

Customer Access Review – Full Assessment

Assessment details	
Assessment area	Tenancy Strategy 2021
Date of assessment	22 September 2021
Directorate and Service	Housing & Public Protection, Housing Services
Manager	Housing Development & Policy Manager
Officer conducting assessment	Housing Policy & Development Officer
Step 1: Scoping the assessment	
1. What are the aims and objectives of the activity or proposal?	<p>The Tenancy Strategy sets out the matters which registered providers should have regard to when formulating their policies for their own housing stock, relating to:</p> <ul style="list-style-type: none"> a) The kinds of tenancies they grant b) The circumstances in which they will grant a tenancy of a particular kind c) Where they grant tenancies for a certain term, the lengths of the terms granted d) The circumstances in which they will or will not grant a further tenancy on the coming to an end of the existing tenancy. <p>A modified Tenancy Strategy has been developed to set out the Council's decision to end the use of flexible tenancies in its own housing stock and to issue all current flexible and new tenants with a lifetime tenancy. For new tenants, an introductory tenancy will precede the lifetime tenancy.</p>
2. Who will be affected by the activity or proposal?	Dartford Borough Council tenants, housing applicants, registered providers operating in the borough and their tenants.
3. How does the activity or proposal contribute to: a) any key performance indicators? b) policies, values or objectives of Dartford Borough Council?	<ul style="list-style-type: none"> a) The Housing Service monitors the number of applicants on the Housing Register (HPI-27), which is reported under the Corporate Plan. b) The allocation of Council housing contributes to the Corporate Plan strategic aims of 'facilitating quality, choice and diversity in the housing market, assisting in meeting housing need in Dartford and delivering high quality services to service users' and 'creating strong and self-reliant communities'.
4. Which aspects of the activity or proposal are dictated by legislation/regulation and	The Localism Act 2011 places a statutory duty on local authorities to produce a Tenancy Strategy to guide registered providers in their area in developing tenancy policies for their own housing stock.

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Step 1: Scoping the assessment	
<p>where do we have discretion in how they are delivered?</p>	<p>The Localism Act 2011 gave local authorities the discretionary power to grant flexible tenancies to new tenants after 1 April 2012. The Localism Act 2011 also allowed housing associations to grant fixed term tenancies to all new tenants after 1 April 2012. Flexible/fixed term tenancies are secure tenancies with a statutory minimum term of two years.</p> <p>The Council's previous Tenancy Strategy, published in 2013, set out the Council's strategy for the use of flexible tenancies, as introduced by the Localism Act 2011. It contained an objective for the Council, as a registered provider, to commence the issuing of flexible tenancies to new tenants preceded by an introductory tenancy, and that lifetime tenancies would only be given in exceptional circumstances. Existing lifetime tenants would retain their lifetime tenancy.</p> <p>Following a review of the flexible tenancy regime carried out by the Council, this new Tenancy Strategy sets out the objective to end the use of flexible tenancies in Council owned stock, and to grant lifetime tenancies to all existing flexible tenants and new tenants. For new tenants, an introductory tenancy will precede the lifetime tenancy.</p> <p>Where other registered providers choose to grant fixed term tenancies, the revised Tenancy Strategy sets out the expectations the Council has on their use.</p>

Step 2: Information collection																																				
<p>5. What do you know about the groups of people who will be affected? (i.e. demographic information in relation to the protected characteristic groups of age, disability, pregnancy and maternity, religion or belief, race, sex, sexual orientation, gender reassignment, marriage and civil partnership)</p>	<p>The Council currently owns 4,230 homes in the Borough. Other registered providers operating in the borough own approximately 2,010 dwellings giving a total of 6,240 dwellings in the social housing sector.</p> <p>The Council's housing register currently shows that there are 963 people who are waiting for accommodation. Of these 51 (5.29%) are in priority Band A. The following table shows a breakdown of all bands by bedroom size and number of applicants.</p> <table><tr><th>Band</th><th>Studio/ 1 bed</th><th>2 bed</th><th>3 bed</th><th>4 bed</th><th>5 bed</th><th>TOTAL</th></tr><tr><td>A</td><td>24</td><td>8</td><td>14</td><td>4</td><td>1</td><td>51</td></tr><tr><td>B</td><td>81</td><td>184</td><td>241</td><td>34</td><td>0</td><td>540</td></tr><tr><td>C</td><td>87</td><td>82</td><td>49</td><td>2</td><td>0</td><td>220</td></tr><tr><td>D</td><td>69</td><td>51</td><td>28</td><td>3</td><td>1</td><td>152</td></tr></table>	Band	Studio/ 1 bed	2 bed	3 bed	4 bed	5 bed	TOTAL	A	24	8	14	4	1	51	B	81	184	241	34	0	540	C	87	82	49	2	0	220	D	69	51	28	3	1	152
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Step 2: Information collection								
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		TOTAL	261	325	332	43	2	963
		All applicants for housing or rehousing are asked to provide equality monitoring details. This is not however, a requirement for acceptance of an application. Equalities records are kept and monitored on a regular and systematic basis to ensure properties are being offered and allocated fairly and in line with The Equality Act 2010 and data protection provisions.						
6.	What consultation has taken place with affected groups? Please describe who was consulted and the key findings	Internal consultation has been undertaken on the Tenancy Strategy. In modifying the Council’s Tenancy Strategy there is an obligation to send a copy of the draft Strategy to every private registered provider operating in the Borough, giving a reasonable opportunity to comment. In addition, public consultation was carried out via the Council’s website and with the Dartford Tenant and Leaseholders Forum. The Tenancy Management sub-group of the Kent Housing Group were also invited to peer review the draft Tenancy Strategy. There were no equality issues raised regarding the draft Tenancy Strategy from the consultations.						
7.	Are there any gaps in information? If so, what additional research and/or consultation is needed to ensure that affected groups needs and views are taken into account?	No additional research is required.						

Step 3: Assessing the equality impact	
8. Consider whether the activity or proposal has or will have any positive or negative equality impacts on the protected characteristic groups in relation to the following aims of the Public Sector Equality Duty:	
<p>a) tackling unlawful discrimination</p> <p>b) promoting equality of opportunity</p> <p>c) promoting good relations</p> <p><u>NOTES:</u></p> <ul style="list-style-type: none"> The Initial Screening will have identified which aims of the Public Sector Equality Duty are relevant to the activity or proposal for consideration 	

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Step 3: Assessing the equality impact

- For existing activities, consider how they are working in practice for each relevant protected group
- For new proposals, consider whether there is anything that could give rise to positive and negative equality impacts for each relevant protected group
- If there is no identified equality impact, please tick the 'No Impact' box and explain why in question 9
- If the equality impact is unclear, please tick the 'Unknown' box and explain why in question 9

Step 3: Assessing the equality impact

PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
Age	The Tenancy Strategy states that, where registered providers issue fixed term tenancies, and a tenancy review is being carried out towards the end of a fixed term with a vulnerable tenant (for example, vulnerable due to age), the Council expects registered providers to take all reasonable steps to ensure that the tenant can fully participate in the review.		<input type="checkbox"/>	<input type="checkbox"/>
Disability	The Tenancy Strategy states that, where registered providers issue fixed term tenancies, and a tenancy review is being carried out towards the end of a fixed term tenancy with a vulnerable tenant (for example a person with physical or mental health disabilities), the Council expects registered providers to take all reasonable steps to ensure that the tenant can fully participate in the review.		<input type="checkbox"/>	<input type="checkbox"/>
Sex			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion/Belief			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation			<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
Pregnancy/Maternity			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage and Civil Partnership*			<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Regarding the protected characteristic of Marriage and Civil Partnership – public bodies need to comply with the first aim of the Public Sector Equality Duty and only in the context of employment.

Step 3: Assessing the equality impact	
9. If 'no impact' or 'unknown' was selected, please explain	This assessment does not consider the Tenancy Strategy and its application will have a differential impact on the basis of gender, gender reassignment, race, religion and belief, sexual orientation, pregnancy and maternity or marriage and civil partnership.
10. If Dartford Borough Council works with partners to deliver the activity or proposal, please describe any circumstances that could give rise to positive or negative equality impacts between different groups	Local registered providers should have regard to the Tenancy Strategy in formulating their tenancy policies, and under the Regulatory Framework for Social Housing in England, they should contribute to the local authorities' strategic housing function and sustainable communities. However, the Tenancy Strategy does not have binding legal force. If registered providers depart from the Tenancy Strategy, they should have good reason to do so and will be accountable to the Regulator.
11. Any other comments	<p>The Tenancy Strategy should have a positive impact on tenants and housing applicants by assisting them to understand the types of tenancies available and what is expected in their use to ensure homes are let in a fair, transparent and efficient way.</p> <p>The Tenancy Strategy makes clear that, where a registered provider chooses to issue fixed term tenancies, there should be a procedure in place where tenants and prospective tenants may appeal against the length of a fixed term tenancy, the type of tenancy offered, and also against a decision not to grant another tenancy on the expiry of the fixed term. The Tenancy Strategy also expects that registered providers have a clear process in place to handle complaints and that they comply with the Housing Ombudsman's Complaint Handling Code. This is important for ensuring that tenants have recourse to have their views taken into account regarding decisions made about their tenancy and on effectively handling any complaints.</p>

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Step 3: Assessing the equality impact					
		<p>To ensure that the impact on equality is considered, the Tenancy Strategy advises that the Council expects all registered providers to carry out an equality impact assessment on their tenancy policies.</p> <p>In accordance with the Council's Equality & Diversity Document Framework, the Tenancy Strategy and information about the Housing services provided by the Council, can be provided in alternative formats, including: Braille, audio tape and large print versions of documents, and documents translated into other languages. Telephone and face-to-face language interpreting and British Sign Language interpreting services can also be provided upon request. Calls can also be received via Relay UK.</p>			
Step 4: Action plan					
12. Based on the information in Steps 1 to 3, please list the actions that will be taken to address: a) any gaps in information and consultation b) how any negative impacts on equality will be mitigated or eradicated					
a) If additional information and/or consultation is required or the impact is still unclear, what actions will you put in place to gather the information you need?					
Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
None					
b) If any negative impacts on equality were found, what actions will you put in place to mitigate or eradicate these impacts?					
Identified impacts (and who is affected)	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
None					
Step 5: Decision making and future monitoring					
13. Which decision making process does this Customer Access Review need to go through? i.e. who does this need to be approved by?			Director of Housing & Public Protection		
14. Is the subject of the Customer Access Review going to committee? If yes, include your findings in the committee report and attach this assessment to the report			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

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Step 5: Decision making and future monitoring	
15. How will you continue to monitor the activity or proposal on protected characteristic groups?	The Council will review its Tenancy Strategy every three years or earlier to address legislative, regulatory, best practice or operational issues.
16. When will you review this Customer Access Review?	The Tenancy Strategy will be reviewed every three years and a new Customer Access Review will be undertaken at the same time.
Step 6: Final steps	
17. Once this Customer Access Review has been approved, send this assessment to the Policy & Projects Officer	
18. Implement the actions identified from this Customer Access Review and ensure progress is monitored and recorded	