

Equality Impact Assessment (EIA) Initial Screening Form



Screening determines whether the policy has any relevance for equality, ie is there any impact on one or more of the 9 protected characteristics as defined by the Equality Act 2010. These are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation

<p>1. Policy/service/function title</p>	<p>Tenancy Policy (for Council Tenants)</p>
<p>2. Lead officer (responsible for the policy/service/function)</p>	<p>Robert Longfoot Tenancy Services Corporate Manager</p>
<p>3. Is this a new or existing policy/service/function?</p>	<p>New Policy to set out an existing function.</p> <p>To complicate matters – The Strategy Committees of the Councils considered the implementing Flexible (fixed term) Tenancies in July 2013 and decided in favour of doing so. These fixed term tenancies would replace Secure Tenancies as the primary form of tenure in its Council Housing Stock. The necessary policy and tenancy agreement needed to implement said change have not been realised and this decision not acted upon. As a result the Councils continue to offer Secure Tenancies as the primary form of tenancy agreement.</p> <p>The new policy proposes to reverse the decision in 2013 and instead continue the practice of issuing secure (lifetime) tenancies in Council Housing.</p> <p>Therefore no change to tenancy arrangements for current or future tenants</p>
<p>4. What exactly is proposed? (Describe the policy/service/ function and the changes that are being planned?)</p>	<p>BMSDC will manage tenancies in the same way they have been up to this point, in accordance with regulation and legislation.</p> <p>As there is no current policy in place, the policy will ensure that staff operate consistently in the management of tenancies.</p>

	The policy spells out the importance of considering protected characteristics in decision making and includes a section outlining the opportunity for internal review offered to tenants to further equality.
5. Why? (Give reasons why these changes are being introduced)	The regulator of Social Housing requires all social landlords to have a tenancy policy which is accessible to residents and clearly explains how tenancies will be managed.
6. How will it be implemented? (Describe the decision making process, timescales, process for implementation)	The policy will 'go live' on the date it is approved (Cabinet, 9 th January 2023) and will apply to current tenants and new. There may be a requirement to vary the current tenancy agreement to take account of any changes Cabinet, this will take time to produce. It is envisaged that any changes could be approved by Cabinet and implemented by 30/06/23 at the latest.

7. Is there potential for differential impact (negative or positive) on any of the protected characteristics?	No change is proposed to the current practice of issuing secure tenancies and introductory tenancies. The type of tenancy issued depends upon the type of tenancy the applicant for housing held immediately before the letting. The only exception, where a protected characteristic triggers a different approach to issuing a tenancy, is based entirely in law: the issuing of tenancies to people aged under 18. Children are unable to hold a legal interest in land and so the tenancy must be held in trust until they are an adult. Again, this is current practice albeit not a common occurrence.
8. Is there the possibility of discriminating unlawfully, directly or indirectly, against people from any protected characteristic?	Management of tenancies is to be equally provided and considerate of protected characteristics – with equality impact assessments forming an essential element of any tenancy enforcement and rights of review/appeal offered to tenants to encourage them to provide details of any circumstances or characteristics they need us to take into account.
9. Could there be an effect on relations between certain groups?	No
10. Does the policy explicitly involve, or focus on a particular equalities group, i.e. because they have particular needs?	No The tenancy policy generally provides for equal treatment and rights to all tenants.

If the answers are 'no' to questions 7-10 then there is no need to proceed to a full impact assessment and this form should then be signed off as appropriate.

If 'yes' then a full impact assessment must be completed.

Authors signature Robert Longfoot

Date of completion 9th November 2022

Any queries concerning the completion of this form should be addressed to the Equality and Diversity Lead.

* Public sector duty does not apply to marriage and civil partnership.