultation on the Allocations Policy Review who answered the question on their ethnicity

Religion, Belief, Spirituality, Faith, or Atheism	YES
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Religion	Council Interest		Homeless		Homeseeker		Transfer		All four queues	
	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants
Agnostic		0.00%	1	0.07%		0.00%		0.00%	1	0.02%
Buddhist		0.00%	6	0.39%	20	0.97%	6	0.53%	32	0.66%
Christian	6	5.50%	79	5.14%	352	17.09%	125	10.98%	562	11.60%
Hindu		0.00%		0.00%	5	0.24%		0.00%	5	0.10%
Jewish		0.00%	2	0.13%	7	0.34%	1	0.09%	10	0.21%
Muslim	3	2.75%	27	1.76%	63	3.06%	34	2.99%	127	2.62%
No Religion	38	34.86%	360	23.44%	846	41.07%	363	31.90%	1607	33.18%
NOT CAPTURED	14	12.84%	521	33.92%	380	18.45%	305	26.80%	1220	25.19%
OTHER	3	2.75%	8	0.52%	51	2.48%	16	1.41%	78	1.61%
Prefer not to say	8	7.34%	155	10.09%	236	11.46%	172	15.11%	571	11.79%
Sikh		0.00%		0.00%	2	0.10%	1	0.09%	3	0.06%
(blank)	37	33.94%	377	24.54%	98	4.76%	115	10.11%	627	12.95%
Grand Total	109	100.00%	1536	100.00%	2060	100.00%	1138	100.00%	4843	100.00%

Census Data

Religion	% of Brighton & Hove Population
No religion	55.2
Christian	30.9
Buddhist	0.9
Hindu	0.8
Jewish	0.9
Muslim	3.1
Sikh	0.1
Other religion	1.0
Not answered	7.1

Table: Office for National Statistics 2021 Census Data on Religion of Brighton & Hove Population

Consultation Data

Religion	% of Consultation respondents who
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	answered the question on religion
I have no particular religion or belief	54.7
Christian	24.6
Atheist	5.3
Muslim	3.8
Other philosophical belief	3.3
Buddhist	2.7
Pagan	2.4
Agnostic	0.9
Jain	0.3
Jewish	0.3
Other	1.8

Table: Data on the religion of respondents to the consultation on the Allocations Policy Review who answered the question on their religion

Gender Identity and Sex (including non-binary and Intersex people)	YES
Our computerised record system was not able to produce a report on the sex/gender of the applicants on the Housing Register. While far from ideal, data on the title of main applicants in each priority queue on the Housing Register has been used as a proxy for sex/gender and is set out below.	

Title	Council Interest		Homeless		Homeseeker		Transfer		All four queues	
	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants
Miss	30	27.52%	298	19.40%	650	31.55%	413	36.29%	1391	28.72%
Mr	49	44.95%	286	18.62%	783	38.01%	302	26.54%	1420	29.32%
Mrs	6	5.50%	66	4.30%	187	9.08%	226	19.86%	485	10.01%
Ms	12	11.01%	191	12.43%	168	8.16%	150	13.18%	521	10.76%
Mx		0.00%	5	0.33%		0.00%		0.00%	5	0.10%
Other	1	0.92%	9	0.59%	9	0.44%	2	0.18%	21	0.43%
(blank)	11	10.09%	681	44.34%	263	12.77%	45	3.95%	1000	20.65%
Total	109	100.00%	1536	100.00%	2060	100.00%	1138	100.00%	4843	100.00%

Table: Title of main applicant on the Council's Housing Register, by priority queue

Census Data

Sex	% of Brighton & Hove Population
Female	51.1
Male	48.9

Table: Office for National Statistics 2021 Census Data on sex of the Brighton & Hove resident completing the census

Consultation Data

Gender	% of Consultation respondents who answered the question on gender
Female	70.7
Male	27.4
Non-binary	1.9
Other	0

Table: Data on the gender of respondents to the consultation on the Allocations Policy Review who answered the question on their gender identity

Gender Reassignment		YES
Our computerised record system does not hold data on whether applicants on the Housing Register have undergone, or proposed to undergo, gender reassignment.		
Census Data		
Gender identity	% of Brighton & Hove Population	
Gender identity the same as sex registered at birth	92.97	
Gender identity different from sex registered at birth	0.99	
Not answered	6.21	
<i>Table: Office for National Statistics 2021 Census Data on Gender identity of Brighton & Hove Population</i>		
Consultation Data		
Gender identity	% of Brighton & Hove Population	
Gender identity the same as sex registered at birth	97.8	
Gender identity different from sex registered at birth	2.2	
<i>Table: Respondents to the consultation on the Allocations Policy Review who answered the question on whether they have undergone gender reassignment</i>		
Sexual Orientation		YES

Sexual Orientation	Council Interest		Homeless		Homeseeker		Transfer		All four queues	
	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants	No. of live applicants	% of live applicants
Bisexual	4	3.67%	56	3.65%	80	3.88%	30	2.64%	170	3.51%
Gay	1	0.92%	10	0.65%	73	3.54%	23	2.02%	107	2.21%
Heterosexual	71	65.14%	509	33.14%	1162	56.41%	511	44.90%	2253	46.52%
Lesbian		0.00%	6	0.39%	29	1.41%	5	0.44%	40	0.83%
Not Declared	18	16.51%	665	43.29%	300	14.56%	286	25.13%	1269	26.20%
Other		0.00%	4	0.26%	2	0.10%	3	0.26%	9	0.19%
Prefer not to say	10	9.17%	72	4.69%	194	9.42%	112	9.84%	388	8.01%
(blank)	5	4.59%	214	13.93%	220	10.68%	168	14.76%	607	12.53%
Total	109	100.00%	1536	100.00%	2060	100.00%	1138	100.00%	4843	100.00%

Table: Sexual orientation of main applicant on the Council's Housing Register, by priority queue

Census Data

Sexual orientation	% of Brighton & Hove Population
Heterosexual	80.62
Lesbian, Gay, Bisexual, or Other (LGB+)	10.73
Not answered	8.66

Table: Office for National Statistics 2021 Census Data on sexual orientation of the Brighton & Hove resident completing the census

Consultation Data

Sexual orientation	% of Consultation Respondents
Heterosexual	41.1
Not answered	40.3

Prefer not to say	7.6
Gay man	4.8
Bisexual	3.4
Lesbian / Gay woman	2.3
Other	0.5

Table: Data on the gender of respondents to the consultation on the Allocations Policy Review

Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum)	YES
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Our computerised record system does not record whether applicants on the Housing Register are pregnant. Applicants are typically on the Housing Register for years while waiting to bid successfully for accommodation. Pregnancy status will be very unlikely to remain constant between when an applicant first registers on the Housing Register and the point they are offered a property. Maternity/paternity is therefore the more pertinent characteristic. Data on the proportion of households in each priority queue which contain children is presented below.

Priority Queue	No. of live applicants whose household contains children	Queue % of live applicants whose household contains children
Council Interest	22	20.18%
Homeless	890	57.94%
Homeseeker	862	41.84%
Transfer	561	49.3%
All four queues (Total)	2335	48.21%

Table: Households on the Council's Housing Register which contain children, by priority queue

Household composition	% of Brighton & Hove Population
Single family household	53.0
One-person household	34.7
Other household types	12.3

Table: Office for National Statistics 2021 Census Data on Household composition of Brighton & Hove Population

Armed Forces Personnel, their families, and Veterans YES

There are currently only 3 households on the Council's Housing Register with an armed forces band reason.

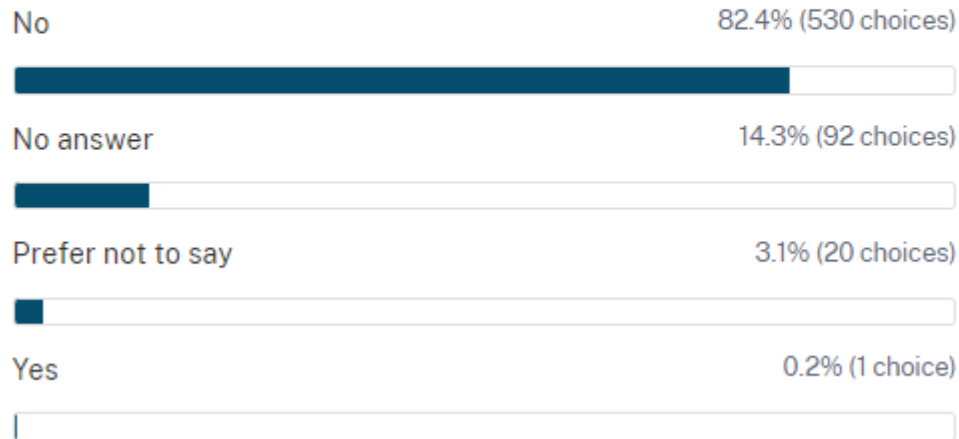
UK Armed Forces veteran indicator	Number of Brighton & Hove Population
Previously served in the UK regular armed forces	3949
Previously served in UK reserve armed forces	1423
Previously served in both regular and reserve UK armed forces	246
Has not previously served in any UK armed forces	229749

Table: Office for National Statistics 2021 Census Data on armed forces service of Brighton & Hove Population

Tables below: Respondents to the Allocations Policy consultation answers regarding armed forces status

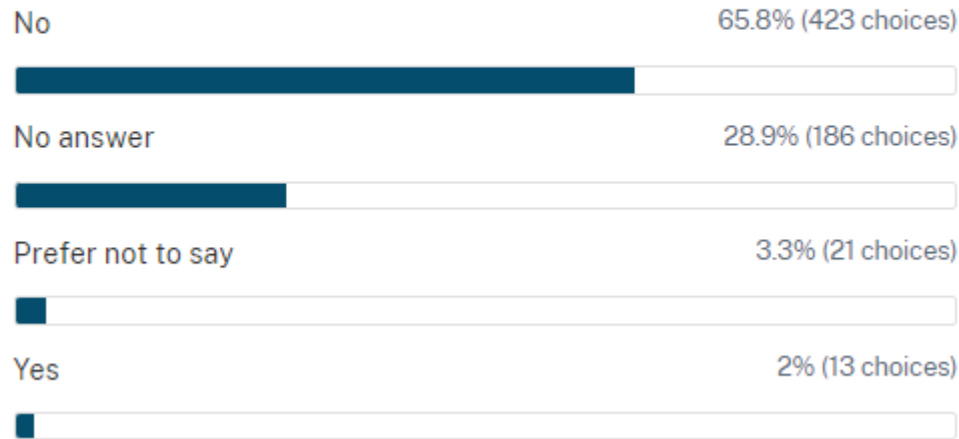
32. Are you currently serving in the UK armed forces? (this includes reservists or part-time service, e.g. Territorial Army)

551/643 - Multiple choice - choose one - optional



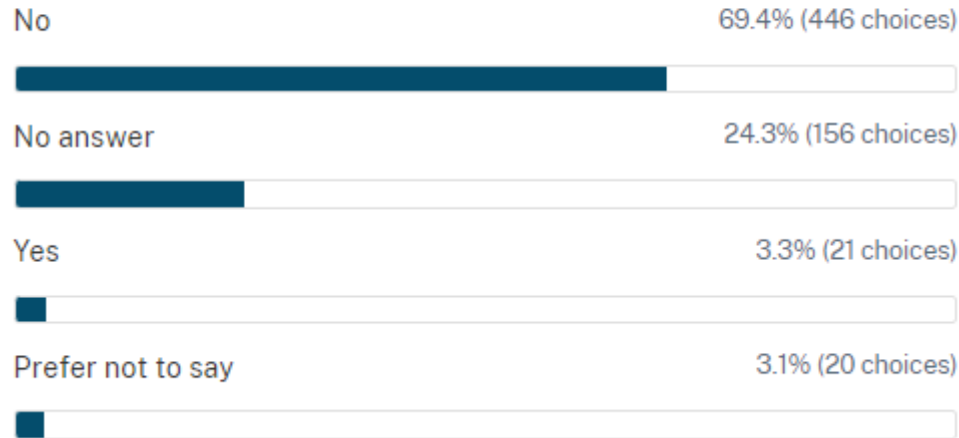
33. Have you ever served in the UK Armed Forces?

457/643 - Multiple choice - choose one - optional



34. Are you a member of a current or former service personnel's immediate family/ household?

487/643 - Multiple choice - choose one - optional



Expatriates, Migrants, Asylum Seekers, and Refugees	YES
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In the quarter April – June 2024, the Council received 49 applications for homelessness assistance where the main applicant had been granted refugee status.

Carers	YES
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Provision of unpaid care

Brighton and Hove | (England)

Provides no unpaid care **92.2%** (91.2%)



Provides 19 hours or less unpaid care a week **4.3%** (4.3%)



Provides 20 to 49 hours unpaid care a week **1.5%** (1.8%)



Provides 50 or more hours unpaid care a week

2.0% (2.6%)



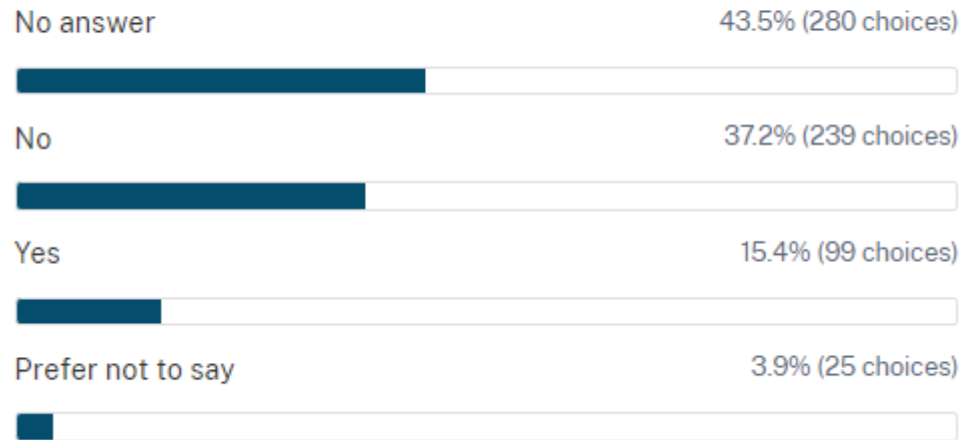
% of people aged five years and over

Table: Office for National Statistics 2021 Census Data on percentage of Brighton & Hove Population who are unpaid carers

Tables below: Respondents to the Allocations Policy consultation answers regarding carer status

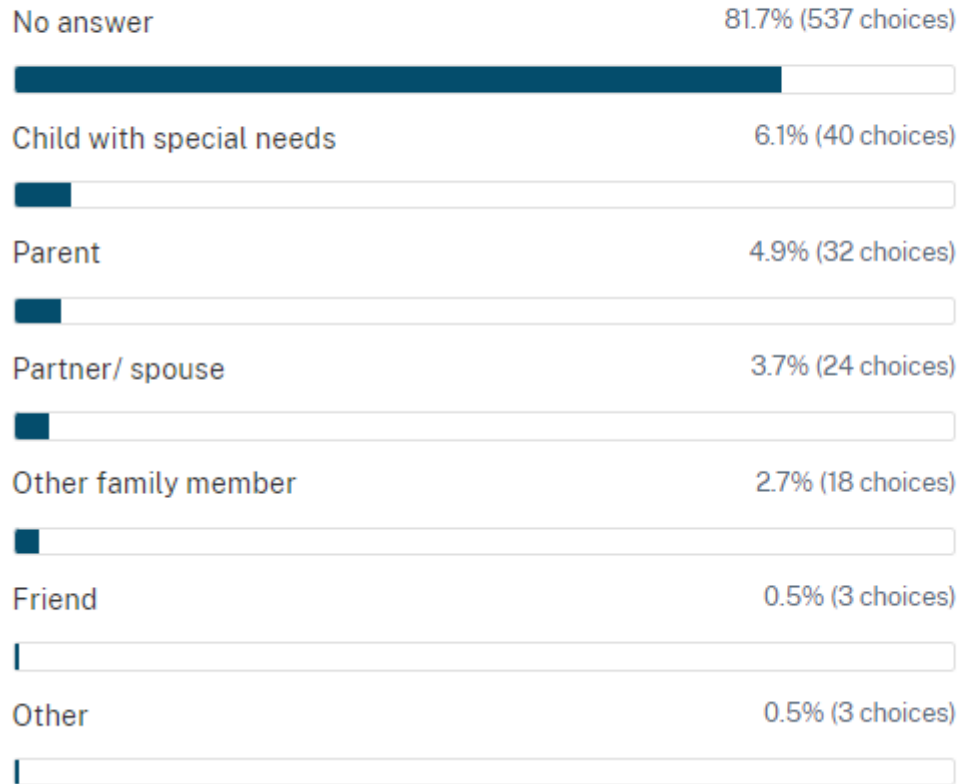
30. Are you a carer?

363/643 - Multiple choice - choose one - optional



31. If you answered 'yes' above please state who you care for. If you care for more than one person please tick all that apply. If none apply, please mark Other

106/643 - Multiple choice - choose many - optional



Looked after children, Care Leavers, Care and fostering experienced people

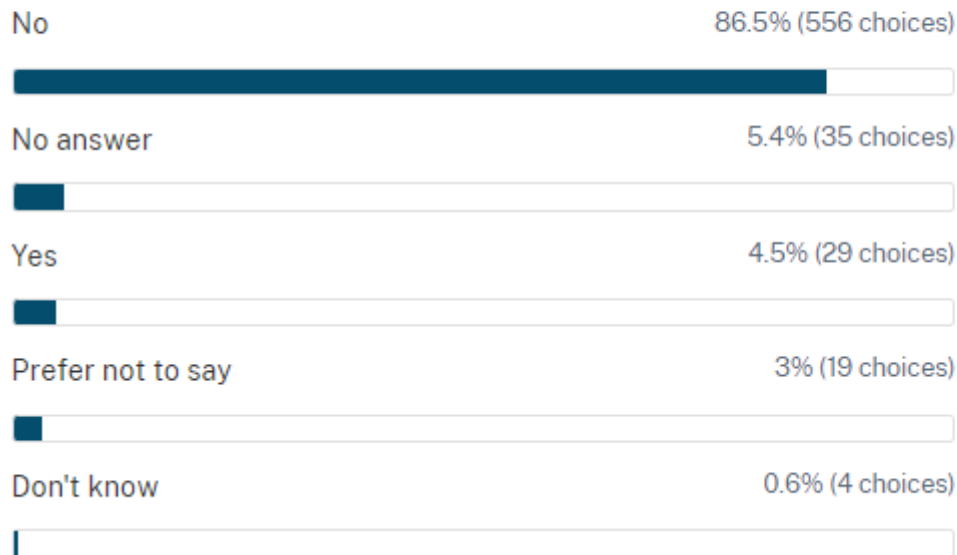
YES

There are currently 44 households on the Council's Housing Register with the care leaver priority band reason.

Table below: Respondents to the Allocations Policy consultation answers regarding care leaver status

35. Are you, or have you been, looked after by a local authority for at least 13 weeks since the age of 14?

608/643 - Multiple choice - choose one - optional



Domestic and/or Sexual Abuse and Violence Survivors, and people in vulnerable situations (All aspects and intersections)

YES

In the quarter April – June 2024, the Council received 18 applications for homelessness assistance where the main applicant was vacating accommodation due to domestic abuse.

Socio-economic Disadvantage	YES
<p>All applicants on the Council's Housing Register are likely to be subject to socio-economic disadvantage.</p> <p>The Council's Housing Allocations policy currently disqualifies applicants who have an annual income of more than the following:</p> <p>One Bedroom need: £22,000 Two Bedroom need: £32,000 Three Bedroom or above need: £36,000</p> <p>[Source: https://www.brighton-hove.gov.uk/sites/default/files/2023-11/Allocations%20policy%20Nov%202023.pdf page 13]</p> <p>Therefore, applicants are only permitted to be on the Housing Register if they earn less than the above amounts.</p> <p>By how many bedrooms there are in a property, average monthly rents as of June 2024 in Brighton and Hove were:</p> <p>One bedroom: £1,118 Two bedrooms: £1,444 Three bedrooms: £1,713</p> <p>[Source: https://www.ons.gov.uk/visualisations/housingpriceslocal/E06000043/#rent_price]</p> <p>A common measure of rent affordability is that a household income is 30 times the monthly rent. Accordingly, to afford an average rent in Brighton & Hove, households should earn the following per year:</p>	

244

<p>One bedroom need: £33,540 Two bedroom need: £43,320 Three bedroom need: £51,390</p> <p>As every household who qualifies for the Housing Register must earn substantially less than the amount to afford the average rent in Brighton & Hove, every household on the Housing Register is likely to be in socio-economic disadvantage.</p>	
Homelessness and associated risk and vulnerability	YES
<p>There are 1536 households in the homeless queue on the Council's Housing Register.</p> <p><u>Table below: Respondents to the Allocations Policy consultation answers regarding homelessness status</u></p>	

245

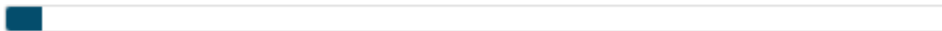
21. If you are currently experiencing homelessness, which best describes your circumstances?

41/643 - Multiple choice - choose one - optional

No answer 93.6% (602 choices)



In emergency/temporary accommodation in Brighton & Hove, provided by Brighton & Hove City Council 3.9% (25 choices)



No fixed abode but not rough sleeping 1.1% (7 choices)



In emergency/temporary accommodation outside Brighton & Hove, provided by Brighton & Hove City Council 0.9% (6 choices)



In emergency/temporary accommodation in Brighton & Hove, provided by another local authority 0.5% (3 choices)



Rough sleeping 0% (0 choices)



In emergency/temporary accommodation outside Brighton & Hove, provided by another local authority 0% (0 choices)



6. Impacts

Advisory Note:

- **Impact:**
 - Assessing disproportionate impact means understanding potential negative impact (that may cause direct or indirect discrimination), and then assessing the relevance (that is: the potential effect of your activity on people with protected characteristics) and proportionality (that is: how strong the effect is).
 - These impacts should be identified in the EIA and then re-visited regularly as you review the EIA every 12 to 18 months as applicable to the duration of your activity.
- **SMART Actions mean:** Actions that are (SMART = Specific, Measurable, Achievable, Realistic, T = Time-bound)
- **Cumulative Assessment:** If there is impact on all groups equally, complete **only** the cumulative assessment section.
- **Data analysis and Insights:**
 - In each protected characteristic or group, in answer to the question ‘If “YES”, what are the positive and negative disproportionate impacts?’, describe what you have learnt from your data analysis about disproportionate impacts, stating relevant insights and data sources.
 - Find and use contextual and wide ranges of data analysis (including community feedback) to describe what the disproportionate positive and negative impacts are on different, and intersecting populations impacted by your activity, especially considering for [Health inequalities](#), review guidance and inter-related impacts, and the impact of various identities.
 - For example: If you are doing road works or closures in a particular street or ward – look at a variety of data and do so from various protected characteristic lenses. Understand and analyse what that means for your project and its impact on different types of people, residents, family types and so on. State your understanding of impact in both effect of impact and strength of that effect on those impacted.
- **Data Sources:**
 - **Consider a wide range (including but not limited to):**
 - [Census](#) and [local intelligence data](#)
 - Service specific data
 - Community consultations
 - Insights from customer feedback including complaints and survey results
 - Lived experiences and qualitative data
 - [Joint Strategic Needs Assessment \(JSNA\) data](#)
 - [Health Inequalities data](#)
 - Good practice research
 - National data and reports relevant to the service
 - Workforce, leaver, and recruitment data, surveys, insights
 - Feedback from internal ‘staff as residents’ consultations
 - Insights, gaps, and data analyses on intersectionality, accessibility, sustainability requirements, and impacts.

- Insights, gaps, and data analyses on ‘who’ the most intersectionally marginalised and excluded under-represented people and communities are in the context of this EIA.
- Learn more about the [Equality Act 2010](#) and about our [Public Sector Equality Duty](#).

6.1 Age

<p>Does your analysis indicate a disproportionate impact relating to any particular Age group? For example: those under 16, young adults, with other intersections.</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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More information below

<p>In Brighton & Hove, people aged 20–49 are disproportionately in housing need and are therefore more likely to be impacted by these policy proposals. Children are most likely to be part of households where the main applicant is aged 20–49. The majority of the main applicants in all queues are aged 20–49: Homeless (75.79%); Transfer (56.77%); Homeseeker (69.57%); Council’s Interest (67.89%).</p>

6.2 Disability:

<p>Does your analysis indicate a disproportionate impact relating to Disability, considering our anticipatory duty?</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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More information

Our computerised record system does not record whether applicants on the Housing Register are disabled.

However, our computerised record system records whether applicants on the Housing Register have a 'mobility category'. Applicants are awarded a mobility category when a housing officer is satisfied that they are unable to traverse more than 3 stairs due to a long-term impairment. Any applicant with a mobility code would, by the above definition, also be disabled according to the definition set out in the Equality Act 2010. The mobility code group data is used a proxy for disability in this case. However, it is acknowledged that this approach is lacking, as it would be unlikely to include those applicants who are disabled because of a mental impairment and will exclude those applicants who can traverse the stairs but who are nonetheless disabled by a physical impairment.

The proportion of applicants with a mobility category in each priority queue tends to be lower than the average number of households in Brighton & Hove who are disabled. This is evidence that using the mobility category as a proxy for disability is lacking as, we believe, disabled households are disproportionately more likely to be in housing need than non-disabled households. For example, the 2021 Census showed that 44.1% of people identified as homeless were disabled¹.

8.8% of applicants on the Housing Register have a mobility code. The Transfer queue has the highest proportion of applicants with a mobility code (21.87%). The second highest is the Council Interest queue (16.60%).

Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.

Potential impacts & mitigations have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.

6.3 Ethnicity, 'Race', ethnic heritage (including Gypsy, Roma, Travellers):

Does your analysis indicate a disproportionate impact relating to ethnicity?

Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.

6.4 Religion, Belief, Spirituality, Faith, or Atheism:

<p>Does your analysis indicate a disproportionate impact relating to Religion, Belief, Spirituality, Faith, or Atheism?</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.5 Gender Identity and Sex:

<p>Does your analysis indicate a disproportionate impact relating to Gender Identity and Sex (including non-binary and intersex people)?</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.6 Gender Reassignment:

<p>Does your analysis indicate a disproportionate impact relating to Gender Reassignment?</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.7 Sexual Orientation:

<p>Does your analysis indicate a disproportionate impact relating to Sexual Orientation?</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.8 Marriage and Civil Partnership:

<p>Does your analysis indicate a disproportionate impact relating to Marriage and Civil Partnership?</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.9 Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum):

<p>Does your analysis indicate a disproportionate impact relating to Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum)?</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.10 Armed Forces Personnel, their families, and Veterans:

<p>Does your analysis indicate a disproportionate impact relating to Armed Forces Members and Veterans?</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.11 Expatriates, Migrants, Asylum Seekers, and Refugees:

<p>Does your analysis indicate a disproportionate impact relating to Expatriates, Migrants, Asylum seekers, Refugees, those New to the UK, and UK visa or assigned legal status? (Especially considering for age, ethnicity, language, and various intersections)</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.12 [Carers](#):

<p>Does your analysis indicate a disproportionate impact relating to Carers (Especially considering for age, ethnicity, language, and various intersections).</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.13 Looked after children, Care Leavers, Care and fostering experienced people:

<p>Does your analysis indicate a disproportionate impact relating to Looked after children, Care Leavers, Care and fostering experienced children and adults (Especially considering for age, ethnicity, language, and various intersections).</p> <p>Also consider our Corporate Parenting Responsibility in connection to your activity.</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.14 Homelessness:

<p>Does your analysis indicate a disproportionate impact relating to people experiencing homelessness, and associated risk and vulnerability? (Especially considering for age, veteran, ethnicity, language, and various intersections)</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.15 Domestic and/or Sexual Abuse and Violence Survivors, people in vulnerable situations:

<p>Does your analysis indicate a disproportionate impact relating to Domestic Abuse and Violence Survivors, and people in vulnerable situations (All aspects and intersections)?</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.16 Socio-economic Disadvantage:

<p>Does your analysis indicate a disproportionate impact relating to Socio-economic Disadvantage? (Especially considering for age, disability, D/deaf/ blind, ethnicity, expatriate background, and various intersections)</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.17 Human Rights:

<p>Will your activity have a disproportionate impact relating to Human Rights?</p>	<p>Potential impacts have been spoken to in section 6.18 Cumulative, intersectional, and complex impacts.</p>
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6.18 Cumulative, multiple [intersectional](#), and complex impacts (including on additional relevant groups):

What cumulative or complex impacts might the activity have on people who are members of multiple Minoritised groups?

<p>Overview</p> <p>1) <u>Permitting direct offers</u></p> <p>The current Allocations Policy does not permit the Council to use its discretion to make direct offers of socially rented accommodation, except in very limited circumstances for mobility classified properties. The policy proposal seeks to give the Council the broad discretionary power to make a direct offer of a property at any time to an applicant in exceptional circumstances, or where it considers this would meet the Council's strategic aims. Properties that are to be made as a direct offer will not normally be available for applicants to bid on via the</p>
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Council's choice-based lettings approach. Similar to the current policy, applicants who refuse a suitable offer of accommodation will have their application closed.

The broad power to make direct offers of socially rented accommodation will allow the Council to meet the needs of applicants where choice-based lettings have not occurred or would not meet need efficiently.

Direct offers can be used to sensitively meet the needs of households including, but not limited to, former rough sleepers, households with health or social care needs, council tenants transferring or households who need a specialist type of housing such as disability adapted housing.

A potential example of where a household with the protected characteristic of age may be impacted by this policy could be where Children's Services make a direct offer of accommodation to a household subject to a child protection plan, where Children's Services have a need to observe the ability of parents to care for their child, and the household is too large to live in a mother and baby unit. A direct offer would be appropriate in such a case where Children's Services assess that affordable, stable accommodation is required for the household for Children's Services to appropriately observe the parenting ability, and to safeguard and promote the welfare the children, and where no alternative accommodation options are reasonably practicable to secure, and where there is an immediate need for the household to be rehoused and where the immediacy of that need overrides the general principle of the Allocations Policy that applicants should be able to bid on properties of their choice.

One potential example of where a household with the protected characteristic of disability may be impacted by this policy could be where an applicant with a learning disability, with a history of being exploited by others due to their learning disability, is made a direct offer of accommodation to ensure that they do not successfully bid on a property in a block where Tenancy Services have received reports that vulnerable tenants have been subjected to exploitation or cuckooing in the past, and there is a real possibility this could recur.

Another potential example of where a household with the protected characteristic of disability may be impacted by this policy could be where a household with a need for a scarce type of

accommodation due to multiple needs arising from a disability - such as the combined need for a property with 4 bedrooms to accommodate a family, and a property where the ground floor is level-access throughout with a level-access bathroom to meet the needs of a household member who is wheelchair dependent – and where it is likely that meeting this need will require a 4-bed property to be adapted to meet this need, and where, under choice-based lettings, the household would normally be overlooked for a 4-bed property, because the property would not be suitable for the household without adaptations first being made. In such a case, a direct offer could be made of a property which could be adapted to meet the household's needs.

The positive impacts of a direct offer include that households will tend to receive an offer of accommodation more quickly via a direct offer than via bidding, which can meet need more efficiently. Direct offers can promote tenancy stability and community cohesion. For example, a direct offer may be made to a household such as a young care leaver or a former rough sleeper who has a history of losing accommodation through their actions, to ensure that the likelihood of the applicant's tenancy stability is promoted, such as by accommodating them in a location where they may be best placed to access support, or be less likely to receive complaints from neighbours. For example, a former rough sleeper aged 55+ with active alcohol or substance addiction may be made a direct offer so that they are not housed in a sheltered housing scheme, where professional(s) in the Housing Directorate are of the view that living in a sheltered housing scheme would be likely to generate complaints about the applicant from other residents.

The negative impacts of a direct offer include an applicant not being able to exercise choice over where the offer of accommodation is made. Reduced choice by applicants could lead to a higher rate of refusals. It is envisaged that direct offers are most likely to be made to applicants who would previously have been in the Homeless queue, Council's Interest queue or the Transfer queue, although this will not always be the case.

The potential negative impacts of this policy proposal can be mitigated by the officer(s) making the direct offer illustrating that they have considered the potential adverse impact on recipients of direct offers with regards to their protected characteristics. A further mitigation is that direct offers are intended to be as tailored and appropriate as reasonably practicable, accounting for all things to provide homes for those that require them in an equitable and efficient way.

The impacts of this policy proposal are justified.

A direct offer policy will allow the Council to achieve multiple legitimate aims. The aims that will be achieved by this policy include, but are not limited to:

- Helping to manage numbers of households owed a homelessness or social care duty in expensive temporary accommodation.
- Ensuring that households with specific accommodation needs are efficiently matched to a property where there is likely to be a very limited amount stock that would be likely to become available to meet that need.
- Promoting community cohesion.
- Promoting tenancy stability.
- Safeguarding and promoting the welfare of children.

I have considered whether a less intrusive measure could be adopted to meet these legitimate aims. I cannot identify a less intrusive measure that will reliably succeed in achieving the above objectives. The closest measure that exists in the current Allocations Policy is direct bidding – where the Council bids on behalf of applicants who have not placed a bid, or where the applicant has failed to bid successfully within a time limit. However, the direct bidding policy has the effect of restricting choice to a comparable degree as direct offers, but the direct bidding policy fails to achieve the above legitimate aims from time to time, because direct bidding does not guarantee that an applicant will be made an offer of a particular unit of accommodation at a particular time, because other applicants on the Housing Register may come higher on a shortlist. Or an applicant who has become subject to direct bidding, may then begin bidding of their own volition, and may themselves bid successfully on a property which undermines the legitimate aim above – for example, where an applicant with a history of being evicted from accommodation for their own actions bids on a property in a block, where, for example, housing management staff know that the residents of the block are elderly and/or are sensitive to behaviours which fall short of antisocial behaviour but may be loud or busy.

As the policy proposal is no more than is necessary for achieving the legitimate objective(s), I am satisfied that the direct offers would be the proportionate means of meeting a legitimate aim.

Lastly, the impact of direct offers on restricting the choice by applicants can be mitigated by the positive benefits of fostering good relations between those groups who share a protected characteristic and those who do not, such as the community cohesion and tenancy sustainment benefits outlined above.

2) Awarding priority where households in certain circumstances work with us to prevent their homelessness

The policy proposal will give reasonable preference to households who were owed, or would be likely to be owed, the main housing duty under Part 7 of the Housing Act 1996 and worked with us to prevent or resolve their homelessness.

75.79% of the main applicants in the Homeless queue are aged 20 – 49, so applicants of this age are likely to benefit from this policy. Children in the Homeless queue are also most likely to benefit because they are most likely to be part of households where the main applicant is aged 20–49.

Applicants on the Housing Register of all demographics in the same band or a lower band are likely to experience increased waiting times for rehousing for these groups.

The impacts of this policy proposal are justified.

The aim of this policy proposal is to incentivise applicants to whom the Council is likely to owe an accommodation duty to secure their own accommodation, rather than the local authority owing the applicants a duty to provide the applicants with accommodation. Households who will benefit from this proposal will overwhelmingly occupy accommodation which will be of a less secure tenure than accommodation provided by the Council pursuant to section 193 (2) of the Housing Act 1996.

It costs the Council an average of £9,200 per household per year for each household owed an accommodation duty by the local authority. In 2022/23 the Council expenditure on this

accommodation to meet homelessness duties was £15.9m. The duty to provide accommodation to households who are homeless is contributing towards significant financial pressures on the Council and the department (Housing Needs & Supply) is forecasting an overspend of £2.6m for this financial year. The high cost to the Council of providing accommodation to homeless households is predicted to continue, in line with long-term and national trends. It is therefore a legitimate aim to incentivise applicants to whom the Council is likely to owe an accommodation duty to secure their own accommodation.

The policy proposal is the proportionate means of meeting this aim. Many households who are homeless or faced with homelessness seek the stability associated with social housing tenure. Accordingly, giving reasonable preference – Band C - for social housing to households who resolve their homelessness problem is likely to be a powerful incentive to meet this aim. Giving a lower priority – Band D – would not achieve the aim, because it would result in these households being unlikely to receive an allocation of social housing at all. This would therefore fail to produce an incentive for these households to accept accommodation of a less secure tenure than accommodation provided by the Council pursuant to section 193(2) of the Housing Act 1996. There is therefore no other effective measure which can be adopted which will produce fewer adverse impacts on other groups.

3) Removing the queue divisions set out in page 36 of the current policy

See section 3, 'About the activity', for information on how the queue system works under the current policy. Removing the queue divisions will mean that all applicants will be able to bid on any property which matches their bedroom size need and mobility.

The positive impact of this policy change will be that applicants from all groups will have a greater pool of properties to bid on (except mobility-coded applicants, who can already bid on all properties which match their bedroom and mobility need.) Households from the Homeseeker and Council's Interest queues are very likely to benefit from these changes, as they currently are only able to bid on 10% of properties which become available.

Care leavers are likely to disproportionately benefit from this change. Under the current policy, applicants with the care leaver priority banding are in the council interest queue, so can only bid

on 10% of properties which become available for bidding. Under this proposed policy, applicants with the care leaver priority banding will be able to bid on all properties which become available for bidding.

Applicants in the Homeseeker queue form the largest proportion of the Housing Register, with 42.37% of applicants being in the Homeseeker queue. However, Homeseekers can currently only bid on 10% of available properties. 69.57% of the main applicants in the Homeseeker queue are aged 20 – 49, so applicants of this age are likely to benefit from this policy change. Children are also most likely to benefit because they are most likely to be part of households where the main applicant is aged 20–49.

Applicants in the Homeless queue will be adversely affected by this change. At present, applicants in the Homeless queue make up 31.59% of the Housing Register and can bid on 50% of properties that are advertised. 75.79% of the main applicants in the Homeless queue are aged 20 – 49, so applicants of this age are likely to be noticeably adversely affected by this policy change. Children in the Homeless queue will also be affected because they are most likely to be part of households where the main applicant is aged 20–49.

4) Are the impacts of this policy proposal justified? What can we do to mitigate impacts?

All potential actions to advance equality of opportunity, eliminate discrimination, and foster good relations

The adverse impacts that will arise because of this policy change are justified.

The current policy requires applicants to be placed in four separate queues, and applicants can only bid for properties which have been assigned to their queue. This reduces the number of properties that are available to each queue. There have been times when a property most needed by a household in one queue has been given to a different queue for bidding. The current system has resulted in unintended indirect discrimination.

It has not been possible to devise a policy with multiple queues which will ensure that the properties available for bidding will always be matched to the queue with the household who is

most in need of that property. The current queue division policy could produce indirect discrimination.

Section 166A(9)(ii) of the Housing Act 1996 places a duty on local housing authorities to frame their allocations policy in such a way that will enable an applicant to request information which will enable them to assess how long it is likely to be before such accommodation becomes available for allocation to them. The complexity of the queue division policy means that, where an applicant qualifies for more than one queue under the queue division system, with different priority band reasons for each queue, we have been unable to provide such applicants with information to enable them to assess how long it is likely to be before such accommodation becomes available for allocation to them depending on which queue and associated priority band reason they chose. The queue division system accordingly appears to breach the statutory requirements of section 166A(9)(ii) of the Housing Act 1996

We have taken advice from a barrister who specialises in council housing allocations, who has, accordingly advised us to remove the queue divisions entirely. Removing the queue divisions will improve the transparency of the operation of our allocations policy.

The policy change will achieve the legitimate aims of eliminating indirect discrimination and improving the transparency of the operation of the scheme. As it has not been possible to devise a policy with multiple queues which will avoid indirect discrimination from occurring, the proposed policy change is no more than is necessary to achieve the legitimate aim. Accordingly, the proposed policy change is the proportionate means of meeting a legitimate aim.

Furthermore, the likely potential adverse effects of the proposed policy change on those aged 20-49 and their children in the Homeless queue are outweighed by the likely potential benefits the policy change offers for those aged 20-49 and their children in the Homeseeker queue, as these are a bigger group.

5) Updating the policy to reflect the definition of domestic abuse in the Domestic Abuse Act 2021

What does the policy proposal mean for this group?

Impacts identified from data (actual and potential)

The policy will be updated to change references to 'domestic violence' to the broader definition of 'domestic abuse' adopted by Part 1 of the Domestic Abuse Act 2021.

This policy will increase the potential for applicants to qualify to join the Housing Register, where they have been a victim of domestic abuse that falls short of violence. National data shows that, in the year ending March 2022, a significantly higher proportion of adults aged 20 to 24 years were victims of any domestic abuse than any other age groupⁱⁱ, and in the year ending March 2023, a significantly higher proportion of people aged 16 to 19 years were victims of any domestic abuseⁱⁱⁱ so, primarily women, of these age groups are most likely to benefit from this broadened definition of domestic abuse. Applicants on the Housing Register of all ages are likely to be minimally adversely affected by this policy, because the policy change will likely increase waiting times for rehousing by resulting in a very small number of extra applicants qualifying to join the Housing Register.

Are the impacts of this policy proposal justified? What can we do to mitigate impacts?

All potential actions to advance equality of opportunity, eliminate discrimination, and foster good relations

This policy change will achieve the legitimate aim of aligning the Council's Allocations Policy with the definition of domestic abuse set by Parliament in the Domestic Abuse Act 2021. This policy change is no more than is necessary to achieve this aim. This proposal will advance equality of opportunity by making sure that decision makers will not apply a narrow definition of domestic violence when assessing whether applicants qualify to join the Housing Register.

6) Broadening when a transfer request from a joint social housing tenant will be considered

What does the policy proposal mean for this group?

Impacts identified from data (actual and potential)

The current Allocations Policy only allows applications from transferring social housing tenants who are joint tenants where both tenants are moving. The current policy requires a joint tenancy

to be determined before a transfer applicant who is a joint social housing tenant can bid successfully.

The proposed policy change will consider applications from joint social housing tenants without requiring all joint tenancies to be determined before permitting an applicant to qualify to join the Housing Register.

Older applicants are likely to benefit from this change, as some joint social housing tenants are likely to experience a relationship breakdown over time and will therefore apply to transfer. This change will benefit those households where one member of the joint tenancy cannot or will not move from the home subject to the joint tenancy following the relationship breakdown.

Women and LGBTQ+ people are likely to benefit from this change, as these groups are disproportionately likely to be victims of domestic abuse. This proposed change will impact domestic abuse survivors positively and give survivors that are fleeing from their secure social housing greater options and safety - along with preventing them from becoming homeless and having to access emergency and temporary accommodation. This will give survivors of domestic abuse greater agency when fleeing abuse and prevent unnecessary further trauma that many experience during this process.

Children are likely to disproportionately benefit from this proposed policy change as it will enable the council to allow the children of a joint tenant to remain in the family home by being allocated a sole tenancy to the remaining former joint tenant, where it is safe to do so.

Applicants on the Housing Register of all ages are likely to be minimally adversely affected by this policy, because the policy change will likely increase waiting times for rehousing by resulting in a very small number of extra applicants qualifying to join the Housing Register.

Are the impacts of this policy proposal justified? What can we do to mitigate impacts?

All potential actions to advance equality of opportunity, eliminate discrimination, and foster good relations

This change will achieve the legitimate aim of improving outcomes for social housing tenants in the city where there has been a relationship breakdown and where one joint tenant needs to

move homes, such as by enabling a victim of domestic abuse to move to a place of safety without having to give up their secure tenancy status. This policy change is no more than is necessary to achieve this aim. Accordingly, any adverse impacts that may arise because of this policy change are justified.

Improving outcomes for social housing tenants in the city where there has been a relationship breakdown and where one joint tenant needs to move homes, such as by enabling a victim of domestic abuse to move to a place of safety without having to give up their secure tenancy status, will advance equality opportunity and foster community cohesion.

7) Changing the residency criteria so that applicants must have lived in Brighton & Hove for 5 out of the last 7 years to qualify to join the Housing Register

What does the policy proposal mean for this group?

Impacts identified from data (actual and potential)

The current Allocations Policy requires that, to be a qualifying person, applicants must currently reside in Brighton & Hove, and must have done so continuously for the last 5 years. There are some extremely limited exceptions to this rule.

The proposed policy change will allow applicants to qualify to join the Housing Register on the basis that they have resided in Brighton & Hove for 5 out of the last 7 years.

The knowledge we have from our staff is that this policy proposal is most likely to benefit applicants who currently form the Homeseeker group. Applicants in the Homeseeker group may spend years as a qualifying person on the Council's Housing Register, but may lose their qualifying status before they are able to bid successfully when changes in their personal circumstances cause them to leave Brighton & Hove for a short amount of time – such as being evicted from a private rented sector tenancy and being unable to find affordable alternative accommodation in the city, or moving out of the city to take up an offer of work or to rent a home with a garden. 69.57% of the main applicants in the Homeseeker queue are aged 20 – 49, so applicants of this age are likely to benefit from this policy change. Children are also most likely to benefit because they are most likely to be part of households where the main applicant is aged 20–49.

Applicants on the Housing Register of all ages are likely to be minimally adversely affected by this policy, because the policy change will likely increase waiting times for rehousing by resulting in a relatively small number of extra applicants qualifying to join or remain on the Housing Register.

Applicants which currently form part of the Transfer queue under the current policy are the least likely to benefit from this policy proposal as, by their nature of being secure tenants in the city, applicants in this group will reside in the city long-term nearly without exception.

The council's International Migration Manager has advised that migrant and refugee applicants are likely to benefit from this policy proposal, as, for example, these groups are more likely to leave the city to travel to another country for weeks at a time to care for a family member, while retaining their centre of interest in Brighton & Hove.

Are the impacts of this policy proposal justified? What can we do to mitigate impacts?

All potential actions to advance equality of opportunity, eliminate discrimination, and foster good relations

This change will strike a balance between promoting localism, in retaining a 5-year residency criterion, while recognising that very high rents and the urban, densely populated nature of Brighton & Hove will mean that some applicants on the Housing Register will leave the city for a short period of time. Promoting localism and providing flexibility in the operation of the Council's allocations policy are both legitimate aims which this policy proposal will achieve. This policy proposal strikes a balance in achieving these two competing aims. Accordingly, any adverse impacts caused by this policy proposal are justified.

8) Reducing the number of households who receive the highest priority: Non-statutory successors

What does the policy proposal mean for this group?

Impacts identified from data (actual and potential)

This policy proposal means that households occupying social housing where the tenant has died and the remaining household has no right to succeed to the tenancy will no longer qualify for Band A and will instead need to qualify for rehousing via the Housing Register under a different band reason.

There are 10 applicants on the Housing Register who will be negatively impacted by this change. They are all in the Homeseeker queue. Waiting times for rehousing are likely to increase substantially for these 10 affected individuals.

9 out of the 10 households who will be negatively affected by this proposed change are single individuals without children.

7 out of 10 of the households who will be negatively affected by this proposed change are aged 60+.

2 out of 10 of the households who will be negatively affected by this proposed change are single individuals in their thirties.

All other households on the Housing Register are likely to slightly benefit from this proposed change, as it will shorten waiting times for others. Other households in Band A are likely to benefit the most from this proposed change.

Are the impacts of this policy proposal justified? What can we do to mitigate impacts?

All potential actions to advance equality of opportunity, eliminate discrimination, and foster good relations

The negative impact of this proposed change will be mitigated by 7 out of 10 of the households who will be negatively affected by this proposed change are aged 60+ and these households will therefore continue to qualify for priority Band C for sheltered housing, so they would likely receive an allocation of social housing within a year if they are bidding regularly.

The impacts of the proposed change are justified because removing households who receive the highest level of priority under the allocations policy is no more than is necessary for

achieving the legitimate aim of ensuring that those in the greatest need are housed most quickly via the housing register.

9) Reducing the number of households who receive the highest priority: Armed forces, other than those current or former members of the armed forces in housing need suffering a disability as a result of their service, or bereaved spouses of those armed forces

What does the policy proposal mean for this group?

Impacts identified from data (actual and potential)

This policy proposal will mean that for qualifying armed forces households, priority will no longer be given based on how long ago the applicant served in the armed forces but, rather Band A (highest priority) will go to those current or former members of the armed forces in housing need suffering a disability as a result of their service, or bereaved spouses of those armed forces and Band B (second highest priority) will go to former members of the regular armed forces in housing need regardless of how long ago they served.

There are currently only 3 households on the Housing Register with armed forces priority. It is probable that two of these households will have their priority reduced from Band A to Band B, which will slightly increase their waiting time. One of these households will likely benefit by this proposed change by having their priority increased from Band C to Band B.

Potential impacts for other demographics are that disabled members of the armed forces, veterans and their bereaved spouses will benefit from the change. Other non-disabled members of the armed forces in housing need will receive Band B, which is a high level of priority for rehousing.

Are the impacts of this policy proposal justified? What can we do to mitigate impacts?

All potential actions to advance equality of opportunity, eliminate discrimination, and foster good relations

The impacts of the proposed change are justified because removing households who receive the highest level of priority under the allocations policy is no more than is necessary for achieving the legitimate aim of ensuring that those in the greatest need are housed most quickly via the housing register. The negative impacts of these proposed changes are relatively low in terms of numbers of individuals likely to be affected and in terms of the qualitative impact on each individual. One individual stands to likely benefit from the proposed change.

10) Reducing the number of households who receive the highest priority: Households in temporary accommodation where the landlord wants the property back

What does the policy proposal mean for this group?

Impacts identified from data (actual and potential)

The current policy gives Band A to 'accepted homeless households in unsuitable temporary accommodation or where the landlord wants the property back.'

This policy proposal will mean that households in temporary accommodation where the landlord wants the property back will no longer receive Band A.

There are 81 households who stand to be impacted by this proposed change.

Those households who are in unsuitable temporary accommodation will stand to benefit from this policy proposal by having shorter waiting times for rehousing. Those households who are in temporary accommodation where the landlord wants the property back will be negatively impacted by this proposed change because they will no longer qualify for this band reason and will likely receive lower priority under the policy and accordingly a longer waiting time to receive an allocation of social housing.

However, the council's computerised record system does not differentiate whether the households with the above band reason fall into the 'unsuitable' category, or the 'landlord wants the property back' category. Therefore, it is not possible to quantify the numbers of households who will be positively and negatively affected by the proposed change, other than to say that

fewer than 81 households will be negatively affected by the change, so the numbers are relatively small. Those households who are negatively affected will be from the homeless queue

75.79% of the main applicants in the Homeless queue are aged 20 – 49, so applicants of this age are likely to be noticeably adversely affected by this policy change. Children in the Homeless queue will also be affected because they are most likely to be part of households where the main applicant is aged 20–49. Single female parents and ethnically minoritised households are more likely to form part of the homeless queue.

Are the impacts of this policy proposal justified? What can we do to mitigate impacts?

All potential actions to advance equality of opportunity, eliminate discrimination, and foster good relations

The negative impacts of this proposed policy change will be mitigated by the fact that the council will be under a duty by section 193(2) of the Housing Act 1996 to provide alternative suitable accommodation to all applicants who will be negatively affected by this change. These households will continue to qualify for Band C at a minimum, so they will retain a reasonable preference for an allocation of social housing.

The impacts of the proposed change are justified because removing households who receive the highest level of priority under the allocations policy is no more than is necessary for achieving the legitimate aim of ensuring that those in the greatest need are housed most quickly via the housing register.

7. Action planning

What SMART actions will be taken to address the disproportionate and cumulative impacts you have identified?

- Summarise relevant SMART actions from your data insights and disproportionate impacts below for this assessment, listing appropriate activities per action as bullets. (This will help your Business Manager or Fair and Inclusive Action Plan (FIAP) Service representative to add these to the Directorate FIAP, discuss success measures and timelines with you, and monitor this EIA's progress as part of quarterly and regular internal and external auditing and monitoring)

Review implementation of the new policy on a **quarterly** basis to:

- Monitor whether waiting times increase for applicants in Band B or lower.
- Monitor whether the policy of awarding additional priority where households in certain circumstances work with us to prevent their homelessness achieves the aim of incentivise applicants to whom the Council is likely to owe an accommodation duty to secure their own accommodation
- Monitor whether removing the queue divisions increases transparency in the operation of the policy and ensures that properties available for bidding are always matched to a household who is in great need of that property.
- Monitor whether waiting times increase for applicants who would have been in the Homeless queue

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Which action plans will the identified actions be transferred to?

- For example: Team or Service Plan, Local Implementation Plan, a project plan related to this EIA, FIAP (Fair and Inclusive Action Plan) – mandatory noting of the EIA on the Directorate EIA Tracker to enable monitoring of all equalities related actions identified in this EIA. This is done as part of FIAP performance reporting and auditing. Speak to your Directorate’s Business Improvement Manager (if one exists for your Directorate) or to the Head of Service/ lead who enters actions and performance updates on FIAP and seek support from your Directorate’s EDI Business Partner.

The above monitoring will be included in the Fair and Inclusive Action Plan reporting and auditing for the Homelessness & Housing Options service.

8. Outcome of your assessment

What decision have you reached upon completing this Equality Impact Assessment? (Mark 'X' for any ONE option below)

Stop or pause the activity due to unmitigable disproportionate impacts because the evidence shows bias towards one or more groups.	
Adapt or change the activity to eliminate or mitigate disproportionate impacts and/or bias.	

Proceed with the activity as currently planned – no disproportionate impacts have been identified, or impacts will be mitigated by specified SMART actions.	
Proceed with caution – disproportionate impacts have been identified but having considered all available options there are no other or proportionate ways to achieve the aim of the activity (for example, in extreme cases or where positive action is taken). Therefore, you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision.	X

If your decision is to “Proceed with caution”, please provide a reasoning for this:

Social housing is a scarce resource. Accordingly making changes to the policy regarding which groups receive priority for an allocation of social housing inevitably results in some groups waiting longer for an allocation of housing than others.

The disproportionate adverse impacts of the proposed policy changes identified above are justified because the proposed policy changes are the least intrusive measures available to achieve the legitimate aims pursued by the proposed policy changes.

Summarise your overall equality impact assessment recommendations to include in any committee papers to help guide and support councillor decision-making:

The proposed changes to the Housing Allocations policy are the proportionate means of achieving the legitimate aims of:

- Helping to manage numbers of households owed a homelessness or social care duty in expensive temporary accommodation.
- Ensuring that households with specific accommodation needs are efficiently matched to a property where there is likely to be a very limited amount stock that would be likely to become available to meet that need.
- Promoting community cohesion.
- Promoting tenancy stability.
- Safeguarding and promoting the welfare of children.
- Protecting victims of domestic abuse.

- Ensuring that households in the greatest need receive an allocation of social housing more quickly.
- Promoting localism.
- Providing flexibility in the operation of the Council's allocations policy.

9. Publication

All Equality Impact Assessments will be published. If you are recommending, and choosing not to publish your EIA, please provide a reason:

N/A

10. Directorate and Service Approval

Signatory:	Name and Job Title:	Date: DD-MMM-YY
Responsible Lead Officer:	Luke Harris	24-JULY-2024
Accountable Manager:	Harry Williams	21-AUGUST-2024

ⁱ [https://www.ons.gov.uk/peoplepopulationandcommunity/housing/articles/peopleexperiencinghomelessnessenglandandwales/census2021#:~:text=This%20figure%20shows%20that%2044.1,who%20were%20disabled%20\(17.5%25\).](https://www.ons.gov.uk/peoplepopulationandcommunity/housing/articles/peopleexperiencinghomelessnessenglandandwales/census2021#:~:text=This%20figure%20shows%20that%2044.1,who%20were%20disabled%20(17.5%25).)

ⁱⁱ <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/domesticabusevictimcharacteristicsenglandandwales/yearendingmarch2022#age>

ⁱⁱⁱ <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/domesticabusevictimcharacteristicsenglandandwales/yearendingmarch2023#age>

