

Diversity impact assessment

TITLE
Name/description of the issue being assessed

Succession Policy

DATE
Date the DIA is completed

10th December 2018

LEAD OFFICER
Name and title of person responsible for carrying out the DIA.

Katherine Bishop – Policy and Partnership 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?*

Succession is the process by which a tenancy is passed to another person on the death of the original tenant or joint tenant. The Succession policy outlines the process for how the Council will deal with requests for assignment by way of succession and clarifies the circumstances under which a person may succeed to a tenancy.

This policy has been updated to reflect the legislative changes following of the Localism Act 2011, that amended the statutory succession rights of new secure tenants, so that Statutory succession to a secure or secure fixed-term tenancy entered into after 1 April 2012 in England only applies to the spouse or civil partner of the deceased tenant.

Secure tenants whose tenancy began before 1 April 2012 – the tenancy can be succeeded by a spouse or close family member.

- 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*

The policy was placed online for consultation for a period of 3 weeks. There were no policy amendments required.

- 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			

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Marriage/civil partnership ✓

Pregnancy/maternity

Ethnicity

Religion/belief

Sex

Sexual orientation

4 Summary of the likely impacts

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

It has not been identified that this policy will have a negative impact on any protected characteristic, as the policy will be applied universally to all tenants.

Succession

If the tenancy started after 1 April 2012, a spouse or cohabitee now has the right to succeed, provided they were living with the tenant at the time of their death. There is no requirement for a 12-month residence period. This may be perceived as a negative impact for tenants whose tenancy started before 1 April 2012.

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?*

Succession

Where the death of a sole tenant leaves someone in the property without an automatic right to succeed to the tenancy, Landlord Services will consider granting a tenancy in certain circumstances (or the tenancy of an alternative property through the allocation process if the current property would be under-occupied or not be suitable to meet their current need) at the discretion of the Head of Housing Management.

The decision to grant a succession in these circumstances will be made by taking into account the needs of the household and the local housing demand. Consideration will also be given to the Code of Guidance on the Allocation of Accommodation for Local Authorities 2002.

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6 Action plan

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

Monitor complaints to identify any negative trends with regards to the Succession Policy

Housing
Manager

December 2018

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

- to proceed with the change, implementing 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.

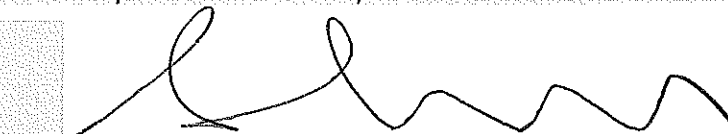
To proceed with the implementation of the Succession Policy.

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 service plan and monitored

Authorising Officer



Marc Blowers
Head of Housing Management

Date

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 1481 email: paddy.cahill@medway.gov.uk

BSD: phone 2472/1490 email: corppi@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 (corppi@medway.gov.uk)

