

Equality Impact Analysis

This equality impact analysis establishes the likely effects both positive and negative and potential unintended consequences that decisions, policies, projects and practices can have on people at risk of discrimination, harassment and victimisation. The analysis considers documentary evidence, data and information from stakeholder engagement/consultation to manage risk and to understand the actual or potential effect of activity, including both positive and adverse impacts, on those affected by the activity being considered.

To support completion of this analysis tool, please refer to the equality impact analysis guidance.

Section 1 – Analysis Details (Page 5 of the guidance document)

Name of Policy/Project/Decision	Buy Back & Acquisitions Policy & Procedures 2024 - 2028
Lead Officer (SRO or Assistant Director/Director)	J Summerscales
Department/Team	Housing Strategy, Policy & Performance (Business Growth & Infrastructure)
Proposed Implementation Date	July 2024
Author of the EqIA	J Summerscales
Date of the EqIA	23/05/2024

<p>1.1 What is the main purpose of the proposed policy/project/decision and intended outcomes?</p> <p>Adoption of a new Buy Back & Acquisitions Policy & Procedure, to support the Council to purchase residential dwellings in private ownership and convert them into social and affordable housing, to help meet housing needs in the borough and reduce homelessness.</p> <p>The policy provides a legislative framework to support a range of property acquisitions under a single procedure. This will enable effective governance, resource planning and monitoring.</p> <p>The overall aim of the policy is to:</p> <ul style="list-style-type: none"> • Increase the supply of good quality social and affordable housing in the borough, including accommodation for those with additional support needs. • Formalise procedures for buy backs and a range of residential property acquisitions, to enable the Council to act within timescales as and when opportunities arise. • Provide a framework for assessing viability and value for money. • Ensure appropriate reinvestment of Right to Buy receipts to help reduce the impact of RTB sales.

- Maximise rental income.
- Reduce the number of empty properties in the borough.

The implementation of this policy will give the Council the opportunity to expand its housing portfolio to help meet the housing needs of Bury residents, maximise rental income and take a more proactive and consistent approach to property acquisition. It will also ensure that all transactions deliver value for money and meet the Council’s strategic objectives.

Property owners and private developers are under no obligation to sell their properties to the Council. Therefore, the policy is not detrimental to the human rights of any individual affected by the decision being sought.

Section 2 – Impact Assessment (Pages 6 to 10 of the guidance document)

2.1 Who could the proposed policy/project/decision likely have an impact on?

Employees: **No (state reasons for answering ‘no’)**

Community/Residents: **Yes (state reasons for answering ‘no’)**

Third parties such as suppliers, providers and voluntary organisations: **Yes (state reasons for answering ‘no’)**

If the answer to all three questions is ‘no’ there is no need to continue with this analysis.

2.2 Evidence to support the analysis. Include documentary evidence, data and stakeholder information/consultation

Documentary Evidence:

Data:

A Housing Need & Demand Assessment (HN&DA) undertaken in 2020 concluded that there is a net shortfall of affordable homes for circa 448 households across the borough each year.

114 additional homes for older people are required by 2025.

39 additional homes are required for people with a learning disability by 2025.

86 additional homes are required for people with mental health issues up to 2025.

Stakeholder information/consultation:

Consultation was undertaken with the following teams and people:

- BGI colleagues.
- Senior Bury Council colleagues
- Finance.
- Legal Services.
- Land & Property.
- Members of the Housing Growth Sub-Group.
- Housing Options and Homeless Team
- A separate briefing was held with the Cabinet Member for Housing Services.

The following advice, guidance and comments received contributed towards the development of this policy and procedure.

- Legal Powers & Context – additional wording from Legal Services regarding the Council’s key statutory powers for the acquisition of property has been incorporated into the policy.
- Acquisition Criteria – this section has been revised to ensure that all acquisition criteria including refusals/rejections is located together in one section of the policy.

2.3 Consider the following questions in terms of who the policy/project/decision could potentially have an impact on. Detail these in the impact assessment table (2.4) and the potential impact this could have.

- Could the proposal prevent the promotion of equality of opportunity or good relations between different equality groups?
- Could the proposal create barriers to accessing a service or obtaining employment because of a protected characteristic?
- Could the proposal affect the usage or experience of a service because of a protected characteristic?
- Could a protected characteristic be disproportionately advantaged or disadvantaged by the proposal?
- Could the proposal make it more or less likely that a protected characteristic will be at risk of harassment or victimisation?
- Could the proposal affect public attitudes towards a protected characteristic (e.g. by increasing or reducing their presence in the community)?
- Could the proposal prevent or limit a protected characteristic contributing to the democratic running of the council?

2.4 Characteristic	Potential Impacts	Evidence (from 2.2) to demonstrate this impact	Mitigations to reduce negative impact	Impact level with mitigations
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				Positive, Neutral, Negative
Age	<p>The policy widens the scope of the Council's ability to acquire and increase social housing stock which could support specific age groups who require social housing.</p> <p>Impact of safeguarding for particularly elderly owners/tenants at risk of detriment through the sale of the property</p>	<p>A Housing Need & Demand Assessment (HN&DA) undertaken in 2020 concluded that there is a net shortfall of affordable homes for circa 448 households across the borough each year.</p> <p>114 additional homes for older people are required by 2025.</p>	<p>The Council is committed to increasing the supply of social housing in the borough including specialist and supported accessible accommodation for older people and those with physical and/or additional needs, to enable them to live independently within the community for longer.</p> <p>The Council will prioritise the acquisition of properties previously sold under the RTB legislation which are particularly suitable for the elderly.</p> <p>Legislation prescribes that the Council must acquire buy backs at market value. The open market value is determined by a RICS qualified surveyor.</p> <p>The purchase price is negotiated between the</p>	Neutral

			<p>owner of a and a RICS qualified surveyor to ensure impartiality and alleviate bias.</p> <p>Sellers are required to obtain their own legal advice/legal representation when selling their properties to the Council, to avoid any conflict of interest and protect them from any potential risks</p>	
Disability	<p>The policy widens the scope of the Council's ability to acquire and increase social housing stock which could support people with disabilities and poor mental health who require social housing.</p> <p>Policy accessibility for those who can't access the policy online.</p> <p>Impact of safeguarding for disabled</p>	<p>39 additional homes are required for people with a learning disability by 2025.</p> <p>86 additional homes are required for people with mental health issues up to 2025.</p>	<p>The Council is committed to increasing the supply of social housing in the borough including specialist and supported accessible accommodation for older people and those with physical and/or additional needs, to enable them to live independently within the community for longer.</p> <p>The Council will prioritise the acquisition of properties previously sold under the RTB legislation which are particularly suitable for</p>	Neutral

	<p>owners/tenants at risk of detriment through the sale of the property</p>		<p>the elderly, physically disabled, mentally ill or the intellectually disabled where possible, to increase capacity.</p> <p>The policy will be published on the Council's website in an accessible format which can be translated into different languages if required.</p> <p>Legislation prescribes that the Council must acquire buy backs at market value. The open market value is determined by a RICS qualified surveyor. The purchase price is negotiated between the owner of a and a RICS qualified surveyor to ensure impartiality and alleviate bias.</p> <p>Sellers are required to obtain their own legal advice/legal representation when selling their properties to the Council, to avoid any</p>	

			conflict of interest and protect them from any potential risks.	
Gender Reassignment	No Impact.			
Marriage and Civil Partnership	No Impact.			
Pregnancy and Maternity	No Impact.			
Race	Understanding the policy and transactions under the policy if English is not the first language of the user of the policy.		The policy will be published on the Council's website in an accessible format which can be translated into different languages if required. Independent translation services are available if needed to support transactions.	Neutral
Religion and Belief	Impact of buildings being used as places of worship, preventing people/communities practicing faith and belief if buildings are sold		The Council's Legal Services will undertake a land registry search to confirm ownership and ensure there are no outstanding legal charges Sellers are required to complete a Property Information Form which,	Neutral

			should, identify whether there are any public rights or informal arrangements (including those for religious purposes) affecting the property.	
Sex	No impact.			
Sexual Orientation	No impact.			
Carers	No impact.			
Looked After Children and Care Leavers	The policy widens the scope of the Council's ability to acquire and increase social housing stock which could support care leavers who require social housing.			Positive
Socio-economically vulnerable	The policy widens the scope of the Council's ability to acquire and increase social housing stock which could support people who are socio-economically vulnerable an require social housing. Impact of safeguarding for owners/tenants who		Council housing is available to people on low incomes and those in receipt of Housing Benefit/Universal Credit. The Council is committed to increasing the supply of social housing, to ensure that more homes will be available for vulnerable people and those with	Neutral Sellers are required to obtain their own legal advice/legal representation when selling their properties to the Council, to avoid any conflict of interest and protect them from any potential risks.

	are socio-economically vulnerable or at risk of becoming vulnerable at risk through the sale of the property		<p>protected characteristics.</p> <p>Legislation prescribes that the Council must acquire buy backs at market value. The open market value is determined by a RICS qualified surveyor.</p> <p>The purchase price is negotiated between the owner of a and a RICS qualified surveyor to ensure impartiality and alleviate bias.</p> <p>Sellers are required to obtain their own legal advice/legal representation when selling their properties to the Council, to avoid any conflict of interest and protect them from any potential risks.</p>	
Veterans	The policy widens the scope of the Council's ability to acquire social housing stock which could military		The Council gives priority for housing to Armed Forces personnel including veterans through the Allocations Policy.	Positive

	veterans require social housing.			
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Actions required to mitigate/reduce/eliminate negative impacts or to complete the analysis

2.5 Characteristics	Action	Action Owner	Completion Date
	No additional actions – legal processes will deal with any mitigations as detailed above.		

Section 3 - Impact Risk

Establish the level of risk to people and organisations arising from identified impacts, with additional actions completed to mitigate/reduce/eliminate negative impacts.

3.1 Identifying risk level (Pages 10 - 12 of the guidance document)

Impact x Likelihood = Score			Likelihood			
			1	2	3	4
			Unlikely	Possible	Likely	Very likely
Impact	4	Very High	4	8	12	16
	3	High	3	6	9	12
	2	Medium	2	4	6	8

1	Low	1	2	3	4
0	Positive / No impact	0	0	0	0

Risk Level	No Risk = 0	Low Risk = 1 - 4	Medium Risk = 5 – 7	High Risk = 8 - 16
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3.2 Level of risk identified	Low.
3.3 Reasons for risk level calculation	Mitigations dealt with as above.

Section 4 - Analysis Decision (Page 11 of the guidance document)

4.1 Analysis Decision	X	Reasons for This Decision
There is no negative impact therefore the activity will proceed		
There are low impacts or risks identified which can be mitigated or managed to reduce the risks and activity will proceed	X	All potential impacts have been mitigated.
There are medium to high risks identified which cannot be mitigated following careful and thorough consideration. The activity will proceed with caution and this risk recorded on the risk register, ensuring continual review		

Section 5 – Sign Off and Revisions (Page 11 of the guidance document)

5.1 Sign Off	Name	Date	Comments
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Lead Officer/SRO/Project Manager	Jacqueline Summerscales	05/06/24	
Responsible Asst Director/Director	Robert Summerfield	13/06/24	
EDI	Lee Cawley	05/06/24	

EqIA Revision Log

5.2 Revision Date	Revision By	Revision Details
N/A.		