

## Appendix 3

### Equality impact assessment form

Service area	Housing Services
Proposal	Crowding & Space Hazards Policy
Reason for proposal	Updated Policy
Sign off (Director/Head of Service)	Lorraine Testro / Jim Joyce
Date of assessment	12/04/2022

#### The form

You need to attach the completed form to any report to help councillors and colleagues make their decisions by taking equality implications into account.

#### The assessment team or name of individual completing this form

**Team leader's name and job title** – Lorraine Testro Head of Housing Management

Other team members if appropriate

Name	Job title	Organisation	Area of expertise
Lorraine Testro	Head of Housing Management	Derby Homes	Housing Management and support
Jenny Watson	Social Housing Options Manager	Derby Homes	Housing Management and Housing Options

#### Step 1- setting the scene

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side- tracked.

1. What are the main aims, objectives and purpose of the decision you want to make?	<p>This policy aims to:</p> <ul style="list-style-type: none"><li>• align with the requirements of Derby City Councils Allocations policy</li><li>• provide clarity on the circumstances in which Derby Homes will consider properties to be overcrowded</li><li>• explore options available to tenants living in overcrowded accommodation</li><li>• demonstrate how we work alongside tenants to relieve overcrowding</li></ul>
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	<ul style="list-style-type: none"> <li>• ensure that relevant and updated health and safety advice is provided to both manage &amp; minimise risk</li> <li>• ensure that tenants that choose not to move or have works completed on their existing homes are kept updated on the options available to them.</li> </ul> <p>Links to DCC Allocations Policy 2020 – 2025</p>
2. Why do you need to make this decision?	<p>Derby Homes has a duty to manage risk for tenants living in their properties. Research has shown that tenants living in overcrowded properties are more likely to die in a fire due to an inability to evacuate the property in a safe and timely manner.</p> <p>The policy sets out how Derby Homes will identify overcrowded properties within their stock and how they will work with tenants and their families to relieve the overcrowding and manage the risks.</p>
3. Who delivers/will deliver the changed service/policy including any consultation on it and any outside organisations who deliver under procurement arrangements?	<p>Derby Homes Derby Homes on behalf of Derby City Council</p>
4. Who are the main customers, users, partners, colleagues or groups affected by this decision?	<p>Customers of Derby Homes</p>

## Step 2 – collecting information and assessing impact

5. Who have you consulted and engaged with so far about this change, and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents.	<p>Housing Options and Housing Management employees Derby Homes Diversity Forum</p>
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6. Using the skills and knowledge in your assessment team or what you know yourself, and from any consultation you have done, what do you already know about the equality impact of the proposed change on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each protected characteristic group whether this is a negative or a positive impact. Only fill in the mitigation box if you think the decision will have a negative impact and then you'll need to explain how you are going to lessen the impact.

People with protected characteristics	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
<b>Age</b> – older and younger people	<b>People in the older or younger age group (care leavers for example) may not have knowledge of the Crowding &amp; Space Hazards Policy</b>	<b>X</b>		<b>We identify overcrowded properties by running a report from the housing system. We proactively contact all tenants who are showing as being overcrowded. This approach ensures that we make contact with all tenants we believe are living in overcrowded accommodation.</b>
<b>Disability</b> – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health	<b>Hearing Impaired</b>	<b>X</b>		<b>Written communication: Letter, Text, email and Text Type. Online services via Derby Homes website.</b>

People with protected characteristics	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
issues, people with learning difficulties, people living with autism and people with physical impairments	<b>Visually Impaired</b>	X		<b>Access to BSL translation services.</b> <b>Deaf customers can text us on 07860097426</b>  <b>Google Talk / Translate. Braille – document translation.</b>
	<b>Mobility Impaired</b>	X		<b>Policy can be sent to the customer. Customer can access services via Derby Homes website or by phone. Customers can visit the Council House which is fully accessible.</b>  <b>We also have dedicated officers available to provide home visits.</b>
	<b>Mental Health</b>	X		<b>Policy can be sent to the customer. Customer can access services via Derby Homes website or by phone. Customers can visit the Council House which is fully accessible.</b>  <b>We also have dedicated Support workers available to provide home visits.</b>

People with protected characteristics	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
	<b>Mental Health/Learning Disability</b>	X	X	<p>If the customer is unwilling to engage or share with us their mental health condition.</p> <p>We have dedicated Support workers available to provide home visits.</p>
<b>Gender identity-</b> trans and those people who don't identify with a particular gender, for example, non-binary, genderfluid, genderqueer, polygender and those who are questioning their gender or non-gendered identity.	<b>Information is collected as part of identity</b>	X		This is collected as part of understanding demographic. It is not a barrier to accessing the support available within the policy.
<b>Marriage and Civil Partnership</b>	<b>Information is collected as part of identity</b>	X		This is collected as part of understanding demographic. It is not a barrier to accessing the support available within the policy.
<b>Pregnancy and maternity -</b> women who are pregnant or who have recently had a baby, including breast feeding mothers	<b>Pregnant customers</b>	X		The policy is accessible to customers who are pregnant and living in overcrowded situations.
<b>Race -</b> the effects on minority ethnic communities, including newer communities, Gypsies and Travellers and the Roma community	<b>Information is collected as part of identity</b>	X		This is collected as part of understanding demographic. It is not a barrier to accessing the support available within the policy.

People with protected characteristics	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
<b>Religion or belief or none</b> - the effects on religious and cultural communities, customers and colleagues	<b>Information is collected as part of identity</b>	X		<b>This is collected as part of understanding demographic. It is not a barrier to accessing the support available within the policy.</b>
<b>Sex</b> - the effects on both men and women and boys and girls	<b>Information is collected as part of identity</b>	X		<b>This is collected as part of understanding demographic. It is not a barrier to accessing the support available within the policy.</b>
<b>Sexual orientation</b> - the effects on lesbians, gay men, bisexuals, pansexual, asexual and those questioning their sexuality	<b>Information is collected as part of identity</b>	X		<b>This is collected as part of understanding demographic. It is not a barrier to accessing the support available within the policy.</b>

**Important** - For any of the equality groups you don't have any information about, then please contact our Lead on Equality and Diversity for help. You can also get lots of information on reports completed from organisations' websites such as the Equality and Human Rights Commission, Stonewall, Press for Change, Joseph Rowntree Trust and so on. Please don't put down that the impact affects 'everyone the same' – it never does!

### Step 3 – deciding on the outcome

7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?

<b>Outcome 1</b>	X	<b>No major change needed</b> – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken
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<b>Outcome 2</b>		<b>Adjust the proposal</b> to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?
<b>Outcome 3</b>		<b>Continue the proposal</b> despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are: <ul style="list-style-type: none"> <li>• sufficient plans to stop or minimise the negative impact</li> <li>• mitigating actions for any remaining negative impacts</li> <li>• plans to monitor the actual impact.</li> </ul>
<b>Outcome 4</b>		<b>Stop and rethink</b> the proposal when the EIA shows actual or potential unlawful discrimination

Why did you come to this decision?

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the proposal. You also need to make sure that there are actions in the Mitigation Box to lessen the effect of the negative impact. This is so important and may face a legal challenge in the future.

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is so important that the equality impact assessment is done thoroughly, as this is what the Judge will consider

## Appendix 1

### Equality impact assessment form– please read this section first before you do the assessment

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact, you need to do an equality impact assessment whenever a decision is needed about our services and functions that affects people and **before** that decision is made. This also includes quick Covid 19 related decisions.

We use the term 'policy' as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures.
- Key decisions such as allocating funding to voluntary organisations, budget setting.
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions, procurement methods, disabled facilities grants, on street parking bays.

So why do we need to do equality impact assessments? Although the law does not require us to do them now, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications, so yes we still need to complete them.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have '**due regard**' to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a '**relevant protected characteristic**' and people who don't. The nine protected characteristics are age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race religion and belief, sex and sexual orientation.

Having 'due regard' means:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.