

Appendix 2

Leaseholder capital works payment options Project Equality and Health Analysis

Section 1: Equality analysis details

Equality analysis author

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Period analysis undertaken 1st April 2023 to the 2nd of May 2024

Date of review 2nd May 2025

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

This Equalities Impact Assessment (EIA) forms part of the review of the proposed Leaseholder capital works payment options report. The initial assessment examined the impacts (individual and cumulative).

At the point of the EIA, the assessment was based on the available information prior to implementation.

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

S149(3) provides that having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

This work will contribute positively to the council equality of opportunity principles, the Human Rights of individuals and the elimination of rough sleeping in Islington.

A Resident Impact Assessment was completed on the 2nd of May 2024 and is attached to this report.

As a public authority, the council must take account of the provisions of the Human Rights Act 1998 and not act in a way, which is incompatible with a Convention right. Under Article 8, any interference with the right to respect for a person's private and family life and home must be proportionate and Article 14 requires that there must be no unjustified discrimination within the scope of human rights on any grounds, such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

Legal framework

Details of each of the policies is given below:

Age – Children

No impact as children will not be accommodated in this scheme.

Age – Older people

The scheme will be open to anyone between the ages of 18 to no age restriction.

It is anticipated the scheme will have a positive impact upon households across all age groups as they will be able to benefit from a better standard of property.

Mitigating actions to be taken

Age – Children

- **Disability** - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Overall, less than 1% of leaseholder households have members with a physical disability which impacts on the type of properties needed.

During the same period, the total known leaseholders with mental health or a learning disability is similar with 1%. This data relates to the main household members and therefore it is likely that household members could be under reported.

It is anticipated the policy framework will have a positive impact upon households who have a disability as they will be able to benefit from a better standard of property with improved financial well-being.

Mitigating actions to be taken

We have reviewed the framework to ensure all leaseholders accessing this framework have a robust assessment completed.

This will help to ensure any of the policy has been fully implemented and reduce unintended consequences of unsuitable placements. This must be audited at regular intervals.

Some people with health problems or disabilities will be prioritised for the scheme, these include:

- Households where the resident has a severe health condition or disability (including a severe mental health condition that requires intensive and specialised medical/mental health
- treatment/ aftercare that is either (a) only available in Islington or (b) where a transfer of care would create a serious risk to their safety or the sustainability of the treatment or care.
- Households where the resident is receiving support through a significant commissioned care package or package of health care options provided in Islington, where a transfer of care would create a serious risk to their safety or the sustainability of the care.
- Some carers, and people being cared for, will be prioritised.

The Housing allocations scheme priorities households with physical disabilities to obtain accessible social housing. This is restricted to eligible households and therefore this will aim to meet the required need, limiting the need for a household with physical disabilities to move into private accommodation or temporary accommodation.

Gender reassignment - The process of transitioning from one gender to another.

The council has begun including equalities questions about the sexual orientation and gender reassignment. However, residents can decline answering these and as this was only implemented in April 2023, it is too early to analyse any data collected.

There are no specific issues from the proposed changes which are felt could discriminate or disadvantage residents who have undergone gender reassignment other than general matters detailed elsewhere in this report, and the significant reduction in the availability of affordable in Islington.

However transgender customers may be particularly at risk of housing crisis and homelessness arising from transphobic reaction by family, neighbours and members of the local community.

It is anticipated the framework will have a positive impact upon households who have undergone gender re assignment as they will be able to benefit from a better standard of property.

Mitigating actions to be taken

The Housing Operations service has entered a partnership with Stonewall Housing dedicated to providing support and advice to residents from the LGBTQ community. This will aim to promote the services and ensure any resident who has gone through gender reassignment do not face any barriers to access this new framework.

Marriage and civil partnership – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couples. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples

on a wide range of legal matters. (Only to be considered in respect to the need to eliminate discrimination).

Our data shows that there are very little residents who approach our service who are married or have a civil partnership. Our current snapshot of data shows there are only 3% of households.

A joint income household will be able to have more disposable income. Therefore, income assessments will take this into consideration when determining if the residents qualify for this framework.

Lone parents are disproportionately affected by poverty, financial exclusion homelessness compared to their share of the population so are more likely to be affected by the policies.

The proposed scheme is not likely to have a negative impact upon this specific group, as the framework is promoting positive solutions.

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

A significant number of leaseholders are pregnant women.

In assessing the scheme, the changes have not identified any additional direct or indirect discrimination based on pregnancy or maternity.

It is anticipated the framework will have a positive impact upon households with a pregnant woman or a woman on maternity leave as they will be able to benefit from a better standard of property.

Mitigating actions to be taken

Any special circumstances will be taken into account when making offers through this framework.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups, and their needs should be considered alongside all others.

A lower proportion of leaseholders are from ethnic minorities and therefore the scheme will have a disproportionate improved effect on ethnic minority households.

Islington is ethnically diverse, and this is reflective in the snapshot of residents in leaseholder accommodation with similarity to the population of Islington.

Poor quality information or language problems could impact negatively. English not first language – if households are applying for this scheme, they will need to receive adequate guidance to explain the framework.

Members of gypsy and travelling communities may be reluctant to approach the Council for help due to suspicion of official organisations.

In assessing the scheme, the proposed scheme has not identified any additional direct or indirect discrimination based on race.

It is anticipated the scheme will have a positive impact upon households across all races as they will be able to benefit from a better standard of home.

Mitigating actions to be taken

The scheme will be monitored by ethnicity.

All literature, forms and other information is readily available in the languages most used. The Service ensures that people from whatever ethnicity can compete on an equal basis; this includes Gypsy and traveller communities. Translation services are made widely available.

The overall aim of this scheme is to prevent financial exclusion and reduce the necessity for people to remain in inappropriate accommodation. The delivery of the actions identified will have positive impact for BME, disabled and vulnerable, young people and women, all of whom are overrepresented amongst those who are at risk of financial exclusion.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). A belief should affect your life choices or the way you live for it to be included in the definition.

Please note that religion or belief alone would not have any bearing on the ability to access this framework or services.

There is no evidence of inequality taking place because of the council's work in this area.

It is anticipated the scheme will have a positive impact upon households across all faiths as they will be able to benefit from a better standard of property.

Mitigating actions to be taken

Sex - A man or a woman.

Women are also more likely to be lone parents, who are disproportionately affected by poverty and financial exclusion in Islington.

Women of a working age are less likely than men of a working age to be in employment.

Women are 8 times more likely to be a victim of domestic abuse. Therefore, access to this framework is essential to women.

In assessing the scheme, the scheme has not identified any additional direct or indirect discrimination based on sex.

Women are 8 times more likely to be victims of domestic abuse.

Mitigating actions to be taken

There are no known negative implications associated with this scheme.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

It is acknowledged that data on resident's sexual orientation has the potential to be inaccurate and on-going efforts should be made to encourage such information being given at the point of application.

While many people identify as heterosexual, many people also do not in the wider community. The Government estimates that 6% of the population are gay men, lesbians or bisexuals.

Members of the LBGTQ community may face specific barriers not currently considered, and it may be that more information about this client group is needed.

Insufficient monitoring customer engagement and feedback means that it is not possible at this time to properly evaluate with any certainty what impact the service has and whether some customers may be disadvantaged through their sexual orientation. There is a risk albeit small, that anyone in this position could be discriminated against and this could lead to an inequality in treatment.

A survey published in 2000, National Survey of Sexual Attitudes and Lifestyles, concluded that 5-7% of the UK population were likely to be lesbian, gay and bisexual. There is no evidence to suggest that people in these categories are likely to be disproportionately represented among those presenting themselves for this scheme.

Leaseholder household sexual orientation information is inadequate.

ONS data (2015) indicates that areas outside London have a smaller LBGTQ population. The proportion of the LBGTQ population in London is estimated to be 2.6% compared to 1.8% in the Southeast and 1.2% in the East of England. There may be impacts arising from the relative lack of support and other services designed specifically for LBGTQ people in some places outside London, but again this would very much depend on the area where the offer was made.

In assessing the scheme, the proposed new scheme has not identified any additional direct or indirect discrimination based on sexual orientation.

It is anticipated the scheme will have a positive impact upon households across all groups as they will be able to benefit from a better standard of property.

Mitigating actions to be taken

The Housing Operations service responsible for the administration of the policies, have partnered with Stonewall Housing. This will help to continually examine the practices of the policy ensuring residents from the LBGTQ community are

represented. Ensuring there is access to households from this group to access the service Stonewall Housing will focus on advice and advocacy including applying for benefits, referring to other agencies for assistance. In addition to the above, Stonewall Housing will focus upon wider community and outreach work.

It is acknowledged there is not an over representation of leaseholder approaches from the LGBTQ community and greater work must be completed to improve our work. The Housing Operations services will employ Housing Officers to provide a customer care to all households.

Monitoring of this sector will enable specific issues for different segments of the population to be identified and addressed.

Human Rights

There are 16 rights in the Human Rights Act. Each one is called an article. They are all taken from the European Convention on Human Rights. The Articles are the right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol.

There are no anticipated negative impacts on Human Rights because of these policies.

Mitigating actions to be taken

None at this point. Will be reviewed as appropriate.

Further actions and objectives

- Ensure regular scheduled reviews and analysis of data is recorded.
- Improve our customer insight through focus group involvement and improved data collection.
- Develop appropriate early intervention and prevention measures to address any over representation.
- Effects of the cost-of-living crisis on BAME, needs research and action in Islington, through close monitoring and work with public health.