

Diversity impact assessment

TITLE

Name / description of the issue being assessed

Tenancy Policy

DATE

Date the DIA is completed

5th March 2018

LEAD OFFICER

Name, title and dept of person responsible for carrying out the DIA.

Katherine Bishop – Business Development Officer.

1 Summary description of the proposed change

- What is the change to policy / service / new project that is being proposed?
- How does it compare with the current situation?

The Tenancy Policy was originally introduced following The Localism Act that gives local authorities the power to offer flexible tenancies. This policy has been updated to include the process for flexible tenancy reviews. There have also been some other minor changes to the policy in order to make it clearer and more informative, and to include a wider range of Medway Council's key policies relating to tenancy management.

2 Summary of evidence used to support this assessment

- Eg: Feedback from consultation, performance information, service user records etc.
- Eg: Comparison of service user profile with Medway Community Profile

As at 12/03/2018 Landlord service had 2981 lead tenants

The current tenancy types as at 12/03/2018 are:

Tenancy Type	Number of Tenants
Introductory Flexible (Fixed Term)	80
Flexible (Fixed Term Tenancy)	297
Introductory Tenancy (Secure)	33
Secure	2491
Introductory Extended	11
Non Secure	7
Temporary Accommodation	60
Use and Occupation	2

Flexible Tenancies will be reviewed approximately 9 months before the fixed term is due to expire. The review will determine whether or not a further flexible tenancy is issued.

Fixed term tenancies will have:

- a minimum term of 2 years
- There is no upper limit, but this Tenancy Policy sets the limit at 5 years.

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3 What is the likely impact of the proposed change?

Is it likely to:

- Adversely impact on one or more of the protected characteristic groups?
- Advance equality of opportunity for one or more of the protected characteristic groups?
- Foster good relations between people who share a protected characteristic and those who don't?

(insert ✓ in one or more boxes)

Protected characteristic groups	Adverse impact	Advance equality	Foster good relations
Age		✓	
Disability	✓		
Gender reassignment			
Marriage/civil partnership			
Pregnancy/maternity			
Race			
Religion/belief			
Sex			
Sexual orientation			
Low income groups	✓		
Tenure Type	✓		

4 Summary of the likely impacts

- Who will be affected?
- How will they be affected?

Tenure Type

The prospect of not having a 'secure lifetime' tenancy and having their suitability for a property reviewed on a periodic basis may cause of considerable anxiety for some tenants.

The lack of stability provided by a permanent tenancy may deter tenants from looking after the property as it was their home. Tenants maybe less willing to decorate and look after the property and/or integrate into the local community, increasing the transience and social exclusion of neighbourhoods which may lead to many tenants feeling a sense of social isolation. This may also have a detrimental effect on the condition of the property itself.

Low Income groups

Medway Council charges social rents on all of its tenancies. The only exception to this is for tenants who have declared a household income above a certain level (currently £60k pa). For these tenants a 'Fairer Rent' applies, and they will be charged at 80% of the local market rent.

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Financial reviews may act as a disincentive to tenants from seeking or taking up work, should they feel that their tenure is dependent on providing financial proof of continuing need for social housing.

It should also be acknowledged that Flexible tenancy reviews will ensure that social housing is used only for those in genuine need, by moving people earning a higher wage into other forms of tenure.

Right to claim for compensation

Flexible Tenants do not have a right to claim compensation for any improvements carried out to the property. Flexible Tenants may feel disadvantaged that the household income and financial resources will be taken into account at the review process.

Families

Families, especially those with dependent children, may feel adversely impacted through the sense of loss of security of having a secure tenancy. This may negatively impact the family home as tenants may feel unable to provide a stable environment, as frequent moves can be disruptive to family life.

Families may benefit from a more affective allocation of housing resources, as more housing stock is more appropriately allocated, increased headroom should benefit overcrowded families with children, who represent 85% of all overcrowded households in social housing.

Disability or long term health needs.

Tenants with a disability or long term health needs may feel adversely impacted at having to participate in the tenancy review process, before they can say with certainty that a household will be allowed to remain in their home.

Age

Fixed term tenancies will make it easier for the council to support older tenants move to more manageable sized accommodation, freeing up larger homes for families. Where older tenants with pre 2012 lifetime tenancies choose to downsize, they will not be adversely affected by the proposed reforms, as they will retain their lifetime tenancy if they move to a smaller social property once children have left home.

HFIL homes will continue to be let on lifetime tenancies only.

Management Transfer

If the move is due to reasons such as permanent decant or domestic abuse, a Secure tenancy will be offered to tenants who already hold a secure tenancy.

5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

- *Are there alternative providers?*
- *What alternative ways can the Council provide the service?*
- *Can demand for services be managed differently?*

Summary

Whilst the council recognise that the policy may adversely impact some protected groups, adhering to legislative guidance will significantly improve the councils ability to get the best use out of social housing, by focusing it on those who need it most for as long as they need it. The council will ensure that people who need long-term support are provided with more appropriate tenancies as their needs change over time.

Tenure Type

Tenants' rights and obligations will be explained to them as part of the new tenant 'sign-up' process.

The Tenancy Management Team will work closely with other sections of the Council, and other agencies, where support needs have been identified.

All new tenants are provided with a copy of the tenant handbook which provides guidance for tenants about living in their home, and provides details of the Tenants responsibilities, and how they can maintain tenancy sustainment. Tenants are actively encouraged to engage in events such as Estate Walkabouts with Housing Officers and other residents to provide feedback about their neighbourhood. A range of Community Development activities are also offered to provide tenants with the opportunity to shape the services provided by the council.

Should the council wish the tenant to leave at the end of the flexible tenancy, it will provide the tenant with 2 written notices.

1. A 6-month notice of non-renewal which:

- Informs the tenant why the tenancy will not be renewed
- sets out the reasons why
- states that the tenant has have 21 days to request a review of the decision

2. A 2-month notice stating that the council requires possession.

Should the appeal be unsuccessful the tenant will be signposted to Kingsley House who will provide access to housing services locally by working with different agencies and partners.

Low Income Groups

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assist in all aspects of financial management. The income officers assist our tenants with maintaining their rent accounts in accordance with the terms of the tenancy. Where appropriate the Income Team will refer tenants and leaseholders to the Welfare Reform Team where more in-depth financial assistance and budgeting advice can be provided.

Disability or long term health needs

The council will use information collected as part of the flexible tenancy reviews to ensure that 'disabled tenants' or those with long term health needs, continuing or future housing needs are adequately met. Allowing for the tenant to stay in their current home, or move to more suitable accommodation where this is appropriate.

This is may be particularly beneficial for those with access needs who may need to move to adapted accommodation.

Families

As the primary criteria of a flexible tenancy review are household size and financial status, it is unlikely that families with school age children will not be granted a further tenancy, unless their financial situation has improved to such an extent that they no longer require social housing.

6 Action plan

- *Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence*

Action	Lead	Deadline or review date
Monitor Complaints to identify any negative trends with regards to the policy.	Housing Manager	September 2019
Monitor outcomes of flexible tenancy reviews to ensure individual households, or communities, are not being adversely affected.	Housing Manager	September 2019

7 Recommendation

The recommendation by the lead officer should be stated below. This may be:

- *to proceed with the change, implementing the Action Plan if appropriate*
- *consider alternatives*
- *gather further evidence*

If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.

To proceed with the implementation of the revised policy.

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8 Authorisation

The authorising officer is consenting that:

- the recommendation can be implemented
- sufficient evidence has been obtained and appropriate mitigation is planned
- the Action Plan will be incorporated into the relevant Service Plan and monitored

Authorising Officer



Marc Blowers

Head of Housing Management

Date

6-11-18

Contact your Performance and Intelligence hub for advice on completing this assessment

RCC: phone 2443 email: annamarie.lawrence@medway.gov.uk

C&A: (Children's Social Care) contact your normal P&I contact

C&A (all other areas): phone 4013 email: chrismckenzie@medway.gov.uk

BSD: phone 2472/1490 email: corppl@medway.gov.uk

PH: phone 2636 email: david.whiting@medway.gov.uk

Send completed assessment to the Corporate Performance & Intelligence Hub (CPI) for web publication (corppl@medway.gov.uk)