

Appendix B

Equality Analysis Report:

Title of activity / Budget Proposal title and number Proposal to amend the allocations scheme	Committee meeting (decision maker) and date Housing Committee 05/11/20 Consultation period 04/01/21 – 12/02/21 Going to exec 05/03/21
Service area Housing	Lead officer A.Robbani, Manager for Customer Services
Approved by Lee Phanco, Chief Officer Customer Experiences and Digital Services	Date of approval February 2021
Description of activity: The Bedford Borough Allocations Scheme has been reviewed and updated. The purpose of this scheme is to set out how applicants in need of social, affordable housing are prioritised in accordance with the Housing Act 1996 Part VI as amended by the Homelessness Act 2002. The Council's Allocation Scheme was last subject to a detailed review in 2016 and it is considered to be an appropriate time to review the Scheme to ensure that it meets current legal requirements, is in line with statutory guidance and reflects the local level of demand and supply of social housing. It is not proposed to amend the basic principles of the current Allocation Scheme which are considered to work effectively in allocating social housing to those person most in need and entitled to reasonable preference. In particular, the current banding system for priority will continue and the Scheme will continue to restrict eligibility to those persons with a housing need. Proposed Amendments to the scheme:	

1. The format of the Allocation Scheme document has been revised to make it more readily understandable and to remove any areas of duplication.
2. Revised wording has been incorporated to better reflect the requirements of the Homelessness Reduction Act (amendments to Part VII of the Housing Act 1996) and the statutory requirement to grant reasonable preference to certain groups of customers (Housing Act 1996 s.166A) and to make clear how priority is applied in section 6 (exceptions to the qualification connection) and section 7 (note Band B, C and D) of the Scheme.
3. There is explicit inclusion of priority for victims of domestic abuse reflecting the current broader definition of abuse and reflecting anticipated changes under the new Domestic Abuse Bill currently going through Parliament and due to come into force in April 2021.
4. Expanded wording regarding additional preference for armed services personnel/veterans to reflect new statutory guidance (see section 6 (exceptions to local connection) and section 7 (banding additional preference)).
5. The criteria for eligibility as a result of employment in the Borough is proposed to be amended to employed in the Borough for 24 months within the last 3 years (changed from 12 months employment within the last 2 years in the current policy).
6. Eligibility for persons moving on from supported accommodation has been expanded to include people moving on from supported accommodation in the Borough that is provided by a registered provider of social housing rather than restricting eligibility to those moving on from supported housing commissioned by the Council.
7. The income and savings thresholds in the financial qualification criteria have been updated to better reflect the current housing market and average earnings to ensure that social housing is accessible to those that most need it.
8. The income and savings thresholds are extended to apply to persons who are existing social housing tenants.
9. The preference to allocation of newly built properties to existing social housing tenants is proposed to be removed.
10. The criteria regarding non-eligibility due to previous anti-social behaviour is proposed to be limited to circumstances where a formal sanction has been imposed on the persons in their current or a former tenancy as a result of antisocial behaviour or violence, rather than simply referring generally to anti-social behaviour.

11. Amended quotas on advertising properties to give a greater percentage of properties to homeless customers. The quotas for allocation of advertised properties were amended to reflect the increased demand from homeless household over recent years and the number of persons on the housing register in each of the other quota categories. This was to support the Council's in its statutory duty to rehouse those who are homeless or threatened with homelessness whilst maintaining access to the register for those with other housing needs. The introduction of an annual review of the lettings policy (section 16) to allow for adjustments to quotas to ensure the quotas remain up to date and best reflect the demand and supply of social housing.

- Properties allocated for homeless applicants – 40% (currently 33%)
- Properties allocated for applicants with a housing need who are not currently social housing tenants – 30% (currently 33%)
- Properties allocated for applicants with a housing need who are currently social housing tenants – 30% (currently 33%)
- Right to Move 0% (currently 1%) – these lettings were to be incorporated into the other three categories.

The policy has been subject to a public consultation from 4th January to 12th February in which key stakeholders (e.g Housing Associations, local advocacy groups) were proactively consulted. A copy of the consultation document is attached.

Comments received were logged and considered against the Policy proposals. Some changes have been made as a result of the consultation though the main proposals remain in place as follows:

1. Almost all of the housing associations raised concerns that they felt the income limits (based on private sector housing being generally available for 35% of gross household income) were too low. In view of the concerns Bedford Borough Council has recalculated based on 30% of gross household income – the revised thresholds are as below and that we disregard some income in the same way as income is regarded certain benefits for Housing Benefit and our Council Tax Support Scheme – this is mainly disability benefits, child benefits and maintenance payments for a child. Finally, I have suggest the income thresholds should not apply where an existing social tenant in the Borough wishes to downsize, as we would want to prevent someone from freeing up a larger property.

Bedrooms	30% of Gross Income
1	28,000
2	35,000
3	44,000
4+	50,000

2. Additional and amended wording has been included at para 6 to make it clearer that those with a statutory reasonable preference under s166A of the Housing Act can access the scheme. Since the Scheme generally imposes local connection criteria for acceptance on the housing register, people with a statutory reasonable preference could have been inadvertently excluded if they did not have a local connection. This would be unlikely, as any application for housing is automatically also a homelessness application (unless the applicant specifies otherwise) so the likelihood is that anyone with a statutory preference would have qualified under the statutory homeless category, which the original proposal specifically excluded from the connection requirements. The Council has made amendments to make it explicit that persons with statutory reasonable preference will be accepted onto the register, but in the absence of meeting any of the other criteria, such as local connection, they will be placed in Band D.
3. The criteria relating to overcrowding of a property was simplified to assist with the process of assessing whether a household is overcrowded.
4. The wording relating to circumstances in which the Council may make a direct offer of accommodation was clarified and updated throughout to better reflect Council's duties under the Homelessness Reduction Act and to support a reduction in the time homeless persons are likely to spend in emergency accommodation
5. A more detailed statement regarding the way in which applicants will be able to exercise choice over their selection of accommodation and the restrictions that may be imposed on choice and additional information regarding the circumstances in which direct lettings will be made (section 1.2; 4.2 and annexe A)
6. Additional information regarding statutory ineligibility (section 5)
7. A statement that the choice of area may be limited where a person is accepted onto the housing register due to receiving or providing care (section 6.1.3)

8. Wording to allow the Council, with expert advice if required, to make a decision where there is dispute between a resident in supported living and the support provider regarding the person's readiness to move on into independent social housing (section 6.1.4)
9. The inclusion of persons leaving other forms of detention, in addition to leaving prison, under the exceptions to the local connection criteria (section 6.1.5)
10. The inclusion of persons temporarily resident outside the Borough through no fault of their own under the exceptions to the local connection criteria (section 6.1.5)
11. The inclusion of person leaving care under the exceptions to the local connection criteria (section 6.1.5)
12. Further clarification regarding the treatment of housing related debt for disqualification purposes (section 6.2.5)
13. Explicit inclusion of persons owed the main homelessness duty under Band A (section 7.2.10)
14. Clarification that the priority for persons required to move due to redevelopment is limited to existing tenants of social housing (section 7.3.9)
15. Explicit inclusion of persons with a statutory entitlement to reasonable preference who do not meet any other criteria under Band D (section 7.5.2)
16. Reduction of the minimum age for sheltered housing from 60 to 55 years of age (section 7.6)
17. Taking into account the expected child when determining the bedroom requirements for a person who is more than 26 weeks pregnant (section 8.2)
18. Increasing the number of bids an applicant can place in each cycle from 2 to 3 (section 11.1)
19. Increasing the number of bidding cycles before which a direct letting may be made to a homeless applicant from 2 cycles to 5 cycles (section 11.2)

20. Clarification regarding the process for future amendments to the Scheme (section 14.3)

Under the Equality Act 2010, Bedford Borough Council must have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by, or under the Act
- b) Advance equality of opportunity between those with a protected characteristic and those without
- c) Promote good relations between those with a protected characteristic and those without

The 'protected characteristics' referred to are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination. The equalities impact assessment set out below, considers the impact of the changes to the Allocation Policy on the protected groups and, where there is an impact, sets out the justification for continuing with the Policy change and any actions the Council will take to reduce any impact that has been identified.

This EQIA considers the changes to the Allocations Policy and assesses their impact on those applicants/households within the protected characteristic groups. The assessment considers whether any assessed impact is a positive, negative or neutral impact and sets out what steps Bedford Borough Council has taken or will take to reduce any impact identified.

The public authority's policies and practices will be kept under review and so the Council has purposefully allowed for amendments to be made by the chief officer where it is identified that an amendment would be required to meet the public sector equality duty.

The Council has also been careful to build into the Allocation Policy discretion (at chief officer level) to consider exceptional circumstances not foreseen under the normal criteria (Para 13). This will be supported by officer guidance and training.

Relevance Test

1. The outcomes of the activity directly and significantly impact on people, e.g. service users, employees, voluntary and community sector groups.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2. The activity could / does affect one or more protected equality groups.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
3. The activity could / does affect protected equality groups differently.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4. One or more protected equality groups could be disadvantaged, adversely affected or are at risk of discrimination as a result of the activity.	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
5. The activity relates to an area where there are known inequalities.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
6. The activity sets out proposals for significant changes to services, policies etc. and / or significantly affects how services are delivered.	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
7. The activity relates to one or more of the three aims of the Council's equality duty.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
8. The activity relates to the Council's Corporate Plan objectives, is a significant activity and / or presents a high risk to the Council's public reputation.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
9. An equality analysis of this activity is required.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
This activity has no relevance to Bedford Borough Council's duty to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations. An equality analysis is not needed.				<input type="checkbox"/>
Explanation why equality analysis is not needed				

Scope of equality analysis

Who is / will be impacted by the activity's aims and outcomes?	<ul style="list-style-type: none"> • All Housing Register Applicants • Housing Associations • Supported accommodation providers
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<p>Which particular protected equality groups are likely / will be affected?</p>	<p>The allocations scheme sets out a policy for determining priority for accessing social housing for members of the Public. The scheme is designed to cater for those with a housing need in the Borough. It is anticipated that the scheme will particularly affect the following groups with a protected characteristic:</p> <ol style="list-style-type: none"> 1. Disability: Those with a disability who have a housing need (e.g needing adaptations/ground floor access or move on from supported accommodation) <ul style="list-style-type: none"> - Physical or mobility - Mental Health - Learning disability including neurological diversity (e.g move on from supported accommodation) - Sensory impairment (blind / deaf) 2. Age: Customers of all ages needing rehousing but the proposed changes may in particular affect the elderly, or those that may need sheltered accommodation or rehousing. Young people leaving care may also be affected. 3. Gender Reassignment: Proposed changes to the assessment of household composition and bedroom need may affect those that identify as a different gender to that they were assigned at birth. 4. Sex: Women are likely to be affected by changes addressing domestic abuse and may also be affected by disregarding child benefit or childcare costs in income thresholds

Evidence, data, information and consultation

What evidence have you used to analyse the effects on equality?	<p>In addition to the legislation and case law governing allocations, regard has been had to the government guidance on the allocation of housing, the Equality Act 2010 and recent case law on the operation of Section 149 of that act.</p> <p>The policy has been subject to a public consultation from 4th January to 12th February in which key stakeholders (e.g Housing Associations, local advocacy groups) were proactively consulted. A copy of the consultation document is attached.</p> <p>This assessment has been drawn up using a broad range of data available to officers about those currently on the Housing Register captured as information required in order to assess their household circumstances and housing need. Data shows current applicants to the register both active and suspended as a snapshot (as at 17/02/2021). Cases are suspended for a variety of reasons which include:</p> <ul style="list-style-type: none">- pending assessment, (either as a new claim or after a change of circumstances in the household)- waiting on supporting documentary evidence to be provided,- during an assessment for shortlisting for a property after a bidding cycle- When under offer for a property which is in process <p>The Housing Register in Bedford Borough Council currently has 1151 active households and 1918 households that are suspended pending assessment. There are approximately 300 new applications received each month.</p> <p>The assessment also draws on data showing those that have successfully been housed through the register since April 2018 to date when Bedford Borough Council brought the Housing Register back in house from bpha and considers this from an equalities perspective. It is important to note that many applicants will have to wait a considerable length of time before securing an offer of social housing as the demand for housing far exceeds the supply of housing. Typically, there are 50 - 60 adverts per month (some properties will be advertised more than once for various reasons). In the financial year 2019 – 2020 there were 666 adverts in total. This financial year (2020 – 2021) there has been 440 to date but it is noted that the choice based lettings scheme was suspended for a period of time at the start of the Covid Pandemic (exceptional circumstances and unprecedented) to allow for direct nominations at a pace as an emergency measure to support the ‘everyone in’ campaign of the first lockdown.</p> <p>It is recognised that there are limitations in the data that Bedford Borough Council currently has and that it is not a comprehensive set of data for the households on the Housing Register and for those rehoused.</p>
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This is because it is not data captured explicitly as a stand-alone equalities questionnaire but rather information gathered as part of the application for the register necessary for assessing household circumstances and need. Consequently, certain protected characteristic information are not captured as part of the online application to the register (gender reassignment, religion or belief and sexual orientation) and also many applicants will not have completed all the sections of the application form that provides personal data. Therefore this should be taken as indicative only.

In the follow up actions the Council recognises the need to introduce a stand-alone equalities questionnaire as a part of the application process providing the customer with an explanation of the purpose for gathering the data and the intent to anonymise it.

Please see below for data showing those on the register currently and those that have been housed since April 2018 by various protected characteristics

Sex Data

Sex	Current Active	Current Suspended	Housed since April 2018
Female	718 (62%)	1199 (62%)	895 (67%)
Male	428 (37%)	712 (37%)	424 (32%)
Unknown	5	7	6
Total	1151	1918	1325

It is worth noting as relevant to the proposed policy changes that women are disproportionately affected by domestic abuse nationally. Nationally over 80% (83%) of high frequency victims (more than 10 crimes) are women. (From a study of data from the Crime Survey for England and Wales, a nationally representative household survey.) (Walby & Towers, 2018) In the year ending March 2019, the majority of defendants in domestic abuse-related prosecutions were men (92%), and the majority of victims were female (75%). 16% of victims were male and in 10% of cases the sex of the victim was not recorded. (ONS, 2019).

Locally, in the period April 2018 – March 2019, Bedfordshire Police recorded 3766 Domestic Abuse Crimes and Incidents in Bedford Borough, an increase of 10.9% and an average of more than 72 per week on the previous year. The Bedford Borough MARAC holds monthly meetings where an average of

28 cases are heard every month. During the period from April 2019 – March 2020 there were 327 cases presented to the Bedford Borough MARAC with a total of 549 children impacted by domestic abuse in those households.

Marital Status Data

Marital Status	Current Active	Current Suspended	Housed
Civil Partnership	3 (0.2%)	12	5 (0.4%)
Divorced	74 (6.4%)	89	66 (5%)
Living Together	72 (6.2%)	86	68 (5%)
Married	263 (23%)	242	168 (12.5%)
Partner	16 (1.3%)	89	37 (2.8%)
Separated	34 (3%)	134	81 (6%)
Single	339 (29%)	774	654 (49%)
Unknown	322	470	223
Widow	28 (2.4%)	22	23 (1.7%)
Total	1151	1918	1325

Age Data

Age of Primary Applicant	Current Active	Current Suspended	Housed since April 2018
18 – 24	70 (6%)	346 (18%)	204 (15%)
25 – 40	425 (37%)	916 (48%)	659 (50%)
41 – 54	321 (28%)	375 (19%)	283 (21%)
55 +	318 (28%)	277 (15%)	179 (13%)
Unknown	17	4	0
Total	1151	1914	1325

National labour market data shows that young people are more likely to be employed on zero hour contracts. This is relevant to the scheme as amendments have been made to the local connection criteria under employment ties to the Borough to include a wider variety of employment types.

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/articles/contracts-that-do-not-guarantee-a-minimum-number-of-hours/april-2018>

Pregnancy and Maternity

It is worth noting that there are 116 households on the register currently that include a person that is pregnant (18 active households and 98 that are suspended). As it is not necessarily the main or primary applicant that is pregnant (but could be a household member) the reporting data from the system is limited and thus should be taken as indicative only. Furthermore, it is difficult to capture direct correlation data on those in this group that have been housed as due to the typical waiting times on the register, those that are pregnant at the point of application are very likely to have had the child and not be pregnant by the time they are housed.

Ethnicity

Ethnicity	Current Active	Current Suspended	Housed since April 2018
Arab	8 (0.6%)	4 (0.2%)	2 (0.15%)
Chinese / Asian (other)	17 (1.4%)	26 (1.3%)	14 (1%)
Asian Bangladesh	35 (3%)	62 (3.2%)	41 (3%)
Asian Indian	40 (3.4%)	50 (2.6%)	28 (2%)
Asian Pakistani	31 (2.6%)	55 (2.8%)	28 (2.1%)
Black African	59 (5%)	103 (5%)	90 (6.7%)
Black other	4 (0.3%)	4 (0.2%)	2 (0.15%)
Black British Caribbean	29 (2.5%)	90 (4.6%)	59 (4.4%)
Irish	15 (1%)	12 (0.6%)	13 (1%)
Mixed Other / Multiple ethnic	11 (1%)	18 (1%)	20 (1.5%)

Mixed white and black African	6 (0.5%)	16	6 (0.4%)
Mixed white and black Asian	(0.1%)	6	6 (0.4%)
Mixed white and black Caribbean	29 (2.5%)	89 (4.6%)	61 (4.6%)
Not stated / refused	9	21	14
Other ethnic group	9 (0.8%)	14	12 (0.9%)
Other white background	101 (8.7%)	191 (10%)	136 (10%)
Unknown	184	191	136
White British	563 (48%)	966 (50%)	657 (49%)
Total	1151	1918	1325

Nationality	Current Active	Current Suspended	Housed since April 2018
Bulgaria	0.08%	0.2%	0.03%
Croatia	0.09%	0.2%	0.04%
Czech Republic	0.08%	0.1%	0.03%
Estonia	0.08%	0	0.04%
Hungary	0.08%	0.05%	0
Latvia	0.5%	0.5%	0.3%
Lithuania	0.4%	1.2%	1%
Non-EEA National	4%	4.1%	5.2%
Other EEA National	2%	3.7%	2.4%
Poland	3%	5.2%	4%
Romania	0.3%	1%	0.7%
Slovakia	0.08%	0.05%	0
Slovenia	0	0	0
UK National	44%	72%	62%
Unknown	44%	10%	10%
Total	1151	1918	1325

Of the general population in Bedford Borough on ethnicity: 28.5% of the population was from a black or minority ethnic community (non-White British) with 71.5% as white British in March 2011 (2011 Census) <https://www.bedford.gov.uk/council-and-democracy/statistics-and-census/>

Disability Data

Of the general Bedford Borough population 11.4% of ages 16 - 64 are in the protected disability category. (March 2011 Census) <https://www.bedford.gov.uk/council-and-democracy/statistics-and-census/>

Housing register data on disability is limited. Applicants may declare and tick more than one category on the disability list. Therefore, the data is not clear how many people in total have a disability as it is not possible to eliminate the likelihood of duplication across categories. 15% of those on the register currently ticked yes to state they have a disability. It is possible that some will also have selected a sub type of disability. The categories are used to determine medical need as part of the assessment of housing need to join the register rather than explicitly capturing it as equalities data. Therefore the data should be taken as indicative only.

Disability / Medical (n.b customers may tick more than 1 category so % is of total in header)	Current Active (1151)	Current Suspended (1918)	Housed since April 2018 (1325)
Disability (not defined/other)	178 (15%)	444 (23%)	274 (20%)
Mobility/Physical	68 (6%)	130 (7%)	109 (8.2%)
Learning Disability	9 (0.8%)	45 (2.3%)	12 (0.9%)
Mental Health	112 (10%)	270 (14%)	195 (14%)
Blind	5 (0.4%)	0	3 (0.2%)
Deaf	6 (0.5%)	3 (0.1%)	5 (0.4%)

Chronic Disease	43 (4%)	75 (4%)	50 (4%)
Drug/Alcohol Dependency	7 (0.6%)	35 (2%)	20 (1.5%)
Frail due to Old Age	7 (0.6%)	18 (1%)	11 (0.8%)

Additional information which shows current active households as a snapshot on the housing register by categories of disability according to which priority band they have been allocated to within the scheme. This has been included because the Council has amended the wording for the each banding category criteria to clarify the differential priorities given to medical/disability needs on the register.

- Band E: emergency needs (e.g to facilitate a hospital discharge into a new property with adaptations)
- Band A: for severe and urgent needs in band A (for applicants suffering severe or long term medical conditions)
- Band B: for multiple housing needs including medical/disability and those that are homeless
- Band C: for general housing needs that include medical grounds.
- Band D: for those with a statutory reasonable preference not exempt from or meeting the local qualifying criteria.
- Band S: those that need sheltered accommodation.

(Active cases only)	Band E	Band A	Band B	Band C	Band D	Band S
Physical/Mobility Disability	0	17	25	45	2	27
Deaf	0	1	0	1		4
Frail due to old age	0	2	0	1	0	4
Mental Health	0	8	41	53	3	9

Learning Difficulty	0	2	4	7	0	0
Chronic ill health	0	12	5	17	0	9
Blind	0	1	1	1	0	2
Disability (Other/Unknown or prefer not to say)	0	11	14	32	0	13
Drug/Alcohol Dependency	0	0	4	3	0	0

Additional Information

Number of dependants	Current Active	Current Suspended	Housed since April 2018
0	552 (48%)	1164 (60%)	530 (40%)
1	200 (17%)	346 (18%)	406 (30%)
2	150 (13%)	231 (12%)	231 (17%)
3	123 (10%)	107 (5.5%)	128 (9.6%)
4	78 (6.7%)	42 (2%)	25 (2%)
5 +	48 (4%)	17 (0.8%)	5 (0.3%)
Unknown	0	11	0
Total	1151	1918	1325

What consultation did you carry out with protected equality groups to identify your activity's effect on equality?

Methodology

The consultation ran from 4 January to 12 February 2021. It presented the proposed new policy alongside a summary of changes. The consultation was promoted in the following ways:

- Dedicated website and online response form hosted on the Council's website
- Included on the Council's consultation database
- An e-bulletin sent to over 9,000 subscribers promoting the consultation
- Several tweets sent out during the consultation period from the Council's Twitter account (@bedfordtweets)

The following groups were contacted about the consultation, inviting them to respond:

- Housing Associations
- Local Supported Accommodation Providers
- Local Charities and advocacy groups working with the homeless
- Independent expert in this field
- All current applicants to the register (appx 3000)

The online form asked the respondent to state to what extent they agreed or disagreed with the policy for each key section and invited comments in free text boxes for each. An overview summary of the main changes to the scheme was included on the webpage.

We received 48 responses via the online form, 8 written responses, and 5 responses that were recorded verbally. This includes responses from the following organisations:

- Bedford Borough Liberal Democrat Group
- bpha Ltd
- Catalyst Housing Limited
- Clarence House (One Housing)
- Emmaus Village Carlton
- Genesis Housing

	<ul style="list-style-type: none"> • Grand Union Housing Group • Guinness Housing • Holman House • Just Us • Kings Arms Project • L & Q Homes • National Probation Service • Oakley Parish Council • Settle Housing • SMART CJS • Stonewater • YMCA Bedfordshire <p>A copy of the consultation document is attached.</p>
<p>What does this evidence tell you about the different protected groups?</p>	<p><u>Sex</u></p> <p>The majority of those on the register (62%) are women (37% are men). Data on sex shows that the proportion of men and women as applicants on the register is in line with the proportion of men and women housed. The data therefore shows no concerns in regard to discrimination based on sex.</p> <p>National and local evidential data shows that women are disproportionately affected by domestic abuse and therefore likely to be more affected in a positive way by proposed changes to the policy in this regard.</p> <p>Women are also more likely to have income relating to care and dependents and therefore disregarding such elements in the assessment of the income threshold (an amendment in the revised scheme) will have a positive effect by removing a potential disadvantage more likely to affect women.</p> <p><u>Gender reassignment</u></p>

One respondent in the consultation raised a concern about how persons who did not identify as either male or female would be affected by the Allocations Scheme, particularly, with reference to whether their current housing was overcrowded and/or lacking a bedroom for the number and gender of people in the household.

Currently, the number of bedrooms required by a household is determined by reference to the number of people in the household, their relationship to each other, their age and their gender. Siblings of the same gender up to the age of 18 are expected to share a bedroom and siblings not of the same gender are expected to share a bedroom if they are under 10 years of age. The Allocation Schemes does not make any allowances for persons under 18 that do not self-identify as either male or female or persons who do not identify as the same gender as shown on their birth certificate. It is considered that further research into this issues and the extent to which it may affect applicants housing needs would be beneficial in further developing the Allocation Scheme. In the meantime however an amendment to neutralise the language and allow for exceptions has been included.

Sexual Orientation

There is not currently any data on sexual orientation captured as part of the application to join the housing register. It is recognised that this is a significant limitation in this analysis and that further research is required as a follow up action with local LGBTQT advocacy groups in Bedford Borough and that as a protected characteristic this should be included in the data capture on the form for future research on equalities.

Marital Status

28% did not declare marital status when completing the online form so it is recognised that the data set is limited. However, 0.2% of those on the register stated they were in a civil partnership and of those rehoused, 0.4% were in a civil partnership. The data therefore shows no concerns in regard to discrimination based on civil partnership as a marital status.

Pregnancy and Maternity

A respondent in the consultation (bpha Housing Association) noted that it would be helpful for pregnant applicants (from 26 weeks onward) be assessed as needing an additional bedroom so that they were able to bid on properties of a size suitable for their needs ahead of the birth (rather than waiting for the birth of a child for this need to be addressed. This has been included as a positive amendment to the scheme to ensure that there is no disadvantage to pregnant applicants.

Age

Ages of those on the register are fairly evenly spread from age 25 upwards with only 6% in the younger age bracket of 18 – 24. Data on age shows that the proportion of different aged applicants on the register is in line with the proportion of those housed.

Respondents to the consultation suggested a change to reduce the age criteria for applying for sheltered accommodation from 60 to 55. This has been included as a positive amendment to the scheme to improve opportunities for older people accessing the scheme.

Concern was raised in consultation about the possible impact of digitalisation as the application for the register and bidding for properties is all online. The Council digitalisation programme has shown that there is a risk that older customers are more likely to be excluded digitally. Consequently the policy makes it clear that there is support for customers within the customer service team and that an application can be made over the phone. Furthermore, if a customer needs digital assistance this can be given.

Consultation feedback raised concern that there was not an explicit exemption from the local connection criteria for young people that are care leavers or placed in the Borough in foster care which may create a disadvantage. This has been included as a positive amendment to the scheme to ensure young care leavers are not facing any disadvantage in accessing the scheme.

National data shows that those employed in a younger age bracket are more likely to be employed on zero hour contracts. The Council has included a policy amendment to include this contract/employment type in its local connection qualifying criteria. This is a positive amendment to the scheme to ensure that young people are not facing any disadvantage in accessing the scheme.

Ethnicity

The data shows that the largest ethnic group represented on the register currently is white British at 48% and 33.5% of those on the register were from a black or Asian or ethnic minority. The general population data for Bedford Borough more generally shows that 28.5% are from a black or Asian ethnic minority group and 71.5% are white British. This suggests that the white British ethnic group are under-represented on the housing register. However, this data is based on known data only (18.5% unknown or undeclared on the form). Further research is needed on why this may be and the Council will include further analysis on this at a later date.

Of those rehoused, 49% were of white British ethnicity and 38% were from Black and Asian or other ethnic minority groups. Data on ethnicity therefore shows that at the point of shortlisting and allocating new housing, the proportion of customers housed by ethnicity is generally in line with the proportion of those on the register.

The Council recognises that the local connection criteria (para 6.1.1 which states residence of 3 years for example) may disadvantage those of a nomadic lifestyle. In order to mitigate possible discrimination para 6.1.5 includes an exemption to this qualifying criteria for those with a nomadic lifestyle such as a Gypsy and Traveller (as defined in the Equality Act 2010 as Romany Gypsies and Irish Travellers as ethnic minority groups legally protected against race discrimination).

Disability

Respondents in the consultation expressed a range of views concerning the assessment of medical need / disability and a common theme was that they would like medical needs to be given higher priority than

Band C and priority differentiation based on the severity or urgency of the housing need. The Council has addressed this in the wording of the scheme as a positive amendment.

Respondents in the consultation raised some concern about the impact of digitalisation and how accessing the register online and placing bids for properties online may disadvantage customers with disabilities or vulnerabilities disproportionately. The Council has been careful to state in the policy that there is support through the customer service team with online facilities as applications may be taken over the phone by this team and the Council may place auto-bids on a customers' behalf if they are unable to do so independently.

Consultation responses were positive about the proposed changes to acquiring local connection after 12 months (or earlier) when ready for move on from supported accommodation which is likely to disproportionately affect those with protected characteristics under disability.

Respondents highlighted concerns about the income threshold levels. The Council has considered the impact of the income threshold on those with a disability and made a positive amendment to the income threshold assessment to include a disregard for PIP and mobility elements of disability benefits to ensure that those with a disability do not face an undue disadvantage under this part of the scheme.

6% of those currently on the register declared a physical disability or mobility problems. The majority were assessed in Band C as would be expected with smaller numbers where there is a more severe disability or medical need in band B (with similar numbers seeking sheltered accommodation) and a smaller number with an urgent need in band A. 8% of those housed had a physical or mobility related disability.

10% on the register have a mental health condition and of those housed, 14% had a mental health condition with the majority in band B and C.

Less than 1% have a learning difficulty or sensory disability such as deafness or blindness, assessed in the main for band B or C with a small number in more urgent need in band A or S for sheltered.

	The data sets on disability show that the numbers housed are proportionate to the numbers on the register by disability category. Therefore, the data does not raise any concerns about equalities in the shortlisting and allocation of housing.
What further research or data do you need to fill any gaps in your understanding of the potential or known effects of the activity?	<p>The Council recognises the need for a stand-alone equalities questionnaire in addition to the data captured as part of the housing register application process in order to improve the quality of information and analysis. More information is needed about sexuality and gender reassignment, for example and religion, belief which are protected characteristic information not currently collected. Given that these are all reliant on the self-disclosure of sensitive issues the comprehensive gathering of this type of data may not be achievable but the information can be improved through a proactive approach by the Council.</p> <p>Further research on ethnicity and access to the housing register would be valuable at a later date.</p> <p>It would be useful to assess data on those that were unsuccessful to joining the scheme to capture further data and produce an analysis on those applicants that did not qualify to join the scheme.</p>

General Equality Duty

Which parts of the general equality duty is the activity relevant to?			
	Eliminate discrimination, harassment and victimisation	Advance equality of opportunity	Foster good relations
Age	<p>Ensuring that older people can access sheltered accommodation</p> <p>Ensuring the needs of care leavers and younger people are considered</p>	Digital access for older people	
Disability	Ensuring the needs of disabled people are considered	Digital access for vulnerable customers that may include learning disabilities	

Gender reassignment	Ensuring the needs of gender reassigned people are considered		
Pregnancy and maternity	Ensuring the needs of pregnant applicants are considered		
Race			
Religion or belief			
Sex	Ensuring the needs of women (in regard to domestic abuse and income) are considered		
Sexual orientation			
Marriage & civil partnership			

Impact on equality groups

Based on the evidence presented what positive and negative impact will your activity have on equality?				
	Positive impact	Negative impact	No impact	Explanation
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The scheme has lowered the age from 60 to 55 to increase access to sheltered housing schemes for applicants in response to the consultation.</p> <p>On-line access for making an application and bidding may impact on applicants in the older age category that may disproportionately struggle with digital engagement. The Council website has information for people who need to contact or talk to the Council and there is support available within the customer service team to help with digital access. In addition to help address potential digital exclusion an application can also be taken over the phone. There is also an option for the council to set up 'auto-bids' for those unable to manage online bidding for themselves.</p>

				<p>The new allocations scheme has also been designed to be more straightforward and easier to understand, providing clarity. As is currently the case, officers can provide advice and assistance for people who may have difficulty understanding the scheme.</p> <p>The scheme has been amended to include Care Leavers in the list of exemptions from the local connection criteria (which includes those placed in foster care in the Borough by other Boroughs) to ensure that there is no disadvantage to younger applicants in this category.</p> <p>The employment local connection criteria has been broadened to include zero hours contracts which may improve opportunities for younger applicants to access the housing register who are statistically more likely to be in this type of work.</p>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The new Allocations Policy actively promotes the needs of disabled groups by recognising their housing needs and prioritising them for accommodation that is suitable for them. Under s166A for the Housing Act those with a medical need (including grounds relating to a disability such as mobility and requiring household adaptations) are given a statutory reasonable preference to join the scheme and are exempt from meeting locally set qualification criteria.</p> <p>The wording in section 6 of the scheme has been amended to clarify reasonable preference to ensure that no one in this category is disqualified from joining the scheme. For those that have a reasonable preference but are not explicitly exempted from or otherwise do not meet the qualification criteria set out in section 6, they may still join the register in band D.</p> <p>Respondents in the consultation expressed a range of views concerning the assessment of medical need / disability and a common theme was that they would like medical needs to be given higher priority than Band C and priority</p>

			<p>differentiation based on the severity or urgency of the need. The scheme aims to address this by including a category for medical needs in all bands as follows:</p> <ul style="list-style-type: none"> • Band E: emergency needs (e.g to facilitate a hospital discharge into a new property with adaptations) • Band A: for severe and urgent needs in band A (for applicants suffering severe or long term medical conditions) • Band B: for multiple housing needs including medical/disability and those that are homeless • Band C: for general housing needs that include medical grounds. • Band D: for those with a statutory reasonable preference not exempt from or meeting the local qualifying criteria. • Band S: those that need sheltered accommodation. <p>Further detail about how the assessment will be made with case scenario examples and details of evidence requirements will be included in guidance and training material for staff and will give due regard to all protected characteristics in relation to disability to ensure that none are excluded.</p> <p>An amendment to the Income Threshold introduces an explicit disregard for disability and mobility related benefits when calculating the income thresholds under the qualifying criteria in para 6.2.1 to ensure that those with a disability, protected characteristic are not unfairly disadvantaged in accessing the scheme.</p> <p>The Council has expanded the local connection criteria for those moving on from supported accommodation to include those from all registered providers rather than just commissioned providers in the Borough. This will positively affect vulnerable adults that are in supported accommodation (and may have a learning disability or complex needs such as mental health disability or chronic condition) and that are ready for independent living and wish to join the register.</p>
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			<p>The Council has expanded the exemption to the local connection criteria for disabled and injured armed forces personnel and veterans of the armed forces to reflect current statutory guidance. This includes divorced and separated household members and to allow access to the register to all who were in service within 5 years prior to the date their application was received. These will be given additional preference within the banding criteria.</p> <p>The scheme has also expanded the exemption to the local connection criteria for those having spent time in institutions such as rehabilitation centres or detention, to avoid any potential disadvantage to those in a disabled categories with a mental health condition or drug/alcohol dependency.</p> <p>The increased quota of properties advertised for homeless customers (para 10.1) from 33% to 40% will improve the likelihood of being housed for those deemed homeless within the meaning of Part VII of the HA which includes those in accommodation that is deemed 'unreasonable to continue to occupy' as unsuitable on medical grounds that may be relating to a disability.</p> <p>Online access for making an application and bidding may impact on applicants who have learning impairments or severe mental health problems. The website has information for people who need to contact or talk to the Council and there is support available within the customer service team to help with digital access though to eliminate potential exclusion an application can also be taken over the phone. There is also an option for the council to set up 'auto-bids' for those unable to manage online bidding for themselves.</p> <p>The new scheme has also been designed to be more straightforward and easier to understand, providing clarity. As is currently the case, officers can provide advice and assistance for people who may have difficulty understanding the scheme.</p>
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Gender reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The consultation highlighted that in para 8.2 there is a presumed binary gender identity in its assessment of household composition and bedroom need allocation.</p> <p>Wording has been updated to recognise the fact that gender is not binary and the language within the scheme has been neutralised to 'they' rather than he/she in this section. The assessment of bedroom need under the scheme now also allows for consideration of cases in which a child may have an established gender identity different to that which was assigned at birth.</p> <p>Staff guidance and training will also be updated to reflect this view.</p>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A consultation response from a Housing Association suggested allowing for an additional bedroom for a single person that is 26 weeks or more pregnant, in the assessment of household composition and bedroom need allocation section (para 8.2) which has been included to increase the likelihood of gaining a property that is suitable before the birth of a child.</p>
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Council recognises that the local connection criteria (para 6.1.1 which states residence of 3 years for example) may disadvantage those of a nomadic lifestyle. In order to mitigate possible discrimination para 6.1.5 includes an exemption to this qualifying criteria for those with a nomadic lifestyle such as a Gypsy and Traveller (as defined in the Equality Act 2010 as Romany Gypsies and Irish Travellers as ethnic minority groups legally protected against race discrimination).</p> <p>Similarly, the local connection residence criteria may not be obtained by refugees and new migrant arrivals. To 'strike a balance' between this and the scheme's intent to prioritise housing for those with a strong tie to Bedford Borough such applicants would be able to access the register where they have a housing need that is in a statutory reasonable preference category.</p>

				Online access for making an application and bidding may impact on applicants whose first language is not English. The website has information for people who need to contact or talk to the Council in language other than English and there is support available within the customer service team for digital access and a translation option.
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no changes to the policy which are anticipated to have any impact on religion.
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The data demonstrates that there are significantly more women on the register than men.</p> <p>There is explicit inclusion of priority for victims of domestic abuse reflecting the current broader definition of abuse according to the pending changes under the new Domestic Abuse Bill due to come into force in April 2021. This change will improve opportunities for women who are statistically more likely to be affected by domestic abuse.</p> <p>To mitigate the risk that the local residence qualifying criteria may disadvantage those needing to move due to domestic abuse into another area, para 6.1.5 includes an exemption to the local connection criteria for those “at risk of domestic abuse that is likely to continue or be carried out and cannot reside safely in any other local authority area where they have a local connection criteria”.</p> <p>The introduction of income disregards (e.g child benefit and childcare benefit elements) when assessing income thresholds will mitigate the possible disadvantage experienced by women whose income is statistically more likely to include these elements.</p>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no changes to the policy which are anticipated to have any impact on sexual orientation. The policy uses the language of ‘partner’ and does not specify men/women in defining couples when determining household composition in para 8.1.

Marriage & civil partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The scheme has expanded the exemption to the local connection criteria for disabled and injured in service members and veterans of the armed forces to reflect current statutory guidance to include divorced and separated household members (including of marriage or civil partnerships) to allow access to the register to all who were in service within 5 years prior to the date their application was received. These will be given additional preference within the banding criteria.
Other relevant groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Commissioned services

What equality measures will be included in Contracts to help meet the three aims of the general equality duty?	Not applicable.
What steps will be taken throughout the commissioning cycle to meet the different needs of protected equality groups?	Not applicable.

Actions

	What will be done?	By who?	By when?	What will be the outcome?
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Actions to lessen negative impact	Equalities guidance and training (particularly on gender reassignment) to be given to staff.	Housing Service Team Leaders	May 2021	<ul style="list-style-type: none"> Improved staff decision making and knowledge. Compliance with the statutory Website Accessibility guidelines
	Ensure website accessibility and compliance	Web Team	Sept 2021	
Actions to increase positive impact	Equalities guidance and training (particularly on gender reassignment) to be given to staff.	Housing Team Leaders	May 2021	<ul style="list-style-type: none"> Improved staff decision making and knowledge.
Actions to develop equality evidence, information and data	Bedford Borough will introduce a stand-alone equalities questionnaire	Manager for Housing Service Delivery	May 2021	<ul style="list-style-type: none"> Improved and standardised quality of data relating to equalities.
	Further analysis on ethnicity		June 2022	
Actions to improve equality in procurement / commissioning	Not applicable.			
Other relevant actions	Not applicable			

Recommendation

No major change required	<input checked="" type="checkbox"/>	The equality analysis demonstrates that the revised allocation scheme has taken all the necessary changes required to respond to concerns raised.
Adjustments required	<input type="checkbox"/>	
Justification to continue the activity	<input type="checkbox"/>	
Stop the activity	<input type="checkbox"/>	

Summary of analysis

In preparing this report, due consideration has been given to the Borough Council's statutory Equality Duty as set out in Section 149(1) of the Equality Act 2010, to have due regard to the need to;

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This equality analysis, takes into account the responses received to the public consultation which has been conducted as part of the process of finalising the proposed Allocations Scheme.

The revised allocations scheme has particularly considered the needs of applicants in regards to age (younger and older people), disability, gender reassignment (in regard to bedroom need assessment) sex, marital status and ethnicity.

The equality analysis concludes that the revised allocations scheme holds no potential for discrimination and has positively responded to areas of disadvantage identified through service data and consultation.

Monitoring and review

Monitoring and review	Review date
After 12 months of data has been captured through the introduction of a stand-alone equalities questionnaire (to be introduced May 2021) a further equalities analysis will be conducted.	June 2022