

## SECTION 1 - DO I NEED AN EIA?

### DO I NEED AN EIA?

<b>Name of policy/activity:</b> Allocations Policy
Please choose one of the following:  Is this a: <ul style="list-style-type: none"><li>• New policy/activity</li><li>• Existing policy/activity?</li><li>• Budget proposal/change for this policy/activity?</li><li>• Pilot programme or project?</li></ul>

<b>Decision</b> Proceed with draft EIA  <b>Date of Decision:</b> 15.08.2023
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**If undertaking an EIA please continue onto the Section 2. If not, pass this signed form to the Equalities Officer.**

#### Assessment undertaken by:

Director or Head of Service	Edward Thomas, Head of Housing and Property
Lead Officer for developing the policy/activity	Gordon McCluskey, Housing Needs Manager Gillian Henly, Senior Housing Officer (Policy)
Other people involved in the screening (this may be council staff, partners or others i.e contractor or community)	Allocations Review Group

## SECTION 2: EQUALITY IMPACT ASSESSMENT

### Brief description of the affected service

#### 1. Describe what the service does:

The policy details the framework used for the allocation of council housing that makes best use of housing stock whilst taking into consideration the needs, demands and aspirations of applicants.

#### 2. Who are your main stakeholders?

Applicants on the Housing List. (Eligibility for accessing a housing list only takes into account the age of the applicant. Anyone aged 16 years and over is entitled to be admitted to the Housing List. The right to be admitted to the list is not a right to be allocated a house.)

#### 3. What changes as a result of the proposals? Is the service reduced or removed?

The service will remain, however changes have been made in order to reach those with the greatest need for housing, increase turnover where possible and practicable and make best use of housing stock. The principal changes are:

#### **Awarding points to applicants who are transferring as part of the tenant incentive scheme**

Applicants on the Tenant Downsizing Incentive Scheme are awarded points if they under occupy their home, or if they are no longer need of specialist housing, however the Allocations Policy does not currently award any additional priority. Scrutiny of the Housing List evidenced that even with these point, often these applicants do not have enough points reach the top of the list and get an offer of housing.

Often these applicants have a narrow preference about where they want to move to. For example, rather than just choosing a lettings area, they may want to live in a specific location within a lettings area. If they are not offered this, it they turn down the offer of housing and in some cases can withdraw from the downsizing scheme. This means that we are not always able to make the best use of our housing stock or reach those with the greatest need for certain types or size of housing.

In order to make best use of our housing stock and where we can increase turnover and facilitate house moves and make sure that people are living in the rights size and type of housing that best suits their circumstances, the Allocations Policy will be changed to award applicants on the scheme 500 points. This will increase their potential to be reached with an offer of housing. In recognition of the fact that they are giving up their home to help us address demand and make best use of our housing stock, the Allocations Policy will be amended so that if the applicant refuses the offer of housing, they will not be penalised and suspended from getting further offers.

### **Awarding of points to applicants who experience domestic abuse**

Applicants who experience domestic abuse often have such an urgent need for rehousing, the result is that they become homeless. This may not be their preferred housing solution and that some may not want to use this option at all. In some cases, those who experience domestic abuse and their children are potentially at severe risk and continue to be so while they stay in their home.

The Allocations Policy will be amended to award 500 points to those experience domestic abuse. This will give increase the chance these applicants being reached with an offer of housing, empower applicants by providing them with choice, prevent homelessness and help to reduce risk. This also reflects best practice and guidance.

### **Awarding points to applicants who are key workers**

The Allocations Policy does award points to key workers and if they are housed, they will get a short Scottish secure tenancy (SSST) for six months. This may be extended or a Scottish secure tenancy (SST) granted.

The current amount of points awarded is low and the result is that these applicants are unlikely to be reached for an offer of housing. This has meant that some applicants have to turn down employment in posts which are much needed in Moray and which aren't always available locally. For example, physiotherapist or speech and language therapists.

The Allocations Policy will be amended to increase the award of key worker points to 400 points. This will assist to increase the chance of key workers getting an offer of housing. Since there is so much pressure on our housing list and lack of available housing, we are proposing that key workers are offered a SSST for a minimum of six months and a maximum of 12 months. After this, their tenancy will end.

This short term housing solution will enable key workers to move into the area, start their job and look for alternative suitable housing of their choice. It will also help with employment and retention of people vital to the delivery of and improving essential local services.

### **Removing the award of need to reside points**

The award of Need to reside points was introduced in 2013 and was intended to address circumstances where an applicant has a need to live in a specific lettings area. Where an applicant had an evidenced connection to a lettings area, they were asked to identify a specific lettings area and up to two other bordering lettings area. Only those lettings areas identified will be eligible for the award of 50 points for the need to reside in a specific area.

The award of these points did not have the intended impact. Analysis of the housing list has evidenced that so many applicants are eligible for the award of points, that it has diluted their impact and rendered them ineffective. The Allocations Policy will be

amended to remove the award of need to reside points and replace them with care and support points.

### **Awarding points for care and support**

The Allocations Policy will be amended to award 150 points to those who provide or receive support. This is in recognition of the importance of providing or receiving care and support in order to enable households to continue living independently at home, particularly at a time where pressures exist on statutory service providers.

It is anticipated that this will support households to continue to live at home independently (using family and friends to provide support) and assist to alleviate ongoing pressures which care and support services are experiencing.

### **Amending the criteria for the award of functional assessment points**

The functional assessment model detailed within the Allocations Policy was agreed in 2017. It is based on clinical reasoning and considers the ability of a person to maintain essential day to day activities in their own home. A dedicated housing occupational therapist is responsible for assessing the housing needs of applicants and determining the award of points, based on the agreed criteria. The policy review has provided the opportunity to utilise the knowledge and experience of the Housing Occupational Therapist. The wording of the criteria for awarding functional assessment points has been amended to provide clarity based upon their recommendations. This will help with applicants understanding of the process, manage expectations and may assist to reduce repeat applications where there has been no change in circumstances.

### **Prioritising under occupation of social housing points to transfer applicants**

The Allocations Policy will be amended to award under occupation of social housing points to council transfer applicants. All other applicants who underoccupy their home will receive 50 points. This will assist to address the significant pressure on the available council housing stock due to the demand for larger properties and will facilitate turnover within our own stock.

### **Extending the timeframe for the award of points for the loss of tied accommodation**

The Allocations Policy already awards priority to those applicants living in tied accommodation, including those in the Armed Forces, who will lose their accommodation once their employment ends. This assists to prevent and alleviate homelessness. These points are currently awarded to eligible applications up to three months before the tenancy ends. This timeframe was agreed to reflect that applicants who may receive an offer of housing prior to this may not be able to accept it due to restrictions in their tenancy agreement associated with terminating their tenancy.

The Allocations Policy will be amended to award tied accommodation points up to six months before a tenancy ends and should the applicant be made an offer of housing during this period, which they are unable to accept due to this timeframe, it will be deemed to be a reasonable refusal and the applicant will not be penalised.

This will assist the Council to prepare of the forthcoming Housing Bill set to be introduced by the Scottish Government after its summer recess. It is anticipated that the Bill will set out the framework for the introduction of a new homeless prevention duty, including a proposal to extend the duty to take reasonable steps to prevent homelessness up to six months before.

**4. How will this affect your customers?**

Most customers will not be directly affected. Modelling of the housing list anticipates that 93% will not be directly impacted by the changes. However, the changes will assist those with the greatest housing need and help to increase the turnover over housing and make best use of stock which may be beneficial to other applicants on the housing list not included in the list of changes. It will also assist with employment and retention of those people vital to the delivery of local services which have a positive impact on the local economy.

**5. Please indicate if these apply to any of the protected characteristics**

Protected groups	Positive impact	Negative impact
Race		
Disability	✓	
Carers (for elderly, disabled or minors)	✓	
Sex		
Pregnancy and maternity (including breastfeeding)		
Sexual orientation		
Age (include children, young people, midlife and older people)	✓	
Religion, and or belief		
Gender reassignment		

Inequalities arising from socio-economic differences	✓	
Human Rights		

**6. Evidence.** What information have you used to make your assessment?

<b>Performance data</b>	Allocations Policy performance data HNDA data
<b>Internal consultation</b>	Allocations Review group
<b>Consultation with affected groups</b>	To be undertaken during policy consultation
<b>Local statistics</b>	Analysis of the Housing List
<b>National statistics</b>	
<b>Other</b>	Other landlord best practice

**7. Evidence gaps**

Do you need additional information in order to complete the information in the previous questions?

**8. Mitigating action**

*Can the impact of the proposed policy/activity be mitigated?*  
**N/A**

Please explain  
**N/A**

**9. Justification**

If nothing can be done to reduce the negative impact(s) but the proposed policy/activity must go ahead, what justification is there to continue with the change?  
**N/A**

Have you considered alternatives?  
**N/A**

## SECTION 3 CONCLUDING THE EIA

### Concluding the EIA

1. No negative impacts on any of the protected groups were found.	✓
2. Some negative impacts have been identified. The impacts relate to:	
Reducing discrimination, harassment, victimisation or other conduct prohibited under the Equality Act 2010	
Promoting equality of opportunity	
Fostering good relations	
3. Negative impacts can be mitigated the proposals as outlined in question 8	
4. The negative impacts cannot be fully mitigated but are justified as outlined in question 9.	
5. It is advised not to go ahead with the proposals.	

#### **Decision**

Set out the rationale for deciding whether or not to proceed with the proposed actions:

No negative impacts have been identified in the draft EIA. The EIA will be updated following consultation with stakeholders and prior to a final Allocations Policy being presented to Committee for agreement.

**Date of Decision:** 15.08.2023

**Sign off and authorisation:**

<b>Service</b>	Housing and Property
<b>Department</b>	Housing Needs
<b>Policy/activity subject to EIA</b>	Allocations Policy
We have completed the equality impact assessment for this policy/activity.	Name: Gillian Henly Position: Senior Housing Officer (Policy) Date: 15.08.23
Authorisation by head of service or director.	Name: Edward Thomas Position: Head of Housing and Property Services Date:
Please return this form to the Equal Opportunities Officer, Chief Executive's Office.	