

Appendix 2

Initial Equalities Impact Assessment screening form

Prior to making the decision, the Council's decision makers considered the following: guide to decision making under the Equality Act 2010:

*The Council is a public authority. All public authorities when exercising public functions are caught by the Equality Act 2010 which became law in December 2011. In making any decisions and proposals, the Council - specifically members and officers - are required to have **due regard** to the 9 protected characteristics defined under the Act. These protected characteristics are: **age, disability, race, gender reassignment, pregnancy and maternity, religion or belief, sex, sexual orientation and marriage & civil partnership***

The decision maker(s) must specifically consider those protected by the above characteristics:

- (a) To seek to ensure equality of treatment towards service users and employees;*
- (b) To identify the potential impact of the proposal or decision upon them.*

The Council will also ask that officers specifically consider whether:

- (A) The policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults*
- (B) The proposed policy / service is likely to have any significant impact on mental wellbeing / community resilience (staff or residents)*

If the Council fails to give 'due regard', the Council is likely to face a Court challenge. This will either be through a judicial review of its decision making, the decision may be quashed and/or returned for it to have to be made again, which can be costly and time-consuming diversion for the Council. When considering 'due regard', decision makers must consider the following principles:

- 1. **The decision maker is responsible for identifying whether there is an issue and discharging it.** The threshold for one of the duties to be triggered is low and will be triggered where there is any issue which needs at least to be addressed.*
- 2. **The duties arise before the decision or proposal is made, and not after and are ongoing.** They require **advance** consideration by the policy decision maker with conscientiousness, rigour and an open mind. The duty is similar to an open consultation process.*
- 3. The decision maker must be **aware of the needs of the duty.***
- 4. The **impact of the proposal or decision must be properly understood first.** The amount of regard due will depend on the individual circumstances of each case. The greater the potential impact, the greater the regard.*
- 5. **Get your facts straight first!** There will be no due regard at all if the decision maker or those advising it make a fundamental error of fact (e.g. because of failing to properly inform yourself about the impact of a particular decision).*
- 6. What does 'due regard' entail?
 - a. **Collection and consideration of data and information;***
 - b. **Ensuring data is sufficient to assess the decision/any potential discrimination/ensure equality of opportunity;***
 - c. **Proper appreciation of the extent, nature and duration of the proposal or decision.****

7. **Responsibility** for discharging can't be delegated or sub-contracted (although an equality impact assessment ("EIA") can be undertaken by officers, decision makers must be sufficiently aware of the outcome).
 8. **Document the process** of having due regard! Keep records and make it transparent! If in any doubt carry out an equality impact assessment ("EIA"), to test whether a policy will impact differentially or not. Evidentially an EIA will be the best way of defending a legal challenge. See hyperlink for the questions you should consider <http://occweb/files/seealsodocs/93561/Equalities%20-%20Initial%20Equality%20Impact%20Assessment%20screening%20template.doc>
1. Within the aims and objectives of the policy or strategy which group (s) of people has been identified as being potentially disadvantaged by your proposals? What are the equality impacts?

Various Housing Legislation and Government Guidance prescribe the statutory duties and criteria for determining a household's homelessness and priority need (Housing Act 1996 as amended, Homelessness Act 2002, Localism Act 2011 etc). These policies/Statutory Instruments have already been Equality Impact Assessed by the Government and any disadvantage to particular customer groups, as a consequence of such changes, have already been identified.

Analysis of reliable data from national and local sources, plus consultation with stakeholders, has helped to inform the development of this DRAFT Housing & Homelessness Strategy 2018-2021, which seeks to address inequalities identified in respect of access to good quality, safe accommodation that can improve the health and wellbeing of a range of household types (including: older people, younger people, single people, couples, families, Gypsies and Traveller communities, Boat Dwellers, people with disabilities and mobility problems, people receiving low incomes and living in deprived areas of Oxford.)

Working in partnership with a range of statutory and non-statutory partners, voluntary and community sector organisations will be essential to delivery of the strategy over the next 3 years. The Action plan will be reviewed mid-point of the strategy term with stakeholders to ensure that actions remain dynamic to meet changing household needs and legislative/policy changes, and also any potential disadvantage (as a result of initiatives, projects or homelessness reduction plans), can be identified at an early stage.

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

The current strategies for Housing, Homelessness and Empty Homes are due for renewal in 2018. The new DRAFT Housing and Homelessness Strategy

2018-2021 will combine all 3 strategies into one and sets out our vision for housing and homelessness prevention for the next 3 years.

The new key objectives of the combined strategy are set out below:

Increase housing supply and improve access to affordable housing

- Tackle the City's housing challenges by promoting high quality development in the City, and in locations near to Oxford that are well-connected to the City, working in partnership with others, to build the homes that Oxford needs.
- Build more affordable homes, in partnership with others to meet the needs of different income and employment groups in the City, including those on low incomes and those who are vulnerable and need support.

Prevent homelessness and meet the needs of vulnerable people

- Deliver early intervention actions along with quality, holistic housing advice and effective partnership working to prevent homelessness.
- Reduce rough sleeping and single homelessness with collaborative partnership working and effective supported housing pathways to help people to sustain their existing accommodation, and to provide accommodation and support for those in housing crisis.
- Continue to reduce the number of homeless households that require emergency or temporary accommodation.

Make best use of private sector accommodation

- Bring empty properties back into use within the City – both residential dwellings and commercial buildings.
- Improve access to homes available to rent in the private sector for people receiving low incomes.
- Improve the condition of homes in the private sector by working with private sector landlords and actively enforcing standards for private rented housing; improving energy efficiency; and managing the impact on neighbourhoods of Houses in Multiple Occupation.

Invest to create sustainable communities that are safe and healthy

- Regenerate estates to continue to improve and make best use of Council-owned and private sector housing.
- Improve the general environment of our estates by delivering our investment programmes and contributing to programmes designed to improve health and wellbeing of residents.
- Take action to mitigate the impacts of Welfare Reform and the introduction of Universal Credit.

Be an effective landlord and deliver quality services

- Retain, let and manage good quality Council-owned homes at affordable rents that residents can sustain effectively, and ensure that tenancy arrangements are aligned with new legislation.
- Continue to improve the condition of Council stock through capital investment programmes focussed on regeneration and refurbishment projects.

- Continue to support a resident-led approach to developing high quality and inclusive services.

The Strategy Action Plan (Appendix B to the strategy document) includes the proposed actions to be taken, by when, and who will lead. It also includes details of how any outcomes will be measured. The Action plan will be reviewed mid-point of the 3-year strategy term with stakeholder involvement.

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

Initial consultation events have already taken place to inform the development of the strategy (to help identify gaps, issues and actions to be taken) The consultation involved:

1 x External Stakeholder Consultation Event – 07/03/2017 (invitations were sent to the Housing and Homelessness group forum members, supported housing providers, Registered Providers, faith groups, Health Commissioners, Statutory and non-statutory organisations, Police, Voluntary and Community Sector organisations, Homelessness Accommodation providers (hostel managers) etc. A list has been retained of those invited and those who attended the workshops.

1 x Internal Stakeholder / Communities Team Workshop – 20/04/2017 (included officers from a range of internal City Council departments e.g. ASBIT, Communities Team, Environmental Development, Housing & Property Teams etc).

Subject to CEB approval, public and stakeholder consultation on the draft strategy will run from 21/9/17 to 3 November 2017. Using a variety of online surveys, social media and face to face consultation, we will ensure that there are opportunities for people with disabilities to participate in the consultation. We will also consult directly with disability representative groups. The strategy itself includes the wording: “should you need a copy of this document in another language, in large print, Braille or in audio format, please contact the Strategy & Service Development Team on 01865 252062 or email strategyandenabling@ocford.gov.uk.” Responses received via the consultation process will also help to ensure that any adverse impact from this strategy is identified and mitigating measures put in place. Any necessary changes will be made before final approval of the Housing & Homelessness Strategy 2018-2021 by CEB and Council early in 2018.

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

No adverse impacts identified as a consequence of implementing the key objectives outlined in the draft strategy. Adjustments may be required to the draft strategy following public consultation. Any projects or additional work streams that are to be developed as part of implementing the action plan, will include initial equality impact assessments to establish individual project concerns regarding any potential adverse impact on any customer group.

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

From approval of the final strategy, any actions raised going forward, will be included in the annual Housing & Property Service Plans. The actions will also be monitored via the City Council's internal monitoring system (Corvu) to ensure tasks are completed appropriately and within timescales predicted.

Monthly reviews of action plan progress will be discussed within the Housing Needs Management Team meeting where any concerns can be raised and a review can be implemented if appropriate.

The strategy Action Plan will be reviewed mid-point of the strategy term with stakeholders and this will also help to ensure actions remain relevant and work undertaken does not have any potential adverse equality impacts – or where there are potential equality impacts – mitigating actions are taken to reduce them.

Lead officer responsible for signing off the EqIA: David Scholes

Role: Housing Strategy & Needs Manager

Date: 21/8/17

Note, please consider & include the following areas:

- Summary of the impacts of any individual policies
- Specific impact tests (e.g. statutory equality duties, social, regeneration and sustainability)
- Consultation
- Post implementation review plan (consider the basis for the review, objectives and how these will be measured, impacts and outcomes including the “unknown”)
- Potential data sources (attach hyperlinks including Government impact assessments or Oxfordshire data observatory information where relevant)

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