

Equalities Analysis Assessment

Broadway Living RP – Equalities Impact Assessment

1. Proposal Summary Information

EIA Title	Succession Policy
Scope	Is it an Initiative/Function/Policy/Project/Scheme (<i>Pick one</i>) Policy
Approval	Board Report Decision/Officer Decision/ Exec Decision (<i>Pick one</i>) Board

1. What is the Initiative/Function/Policy/Project/Scheme (*pick one*) looking to achieve? Who will be affected?

(i.e. Please provide an overview of the aims, objectives and desired outcomes of what you are proposing. Who currently uses the service that will be affected by your proposal? Who will be affected by any changes? What are their current needs? Please add your data here.)

The Succession policy sets out the rules by which a resident can succeed to a tenancy and ensures that Broadway Living meet all the required standards, legislation and regulation.

It affects residents living in our homes.

2. What will the impact of your proposal be?

(i.e. Please provide a before and after picture of the service that will be affected by your proposal e.g. how does it currently operate and then how it will operate after your proposal has been implemented. Where possible please be clear on the number of people or size of the community affected)

The impact will be to allow residents to succeed to a tenancy in line with agreed criteria.

2. Impact on Groups having a Protected Characteristic

AGE: *A person of a particular age or being within an age group.*

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

Equalities Analysis Assessment

(Please be as specific and clear as possible when describing the impact and include any local data i.e. service usage. If this is lacking please include regional or national data or research. Please identify any differential impact on different age groups. Please note if there is no differential impact on people with this characteristic, please state this)

Older people will be entitled to succeed to a tenancy and where no rights to succeed exist, the discretionary right to succeed will allow for any vulnerability as a result of being elderly. As a result the policy will not have any adverse impact on this group. There could be a marginal benefit as older people are more likely to be accepted under the discretionary grounds.

Alternatives and mitigating actions which have been considered in order to reduce negative effect:

Describe the Mitigating Action

(Please describe any actions you will take to limit the impact of your proposal on this group. Please be open and forthright, decision makers need to be provided with as clear a picture as possible.)

DISABILITY: A person has a disability if s/he has a physical, mental or sensory impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities¹.

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

(Please be as specific and clear as possible when describing the impact and include any local data i.e. service usage. If this is lacking please include regional or national data or research. Please identify any differential impact on people with different types of disabilities. Please note if there is no differential impact on people with this characteristic, please state this)

Disabled people will be entitled to succeed to a tenancy and where no rights to succeed exist, the discretionary right to succeed will allow for any vulnerability as a result of being disabled. As a result, the policy will not have any adverse impact on this group. There could be a marginal benefit as disabled people are more likely to be accepted under the discretionary grounds.

Alternatives and mitigating actions which have been considered in order to reduce negative effect:

Describe the Mitigating Action

(Please describe any actions you will take to limit the impact of your proposal on this group. Please be open and forthright, decision makers need to be provided with as clear a picture as possible.)

GENDER REASSIGNMENT: This is the process of transitioning from one sex to another. This includes persons who consider themselves to be trans, transgender and transsexual.

State whether the impact is positive, negative, a combination of both, or neutral:

¹ Due regard to meeting the needs of people with disabilities involves taking steps to take account of their disabilities and may involve making reasonable adjustments and prioritizing certain groups of disabled people on the basis that they are particularly affected by the proposal.

Equalities Analysis Assessment

Describe the Impact
<i>(Please be as specific and clear as possible when describing the impact and include any local data i.e. service usage. If this is lacking please include regional or national data or research. Please note if there is no differential impact on people with this characteristic, please state this)</i>
Trans, transgender and transexual people will be entitled to succeed to a tenancy and where no rights to succeed exist, the discretionary right to succeed will allow for any vulnerability as a result of being in this protected group.
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
<i>(Please describe any actions you will take to limit the impact of your proposal on this group. Please be open and forthright, decision makers need to be provided with as clear a picture as possible.)</i>

RACE: A group of people defined by their colour, nationality (including citizenship), ethnic or national origins or race.
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
<i>(Please be as specific and clear as possible when describing the impact and include any local data i.e. service usage. If this is lacking please include regional or national data or research. Please identify any differential impact on people from different ethnic backgrounds. Please note if there is no differential impact on people with this characteristic, please state this)</i>
People of all races will be entitled to succeed to a tenancy including discretionary grounds where they meet the criteria. Discretionary grounds include the right to rent which could be argued applies more to people whose place of origin is outside of the UK. This is however a statutory requirement.
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
<i>(Please describe any actions you will take to limit the impact of your proposal on this group. Please be open and forthright, decision makers need to be provided with as clear a picture as possible.)</i>

RELIGION & BELIEF: Religion means any religion. Belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect a person's life choices or the way you live for it to be included.
State whether the impact is positive, negative, a combination of both, or neutral:

Equalities Analysis Assessment

Describe the Impact
<i>(Please be as specific and clear as possible when describing the impact and include any local data i.e. service usage. If this is lacking please include regional or national data or research. Please identify any differential impact on people with different religious beliefs. Please note if there is no differential impact on people with this characteristic, please state this)</i>
People of all religions and beliefs will be entitled to succeed to a tenancy and where no rights to succeed exist, the discretionary right to succeed will apply where the criteria are met. The discretionary criteria will not benefit or dis-benefit people on the grounds of religion or belief.
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
<i>(Please describe any actions you will take to limit the impact of your proposal on this group. Please be open and forthright, decision makers need to be provided with as clear a picture as possible.)</i>

SEX: Someone being a man or a woman.
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
<i>(Please be as specific and clear as possible when describing the impact and include any local data i.e. service usage. If this is lacking please include regional or national data or research. Please note if there is no differential impact on a persons gender, please state this)</i>
People of both sexes will be entitled to succeed to a tenancy and where no rights to succeed exist, the discretionary right to succeed will apply where the criteria are met. The discretionary criteria will not benefit or dis-benefit people on the grounds of sex.
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
<i>(Please describe any actions you will take to limit the impact of your proposal on this group. Please be open and forthright, decision makers need to be provided with as clear a picture as possible.)</i>

SEXUAL ORIENTATION: A person's sexual attraction towards his or her own sex, the opposite sex or to both sexes, covering including all LGBTQ+ groups.
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact

Equalities Analysis Assessment

(Please be as specific and clear as possible when describing the impact and include any local data i.e. service usage. If this is lacking please include regional or national data or research. Please note if there is no differential impact on people with this characteristic, please state this)

LGBTQ+ groups will be entitled to succeed to a tenancy and where no rights to succeed exist, the discretionary right to succeed will apply where the criteria are met. The discretionary criteria will not benefit or dis-benefit people on the grounds of sexual orientation.

Alternatives and mitigating actions which have been considered in order to reduce negative effect:

Describe the Mitigating Action

(Please describe any actions you will take to limit the impact of your proposal on this group. Please be open and forthright, decision makers need to be provided with as clear a picture as possible.)

PREGNANCY & MATERNITY: Description: Pregnancy: Being pregnant. Maternity: The period after giving birth - linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

(Please be as specific and clear as possible when describing the impact and include any local data i.e. service usage. If this is lacking please include regional or national data or research. Please note if there is no differential impact on people with this characteristic, please state this)

Pregnant women and women in the first 26 weeks after giving birth will be entitled to succeed to a tenancy and where no rights to succeed exist, the discretionary right to succeed will apply where the criteria are met.

There is likely to be a benefit as pregnant women and women with children are more likely to be accepted under the discretionary grounds.

Alternatives and mitigating actions which have been considered in order to reduce negative effect:

Describe the Mitigating Action

(Please describe any actions you will take to limit the impact of your proposal on this group. Please be open and forthright, decision makers need to be provided with as clear a picture as possible.)

MARRIAGE & CIVIL PARTNERSHIP: Marriage: A union between a man and a woman. or of the same sex, which is legally recognised in the UK as a marriage

Equalities Analysis Assessment

Civil partnership: Civil partners must be treated the same as married couples on a range of legal matters.
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
<i>(Please be as specific and clear as possible when describing the impact and include any local data i.e. service usage. If this is lacking please include regional or national data or research. Please note if there is no differential impact on people with this characteristic, please state this)</i>
People in this group will be entitled to succeed to a tenancy and where no rights to succeed exist, the discretionary right to succeed will apply where the criteria are met. Spouses and civil partners have a contractual right to succeed as part of the tenancy so there is no dis-benefit.
The discretionary criteria will not benefit or dis-benefit people on the grounds of marriage or civil partnership.
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
<i>(Please describe any actions you will take to limit the impact of your proposal on this group. Please be open and forthright, decision makers need to be provided with as clear a picture as possible.)</i>

3. Human Rights²
4a. Does your proposal impact on Human Rights as defined by the Human Rights Act 1998?
Yes <input type="checkbox"/> No <input type="checkbox"/> X
<i>(If yes, please describe the effect and any mitigating action you have considered.)</i>
4b. Does your proposal impact on the rights of children as defined by the UN Convention on the Rights of the Child?
Yes <input type="checkbox"/> No <input type="checkbox"/> X
<i>(If yes, please describe the effect and any mitigating action you have considered.)</i>
4c. Does your proposal impact on the rights of persons with disabilities as defined by the UN Convention on the rights of persons with disabilities?
Yes <input type="checkbox"/> No <input type="checkbox"/> X
<i>(If yes, please describe the effect and any mitigating action you have considered.)</i>

² For further guidance please refer to the Human Rights & URNC Guidance on the Council Equalities [web page](#).

Equalities Analysis Assessment

4. Conclusion

(Please provide a brief overview/summary of your analysis in light of the protected characteristics. Please describe the overall impact of your proposal where possible and mitigating actions undertaken by other areas of the Council or by local partners)

Some protected groups are more likely to be allowed a discretionary succession as they are more likely to get picked up under the allocations policy. None of these groups are at a disadvantage as a result of this policy.

4a. What evidence, data sources and intelligence did you use to assess the potential impact/effect of your proposal? Please note the systems/processes you used to collect the data that has helped inform your proposal. Please list the file paths and/or relevant web links to the information you have described.

(Please list all sources here: i.e. local consultation, residents' survey, census etc.)

5. Action Planning: (What are the next steps for the proposal please list i.e. when it comes into effect, when mitigating actions linked to the protected characteristics above will take place, how you will measure impact etc.)

Action	Outcomes	Success Measures	Timescales/ Milestones	Lead Officer (Contact Details)

Additional Comments:

No further action required.

6. Sign off:

Form completed by:	Reviewed by:	Approved by:
Name: John Baldwin	Name:	Name:
Job Title: Consultant	Job Title:	Job Title:

Equalities Analysis Assessment

Date: 26/3/21	Date:	Date:
---------------	-------	-------

Appendix 1: *Legal obligations under Section 149 of the Equality Act 2010:*

- Under the act, we must have due regard to the need to:
 - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- The protected characteristics are: AGE, DISABILITY, GENDER REASSIGNMENT, RACE, RELIGION & BELIEF, SEX, SEXUAL ORIENTATION, PREGNANCY & MATERNITY, MARRIAGE & CIVIL PARTNERSHIP
- Having due regard to advancing equality of opportunity between those who share a protected characteristic and those who do not, involves considering the need to:
 - a) Remove or minimising 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 characteristic that are different from the needs of the persons who do not share it.
 - 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.
- Having due regard to fostering good relations between persons who share a relevant protected characteristic and persons who do not, involves showing that you are tackling prejudice and promoting understanding.
- Complying with the duties may involve treating some people more favourably than others; but this should not be taken as permitting conduct that would be otherwise prohibited under the Act.