Introduction and background

Please describe your service or function. This should include:

- The aims and scope
- The main beneficiaries or users
- The main equality, accessibility, social exclusion issues and barriers, and the 'protected characteristics' they relate to (not all assessments will encounter issues relating to every protected characteristic)

If this EqIA is part of a project it is important to focus on the service or policy the project aims to review or improve.

The Localism Act 2011 section 150 requires a local housing authority to publish a Tenancy Strategy by January 2013. Registered Providers of social housing, such as housing associations, are required to have their own Tenancy Policy, which must have 'due regard to' the Tenancy Strategy of the local council areas in which they operate.

The Localism Act introduces new fixed term tenancies, which means that rather than granting tenants a tenancy for life (an assured tenancy) housing associations are now able to grant shorter tenancies of five years or more (or as short as two years in exceptional circumstances).

The Tenancy Strategy sets out the Council’s expectations of housing associations in the district when forming their Tenancy Policies for:

- the kinds of tenancies they grant;
- the circumstances in which they will grant tenancies of a particular type;
- where they grant tenancies for a fixed term, the length of those terms; and
- the circumstances in which a tenancy may or may not be renewed at the end of the fixed term.

This Strategy also provides guidance to housing associations on the application of affordable rents in the district that apply to all new tenants. Affordable rents were introduced as a requirement by the Homes and Communities Agency in 2011.

The overall aim of the strategy is to ensure that against a background of a shortage

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1 More information and definition of protected characteristics can be found here.
of affordable housing and high housing need that best use of the housing association stock is achieved, whilst protecting vulnerable households and ensuring the stability of neighborhoods and communities.

Now describe how this fits into the Council's Corporate Priorities, Sustainable Community Strategy or other local, regional or national plans and priorities.

The strategy has been produced in response to the Localism Act 2011. In preparing this Strategy, the Council has had regard to its Housing Allocation Policy 2010, Homelessness Strategy 2008-13 and East Surrey Housing Strategy 2009-2013. Whilst the strategy does not cover services provided by the Council it aims to provide a clear framework for housing associations in developing their Tenancy Policies and services to new and existing tenants, which is in keeping with the Council's priority on access to services.

If you are not carrying out an equality impact assessment, briefly summarise reasons why you have reached this conclusion, the evidence for this and the nature of any stakeholder verification of your conclusion.

N/a

Analysis and assessment

Given available information, what is the actual or likely impact on minority, disadvantaged, vulnerable and socially excluded groups?

Indicate for each ‘protected characteristics’ whether there may be a positive impact, negative impact, a mixture of both or no impact.

(Refer to page 11 of the EqIA guidance for full list of issues to consider when making your analysis)

<table>
<thead>
<tr>
<th>Protected Characteristics</th>
<th>Positive</th>
<th>Negative</th>
<th>No impact</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>The strategy expects housing associations to offer lifetime tenancies to older people. People under pensionable age will be offered an introductory tenancy and then a five year fixed term. When the tenancy is up for renewal there is a clear procedure for the housing associations to follow and if a tenancy is not renewed there is a right of appeal.</td>
</tr>
<tr>
<td>Race</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>------</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disability</td>
<td>✓</td>
<td>The strategy expects housing associations to offer lifetime tenancies to people who are registered disabled. See the comments on age above on what happens for people not in this group.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gender</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gender Re-assignment</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Religion and belief</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexual Orientation</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other equality issues – please state</td>
<td>✓</td>
<td>The strategy expects housing associations to offer lifetime tenancies to people who have a terminal illness, those moving into supported or sheltered accommodation or are over 55 and leaving accommodation they are under occupying. See the comments on age above on what people not in this group will be offered.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural/Urban issues</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HR issues</td>
<td>✓</td>
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</tbody>
</table>

**What can be done to reduce the effects of any negative impacts? Where negative impact cannot be completely diminished, can this be justified, and is it lawful?**

People who are not offered a lifetime tenancy will be offered an introductory tenancy and then a five year fixed term tenancy. When it is up for renewal there is a clear procedure for the housing associations to follow and specific circumstances to take into account that are detailed in the strategy. If a tenancy is not renewed there is a right of appeal. The legislation requires this procedure and the Council’s strategy and the housing association Tenancy Policies also explain it. The housing associations must make sure the procedure and policy is clearly publicised. The Tenancy Strategy will be available on the Council’s website.
Where there are positive impacts, what changes have been or will be made? Who are the beneficiaries? How have they benefited?

The positive benefits are to those who will be offered lifetime tenancies because of their circumstances. These are people over pensionable age, are registered disabled, have a terminal illness, are moving into supported or sheltered accommodation or are over 55 and leaving accommodation they under occupy. They benefit positively because they are considered to be potentially vulnerable and at risk so the strategy explicitly states that it aims to protect them from being offered a fixed term tenancy.

Evidence gathering and fact-finding
(Page 12 of the guidance)

What evidence is available to support your views above? Please include:
- A summary of the available evidence
- Identification of where there are gaps in the evidence (this may identify a need for more evidence in the action plan)
- What information is currently captured with respect to usage and take up of services.
- What the current situation is in relation to equality and diversity monitoring (where relevant)

Localism Act 2011
Consultation results from online survey with residents and housing register applicants and housing associations
Review of other local authority tenancy strategies: Waverley, Runnymede, Peterborough, Barnet, Kent, Reigate and Banstead, Rushmoor, Birmingham, Guildford, Tandridge, Cannock, Northampton and North Somerset.
Chartered Institute of Housing Guidance on Tenancy Strategies and Policies
Jenkins Duval Housing Consultants literature and training
Statistics on the turnover of social housing stock in appendix 1 of the strategy. This shows the low turnover of family homes and the level of need for these homes from people waiting on the housing register. This in turn justifies the need for fixed term tenancies to make best use of the housing stock.

How have stakeholders been involved in this assessment? Who are they, and what is their view?

Housing associations working in Mole Valley – two responses received. A2 Dominion was content with the draft strategy. Mole valley Housing Association considered that the draft strategy was too prescriptive on who should be offered a lifetime tenancy and the draft strategy was amended to take account of this view.

Four online responses were received that generally agreed with the direction of the strategy and amendments made in response, as they were similar in comment to
those made by Mole Valley Housing Association.

Comments received internally on specifics of the wording and amendments were made in response.

The draft strategy was considered by the Council’s Scrutiny Committee, who asked for the strategy to be copied to them for comment.

### Recommendations

Please summarise the main recommendations arising from the assessment. NB If it is impossible to diminish negative impacts to an acceptable or even lawful level the recommendation should be that the proposal or the relevant part of it should not proceed.

There are currently no recommendations arising from this assessment. However, the strategy will be kept under review and any changes that are needed will be formally approved and will require a review of this impact assessment.

### Action Plan – actions needed to implement the EqIA recommendations

<table>
<thead>
<tr>
<th>Issue</th>
<th>Action</th>
<th>Expected outcome</th>
<th>Who</th>
<th>Deadline for action</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
<td></td>
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</tbody>
</table>

- Actions should have SMART Targets
- Actions should be reported to the Equality and Diversity Working Group and incorporated into the Equality and Diversity Action Plan, Service Plans and/or personal objectives of key staff.

### Summary Sheet

<table>
<thead>
<tr>
<th>Review date</th>
<th>Person responsible for review</th>
<th>Strategic Management Lead signed off</th>
<th>Date completed</th>
<th>Date forwarded to Policy Officer for publishing</th>
</tr>
</thead>
</table>

- Signed off electronic version to be kept in your team for review
- Electronic copy to be forwarded to the Policy Team for publishing