

APPENDIX 3 TO PAPER NO. 19-08**SSA EQUALITY IMPACT AND NEEDS ASSESSMENT**

Directorate	Housing and Regeneration
Service Area	Housing
Service/policy/function being assessed	Tenancy and Rent Strategy and Tenancy Policy
Which borough (s) does the service/policy apply to	Wandsworth
Staff involved	Michael Shearon Weller
Date approved by Directorate Equality Group (if applicable)	29/11/2018
Date approved by Policy and Review Manager All EINAs must be signed off by the Policy and Review Manager	03/12/2018
Date submitted to Directors' Board	

SUMMARY**Please summarise the key findings of the EINA.**

Positive:

- The main change proposed in this review of the Council's Tenancy Policy involves extending the length of initial flexible fixed term (FFT) tenancies from five to ten years. This kind of tenancy would continue to be preceded by a 12 month introductory tenancy. Subsequent FFT tenancies would continue to be offered for five year periods. The Council has offered FFT tenancies since March 2013 to new social housing tenants who were not social housing tenants prior to April 2012.
- This proposal, will most affect those on the housing register - especially those on the homeless queue (as almost 50% of offers of social housing are made to this queue).
- Young people are in particular going to be affected by this policy to extend the length of initial FFT tenancies from five to ten years as the 25-34 age group is the most represented on the housing register and in homeless accepted cases.
- It is not envisaged that this policy will especially affect people aged over 55. This is partly because new tenancies are most likely to be offered to people below this age bracket (77% in 2017/18) and the proposal has maintained the Council's policy of offering sheltered housing tenants (required age of 55+) a secure periodic tenancy in normal circumstances, and FFT tenancies only in exceptional circumstances (e.g. in cases of repeated rent arrears or ASB).
- Especially in comparison to the private rented sector, which often doesn't provide as much security of tenure as the social housing sector, the proposed change to increase initial FFT tenancies to ten years will help lone female parents and their children find much needed stability, after likely spending years in temporary accommodation – 45% of all homeless applicants in 2017/18 were lone parents.

- People belonging to a black ethnic group in the borough, are particularly more likely to benefit from the proposed change in policy to move to initial ten year FFT tenancies as this group is overrepresented (when compared to the borough population – 11%) on the housing register (34%).

Negative:

- The current policy and strategy does not require an assessment of eligibility, but the Council has a duty to exercise its general management powers under the Housing Act 1985 to ensure that its tenants satisfy an immigration test of being 'eligible'. This proposed change could in theory have an impact on already existing Council tenants whose FFT tenancy is due for a review if their immigration status has changed and/ or they no longer have 'recourse to public funds' as the Council would not offer them another FFT tenancy.
- Data on sexual orientation and religion has not historically been collected in relation to housing and homelessness. The Homelessness Reduction Act now requires local authorities to provide information to the Ministry of Housing Communities and Local Government (MHCLG) on the religion and sexual orientation of applications presenting as homeless (H-CLIC data). This came into force in April 2018, therefore it is too early to use this data to inform this strategy, but the data will be available to inform future policy and decision making.

1. Background

Briefly describe the service/policy or function:

The Council is required by the Regulatory Framework for Social Housing in England to publish clear and accessible policies including a Tenancy and Rent Strategy which the Council and private registered providers of social housing (PRPs), with rented stock in the borough, need to take account of when developing their Tenancy Policies. Tenancy Policies set out the terms under which a registered provider will let their social housing.

As required by the Localism Act 2011, the Wandsworth Tenancy and Rent Strategy and Tenancy Policy were approved by The Executive in July and October 2012 respectively and applied from March 2013 (Paper No. 12-350) and Paper No 12-581). The Localism Act also requires that this strategy is kept under review. This constitutes the first review of the Council's Tenancy Strategy since being published in June 2012 and the first major review of the Tenancy Policy since its publication in March 2013.

The most significant change proposed in both documents is to extend the length of initial flexible fixed term (FFT) tenancies offered by the Council from five to ten years. This kind of tenancy would continue to be preceded by a 12 month introductory tenancy. Subsequent FFT tenancies would continue to be offered for five year periods.

Another significant amendment to the strategy and policy is the introduction of assessing 'eligibility' at the point of FFT reviews. In line with legislation, the Council has a legal duty to ensure that Wandsworth Council tenants satisfy an immigration test of being 'eligible'.

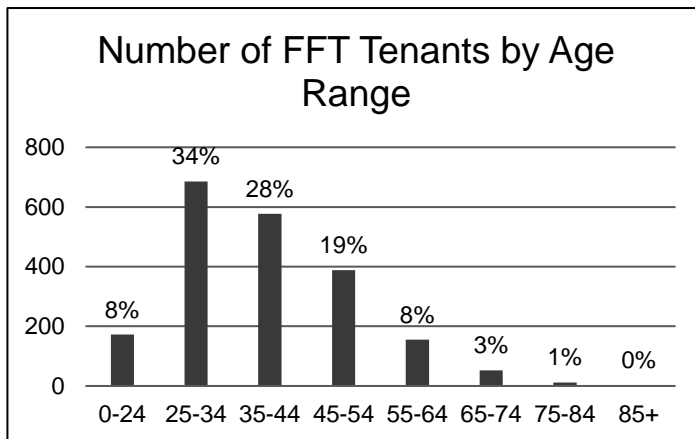
A further amendment is the inclusion of a statement prohibiting the creation of inter-generational sole to joint tenancies unless in exceptional circumstances.

As the Tenancy Policy applies to all tenancy offers made by the Council, this policy will potentially have an impact on the borough as a whole, but especially households on the housing register expecting an offer (in particular those accepted as homeless as almost 50% of offers made are to the homeless queue).

2. Analysis of need and impact

Protected group	Findings																																																																																										
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Flexible Fixed Term Tenants

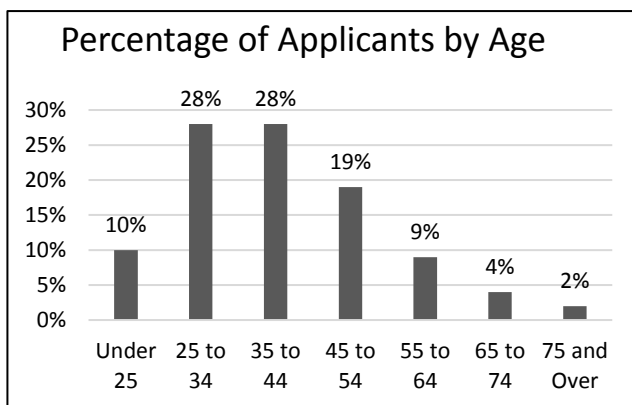


Age Range	Amount	%
0-24	172	8%
25-34	685	34%
35-44	577	28%
45-54	388	19%
55-64	155	8%
65-74	52	3%
75-84	12	1%
85+	2	0%

In comparison to all Council tenants, the profile of FFT WBC tenants is much younger. This is because this type of tenancy has been offered to new tenants since March 2013. 34% of FFT tenants are aged 25-34 compared to 13% of all Council tenants. Similarly, only 12% of FFT tenants are aged over 55 compared to 25.5% of all Council tenants. Except for in exceptional circumstances, new sheltered housing tenants (all aged 55 or over) are offered a secure periodic tenancy instead of a FFT tenancy.

Queues/Allocations population by age:

Applicants (number of households on the Housing Register 2017/18) by age:



Applicants:	
Age	Amount
Under 25	644
25 – 34	1,870
35 – 44	1,890
45 – 54	1,282
55 – 64	631
65 - 74	248
75+	161

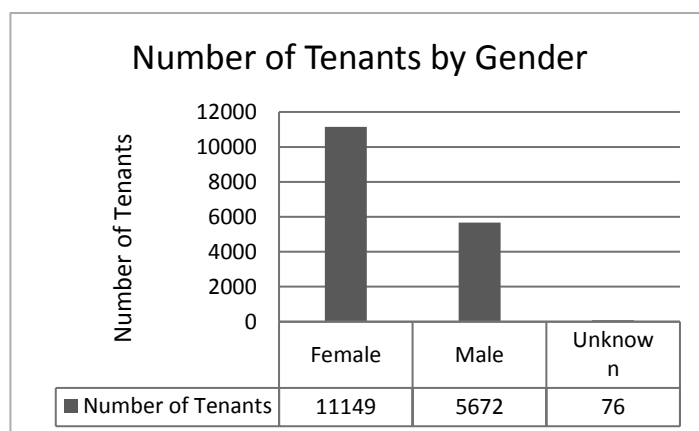
Despite there being significantly more residents in the borough between the ages of 25 and 34 than those aged 35 to 44, there are roughly the same number of applicants on the Wandsworth Housing Register in both age groups (28%).

Allocations (number of offers made to the Housing Register 2017/18) by age:

	<p style="text-align: center;">Allocations by Age 2017/18</p> <table border="1"> <caption>Data for Allocations by Age 2017/18</caption> <thead> <tr> <th>Age Group</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Under 25</td> <td>12%</td> </tr> <tr> <td>25 to 34</td> <td>28%</td> </tr> <tr> <td>35 to 44</td> <td>21%</td> </tr> <tr> <td>45 to 54</td> <td>16%</td> </tr> <tr> <td>55 to 64</td> <td>14%</td> </tr> <tr> <td>65 to 74</td> <td>5%</td> </tr> <tr> <td>75 and Over</td> <td>4%</td> </tr> </tbody> </table>	Age Group	Percentage	Under 25	12%	25 to 34	28%	35 to 44	21%	45 to 54	16%	55 to 64	14%	65 to 74	5%	75 and Over	4%	<table border="1"> <thead> <tr> <th colspan="2">Allocations:</th> </tr> <tr> <th>Age</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Under 25</td> <td>106</td> </tr> <tr> <td>25 – 34</td> <td>243</td> </tr> <tr> <td>35 – 44</td> <td>182</td> </tr> <tr> <td>45 – 54</td> <td>141</td> </tr> <tr> <td>55 – 64</td> <td>125</td> </tr> <tr> <td>65 - 74</td> <td>46</td> </tr> <tr> <td>75+</td> <td>37</td> </tr> </tbody> </table>	Allocations:		Age	Amount	Under 25	106	25 – 34	243	35 – 44	182	45 – 54	141	55 – 64	125	65 - 74	46	75+	37
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Female	168,352
Male	156,048

Council tenant profile 31 March 2018:



Based on the 2011 census, the GLA estimates that the current population in the borough is 324,400. This is divided 48/52% between male and females. In comparison, Wandsworth Council has a significantly higher percentage of female tenants (61%) to male (36%) with the gender of 3% unknown.

Queues/Allocations population:

Applicants (number of households on the Housing Register 2017/18) by gender:

Gender	No.	%
Female with children	2424	36%
Female without children	1494	22%
Male with children	414	6%
Male without children	1296	19%
Joint with children	855	13%
Joint without children	242	4%

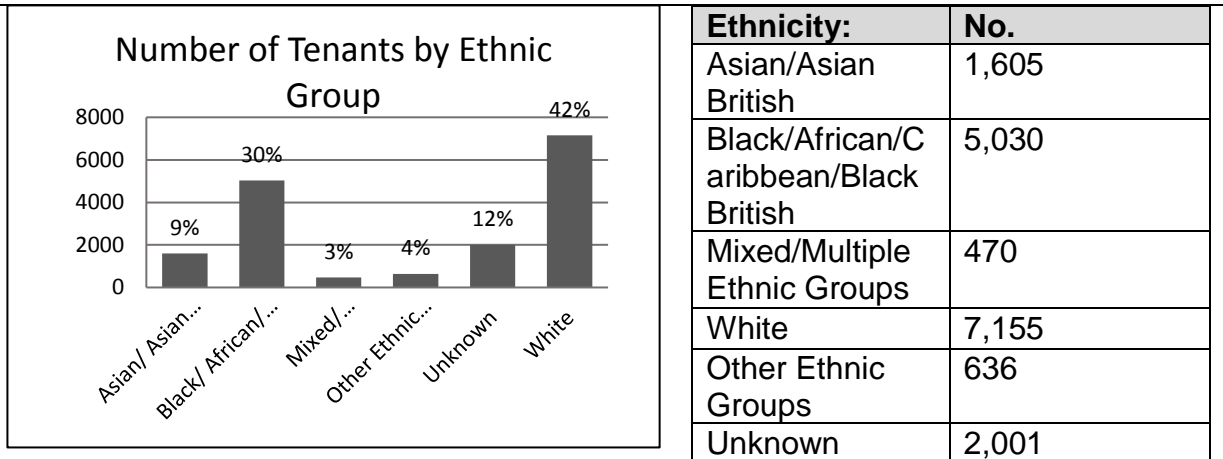
Allocations Applicants (number of offers made to the Housing Register 2017/18) by gender:

Gender	No.	%
Female with children	347	39%
Female without children	172	20%
Male with children	43	5%
Male without children	203	23%
Joint with children	93	11%
Joint without children	22	3%

The gender breakdown of offers made to the Housing Register largely mirrors the gender breakdown of the register itself. The biggest change is offers made to

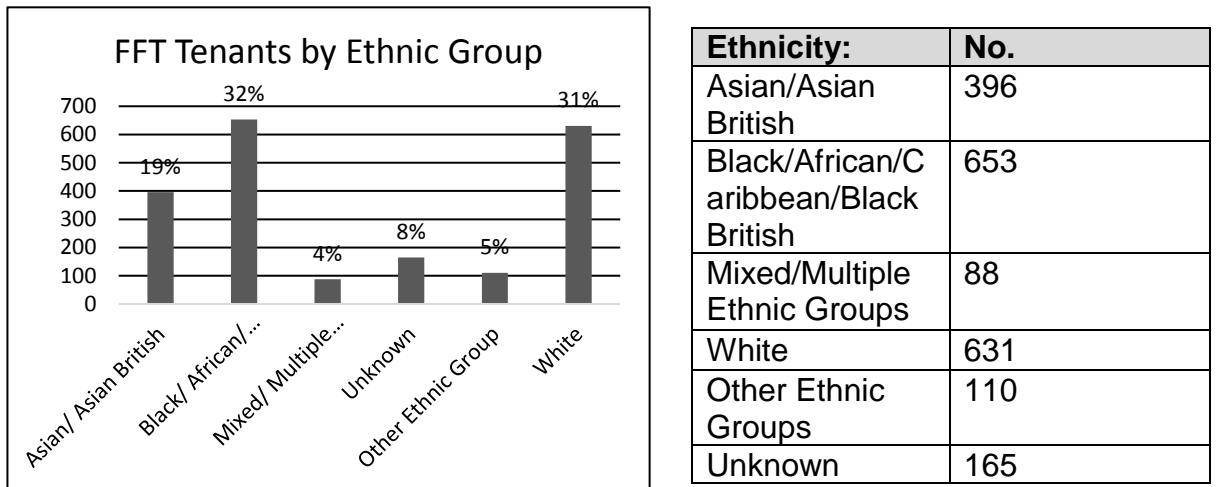
	<p>females with children (36% on the housing register and 39% offers made) and male without children 19% on the housing register and 23% offers made).</p> <p><u>Housing Advice:</u></p> <p>Homeless applications by gender 2017/18:</p> <table border="1" data-bbox="309 584 1002 853"> <thead> <tr> <th>Gender</th> <th>No.</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Female with children</td> <td>369</td> <td>45%</td> </tr> <tr> <td>Female without children</td> <td>87</td> <td>11%</td> </tr> <tr> <td>Male with children</td> <td>32</td> <td>4%</td> </tr> <tr> <td>Male without children</td> <td>153</td> <td>19%</td> </tr> <tr> <td>Joint with children</td> <td>168</td> <td>20%</td> </tr> <tr> <td>Joint without children</td> <td>13</td> <td>2%</td> </tr> </tbody> </table> <p>Accepted homeless cases by gender 2017/18:</p> <p>45% of accepted homeless cases in 2017/18 were households comprising of a single female with children, 20% of accepted cases were of couples with children and a small percentage (4%) were single male with children. Therefore, only 31% of applications did not have a child as part of the household.</p> <p>These figures significantly differ from the borough profile where only 6.1% of households consist of single parents with dependent children. 49% of accepted homeless cases in 2017/18 consisted of a single parent with dependent children. Therefore, more than half of housing offers made to the homeless queue will likely be to single parents over the next few years (generally, it takes between 1-3 years to be made a housing offer by the Council after being accepted as homeless).</p> <p>Domestic Violence</p> <p>7.5% of accepted homeless cases had domestic violence as the recorded reason for homelessness. This equates to 57 acceptances in 2017/18 and has an impact on the disproportionately high number of single parents applying as homeless.</p>	Gender	No.	%	Female with children	369	45%	Female without children	87	11%	Male with children	32	4%	Male without children	153	19%	Joint with children	168	20%	Joint without children	13	2%
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<p>Gender reassignment</p>	<p>There is no reliable data collected for this protected characteristic.</p>																					
<p>Marriage and civil partnership</p>	<p><u>Borough population:</u></p>																					

	2011 Census: Martial and Civil Partnership status		No.	%																					
	Single (never married or never registered a same-sex civil partnership)		138,767	54%																					
	Married		83,428	33%																					
	In a registered same-sex civil partnership		1,500	1%																					
	Separated (but still legally married or still legally in a same-sex partnership)		6,311	2%																					
	Divorced or formerly in a same-sex civil partnership which is now legally dissolved		16,527	6%																					
	Widowed or surviving partner from a same-sex civil partnership		9,456	4%																					
	Total:		255,98	100%																					
There is no reliable housing data for tenants who are married or in civil partnership.																									
Pregnancy and paternity.	<p>Housing Advice:</p> <p>9% (69) of accepted homelessness cases in 2017/18 were found to be in priority need as the household included a pregnant woman where there were no other dependent children in the household. This is higher than 6% in London.</p>																								
Race/ ethnicity	<p><u>Borough population (Census 2011):</u></p> <table border="1"> <thead> <tr> <th>Ethnicity</th> <th>No.</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Asian/Asian British</td> <td>37,053</td> <td>11%</td> </tr> <tr> <td>Black/African/Caribbean/Black British</td> <td>34,982</td> <td>11%</td> </tr> <tr> <td>Mixed/Multiple Ethnic Groups</td> <td>19,443</td> <td>6%</td> </tr> <tr> <td>Other Ethnic Groups</td> <td>5,131</td> <td>2%</td> </tr> <tr> <td>White</td> <td>227,789</td> <td>70%</td> </tr> <tr> <td>Total</td> <td>324,398</td> <td>100%</td> </tr> </tbody> </table> <p><u>Council tenant profile 31 March 2018:</u></p>				Ethnicity	No.	%	Asian/Asian British	37,053	11%	Black/African/Caribbean/Black British	34,982	11%	Mixed/Multiple Ethnic Groups	19,443	6%	Other Ethnic Groups	5,131	2%	White	227,789	70%	Total	324,398	100%
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There is a significantly higher percentage of Council tenants belonging to a black ethnic group (30%) than in the borough as a whole (11%). Despite being the most represented ethnic group in Council properties, there is a lower percentage of people of a white ethnic group in Council housing (42%) than in the borough (70%). People of an Asian ethnic group are slightly underrepresented in Council housing with 9% as opposed to borough wide (11%). It is worth noting, however, that 12% of Council tenants have an ethnic group recorded as 'unknown'. This is most likely due to ethnicity not being recorded when this group became Council tenants.

Flexible Fixed Term Tenants by Ethnic Group



In comparison to all Council tenants, the ratio of Asian/ Asian British FFT tenants is twice as high (19%). This suggests that there is a higher percentage of Asian families making applications to the Council for housing. There are also slightly more black ethnic FFT tenants (32%) than White ethnic tenants (31%).

Queues/Allocations population:

Applications (number of households on the Housing Register 2017/18) by ethnicity:

Ethnicity	No.	%
White	2,395	36%
Mixed/Multiple Ethnic	357	5%

	Black/Caribbean/Black British	2,100	34%
	Asian/Asian British	1049	15%
	Other Ethnic Group	365	5%
	Unknown	325	5%
	Applicants (number of offers made to the Housing Register 2017/18) by ethnicity:		
	Ethnicity	No.	%
	White	331	38%
	Mixed/Multiple Ethnic	36	4%
	Black/Caribbean/Black British	97	32%
	Asian/Asian British	285	12%
Other Ethnic Group	66	7%	
Refused to disclose	24	3%	
Not asked	38	4%	
Not known	3	0%	
<p>There are marginal differences between the ethnic representation of households on the housing register and actual housing offers made. The biggest difference is that 3% less offers are made to Asian households (15% on the housing register and 12% offers made). Otherwise, 2% more offers are made to white households (36% on the housing register and 38% offers made) and 2% less offers are made to black households (34% on the housing register and 32% offers made).</p>			
Religion and belief, including non-belief	<u>Borough population:</u>		
	<u>Census 2011:</u>		
	Faith	No	
	Buddhist	2,574	
	Christian	162,590	
	Hindu	6,496	
	Jewish	1,617	
	Muslim	24,746	
	Sikh	832	
	Other Religion	1,283	
No Religion	82,740		
No Response	24,117		
<p>Wandsworth Council has not historically collected data on the religious beliefs of homeless applicants or applicants to the housing register.</p>			
Sexual orientation	<u>Borough population:</u>		

	<u>Census 2011:</u>		
	<u>Heterosexual</u>	<u>Lesbian, gay or bisexual (LGB)</u>	<u>Don't know/refuse/other</u>
	221,000	6,000	24,000

Source: Annual Population Survey (APS), Office for National Statistics 2013 – 15

Wandsworth Council has not historically collected data on the sexual orientation of homeless applicants or applicants to the housing register.

3. Impact

Protected group	Positive	Negative
Age	<p>The main change proposed in this review of the Council's Tenancy Policy involves extending the length of initial flexible fixed term (FFT) tenancies from five to ten years, with subsequent FFT tenancies continuing to be offered for five year periods.</p> <p>This proposal, will most affect those on the housing register - especially those on the homeless queue (as almost 50% of offers of social housing are made to this queue).</p> <p>Although the policy set out in this proposal will apply to Council tenants regardless of their age, the age group with the highest percentage of offers made to the housing register is 25-34 (28%), likewise, the most common age group who are already FFT tenants is 25-34 year olds (34%). Therefore, young people are in particular going to be affected by this policy to extend the length of initial FFT tenancies from five to ten years. The Council considers that this policy offers Council tenants more security of tenure, in line with the rhetoric posed by the Government in the Social Housing Green Paper.</p> <p>It is not envisaged that this policy will especially affect people aged over 55. This is partly because new tenancies are most likely to be offered to people below this age bracket (77% in</p>	None identified

	<p>2017/18) and the proposal has maintained the Council’s policy of offering sheltered housing tenants (55+) a secure periodic tenancy in normal circumstances, and FFT tenancies only in exceptional circumstances (in cases of repeated rent arrears or ASB).</p>	
Disability	<p>7.5% of the Council’s tenants are registered as having some kind of disability, which mirrors the borough profile of 7.3%, suggesting that there are a significant number of private tenants who have some kind of disability.</p> <p>Therefore, as this policy change relates more to new tenancies offered by the Council, those in the private sector with a registered disability could benefit from this policy. A longer initial FFT tenancy of ten years would especially be beneficial to people with a disability as it can often be difficult to find accommodation which is suitable and the stress of moving may in particular affect those with severe mental health issues.</p> <p>The Council does not foresee any negative impact on disabled tenants or household members as a result of the changes made in this policy. In particular, the inclusion of a statement that ‘generally’ the Council would not grant intergenerational tenancies does not completely rule this practice out as the policy allows for the Council to use its discretion in ‘exceptional circumstances’.</p>	None identified
Gender (sex)	<p>Lone female parents will especially be affected by the changes to FFT tenancies as they are the most represented gender/ household group on the housing register (36%) and offers made to the register (39%).</p>	None identified

	<p>The increase in security of tenure for FFT tenants will in particular be beneficial to lone female parents as this group are those most at risk of homelessness (45% of accepted homeless cases were lone female parents). The proposed change to increase initial FFT tenancies to ten years will help lone female parents who have made successful homeless applications, and their children, find much needed stability after likely spending years in temporary accommodation.</p>	
Gender Identity	<p>This change in policy provides more security of tenure to all potential new Council tenants. Which would in particular be beneficial to the Council's most vulnerable residents.</p>	<p>Information is limited on the transgender population in the borough in relation to housing and homelessness. The Council will improve its collection of data to ensure that better information is collected in the future, so that accurate equalities information is held to identify the impact on gender identity.</p>
Marriage and civil partnership	<p>Joint applicants made up only 22% of total accepted homeless households. This is even lower on the housing register (17%) and lower still for offers made to the housing register (14%). The proposed changes in this policy will most benefit households with one parent, although they will also benefit those who are married or in civil partnerships and no negative impact is expected for this cohort.</p>	<p>None identified</p>
Pregnancy and maternity	<p>9% of homelessness acceptances in 2017/18 were found to be in priority need as the household included a pregnant woman and there were no dependent children in the household.</p> <p>Although this is a relatively small percentage of new prospective Council tenants on the housing register, the new policy would in particular be beneficial to new parents who, if forced to move, may find the moving process more stressful and difficult than</p>	<p>None identified</p>

	households without children or with older children.	
Race/ethnicity	<p>When compared to the borough population stats, people belonging to a black ethnic group are significantly over represented. This is true in Council housing (30%), the housing register (34%) and offers made to the register (32%) when compared to the borough population as a whole (11%). People belonging to a black ethnic group in the borough, therefore, are particularly more likely to benefit from the proposed change in policy, especially the improved security of tenure of ten rather than five year initial FFT tenancies.</p> <p>Compared to the borough-wide population (11%), people belonging to an Asian ethnic group are also overrepresented on the housing register (15%). The opposite is true of white ethnic households who represent 70% of the borough population but only 36% of households on the housing register.</p> <p>The Council proposes that the increased security of tenure, that ten year initial FFT tenancies will provide, will benefit people of all ethnic groups.</p>	<p>One of the other proposed changes to the Council’s tenancy policy and strategy is the inclusion of an assessment of eligibility at the FFT review stage.</p> <p>The current policy and strategy does not require an assessment of eligibility, but the Council has a duty to exercise its general management powers under the Housing Act 1985 to ensure that its tenants satisfy an immigration test of being ‘eligible’.</p> <p>This proposed change could in theory have an impact on already existing Council tenants whose FFT tenancy is due for a review if their immigration status has changed and/ or they no longer have ‘recourse to public funds’.</p> <p>Under the new policy, the Council would not offer a new FFT tenancy to a tenant who was no longer eligible in this way.</p>
Religion and belief, including non belief	<p>The Council proposes that the increased security of tenure, that ten year FFT tenancies will provide, will benefit people of all religious and non-religious groups.</p>	<p>Historically, information has been limited on religion and belief in relation to housing and homelessness. The Homelessness Reduction Act now required local authorities to provide information on the religious beliefs of applications presenting as homeless (H-CLIC data). This came into force in April 2018, therefore it is too early to use this data to inform this strategy, but the data will be available to inform future policy and decision making.</p>

Tenancy and Rent Strategy and Tenancy Policy – Equality Impact and Needs Assessment

Sexual orientation	The Council proposes that the increased security of tenure, that ten year FFT tenancies will provide, will benefit people of all sexual orientations.	Historically, information has been limited on sexual orientation in relation to housing and homelessness. The Homelessness Reduction Act now required local authorities to provide information on the sexual orientation of applications presenting as homeless (H-CLIC data). This came into force in April 2018, therefore it is too early to use this data to inform this strategy, but the data will be available to inform future policy and decision making.
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4. Data gaps

Data gap(s)	How will this be addressed?
Sexual orientation, religion, disability and gender identity.	<p>The changes will be monitored across all groups and recording of tenants protected characteristics have been improved by the redesign of the online housing and homeless application forms. HRA 2017 compliant H-CLIC data is collected for homeless applicants – as of April 2018. This includes religion, sexual orientation and disability.</p> <p>The new Housing IT system, taken effect in May 2019, will allow tenants and their household members to record any protected characteristics against their profile.</p> <p>The Council does not currently have any plans to collect data on gender identity for housing and homeless applications.</p>

5. Actions

Action	Lead Officer	Deadline
Measure the impact of FFT reviews to protected characteristics.	Michael Shearon Weller	Each Year
Amend the FFT review procedure to include what advice and assistance should be given to tenants whose immigration status has changed and are no longer eligible for social housing.	Michael Shearon Weller	April 2019

6. Consultation

This EINA will be open to a public six week consultation alongside the reviewed Tenancy Policy and Tenancy and Rent Strategy, if approved by the Housing and Regeneration Overview and Scrutiny Committee in January 2019.