

# Equality Analysis Form

The following questions will document the effect of your service or proposed policy, procedure, working practice, strategy or decision (hereafter referred to as 'policy') on equality, and demonstrate that you have paid due regard to the Public Sector Equality Duty.

## 1. RESPONSIBILITY

<b>Department</b>	Communities and Wellbeing	
<b>Service</b>	Business Redesign & Development	
<b>Proposed policy</b>	Approval of new Tenancy Agreement	
<b>Date</b>	4 <sup>th</sup> November 2014	
<b>Officer responsible for the 'policy' and for completing the equality analysis</b>	<b>Name</b>	Marcus Connor
	<b>Post Title</b>	Corporate Policy Manager
	<b>Contact Number</b>	0161 253 6252
	<b>Signature</b>	
	<b>Date</b>	4 <sup>th</sup> November 2014
<b>Equality officer consulted</b>	<b>Name</b>	Mary Wood
	<b>Post Title</b>	Principal Officer – Equalities
	<b>Contact Number</b>	0161 253 6795
	<b>Signature</b>	 35/2014
	<b>Date</b>	3 <sup>rd</sup> December 2014

## 2. AIMS

<b>What is the purpose of the policy/service and what is it intended to achieve?</b>	<p>To approve and introduce a new tenancy agreement for Council-owned residential properties.</p> <p>The current agreement has been in place since 2009 and is now out of date and not fit for purpose. In line with good practice the agreement has been reviewed to take into account a number of legislative and policy changes eg. Welfare Reform, Anti Social Behaviour, Crime &amp; Policing Act 2014, the Council's Strategic Tenancy Policy and revised Allocation Policy.</p> <p>The changes have emphasised tenant(s)' responsibilities in respect of their property, particularly in terms of paying rent on time, allowing the Council or their managing agent (STH) access to undertake work, reporting faults and facilitating tenancy visits and checks. In accordance with the Council's Strategic Tenancy Policy it will ensure that adapted properties are only allocated to and occupied by those in need of the adaptation. It has also strengthened powers to take enforcement action against those in breach of tenancy conditions and incorporated new provisions in</p>
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	<p>respect of anti social behaviour contained within the Anti Social Behaviour, Crime and Policing Act 2014.</p> <p>The new Tenancy Agreement has taken account of a number of consultation exercises with key stakeholders and if approved will be subject to a formal, statutory consultation with all tenants prior to becoming effective from 1<sup>st</sup> April 2014.</p> <p>Approval for any changes arising from the consultation will be delegated to the Executive Director for Communities and Wellbeing.</p>
<p><b>Who are the main stakeholders?</b></p>	<p>The Council – in particular Communities and Wellbeing Directorate  Six Town Housing  Tenants and Residents of properties on Council estates  Residents adjacent to Council estates</p>

### 3. ESTABLISHING RELEVANCE TO EQUALITY

**3a. Using the drop down lists below, please advise whether the policy/service has either a positive or negative effect on any groups of people with protected equality characteristics.  
If you answer yes to any question, please also explain why and how that group of people will be affected.**

Protected equality characteristic	Positive effect (Yes/No)	Negative effect (Yes/No)	Explanation
Race	No	No	Provisions are in place to ensure those whose first language is not English understand the new Tenancy Agreement and their responsibilities.
Disability	Yes	No	The new Tenancy Agreement will take into account the requirements of the Council's Strategic Tenancy Policy in that tenancies of adapted properties are only valid where the person(s) for whom the adaptations were provided continued to need them and lives at that property. This will potentially increase the turnover and availability of adapted properties, ensuring that this valuable resource is only used by people who need it. Provisions are in place to ensure those with disabilities understand the terms of the new Tenancy Agreement and their responsibilities.
Gender	No	No	
Gender reassignment	No	No	
Age	No	No	
Sexual orientation	No	No	
Religion or belief	No	No	
Caring responsibilities	Yes	No	As a result of the positive effect on disabled housing applicants, the carers of any customers benefitting from this element of the tenancy agreement will also benefit.

Pregnancy or maternity	No	No	
Marriage or civil partnership	No	No	

**3b. Using the drop down lists below, please advise whether or not our policy/service has relevance to the Public Sector Equality Duty. If you answer yes to any question, please explain why.**

<b>General Public Sector Equality Duties</b>	<b>Relevance (Yes/No)</b>	<b>Reason for the relevance</b>
Need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010	Yes	The new Tenancy Agreement incorporates the provisions within the Anti Social Behaviour, Crime & Policing Act 2014 in respect of anti social behaviour which includes hate crime and strengthens the powers to deal with this..
Need to advance equality of opportunity between people who share a protected characteristic and those who do not (eg. by removing or minimising disadvantages or meeting needs)	Yes	In accordance with the Council's Strategic Tenancy Policy the new Tenancy Agreement will ensure that adapted properties are only allocated to and occupied by those in need of the adaptation. Provisions are in place to ensure those who may experience difficulty, eg. disability or language, understand the terms of the new agreement and their responsibilities.
Need to foster good relations between people who share a protected characteristic and those who do not (eg. by tackling prejudice or promoting understanding)	No	

**If you answered 'YES' to any of the questions in 3a and 3b**

**Go straight to Question 4**

**If you answered 'NO' to all of the questions in 3a and 3b**

**Go to Question 3c and do not answer questions 4-6**



**3c. If you have answered 'No' to all the questions in 3a and 3b please explain why you feel that your policy/service has no relevance to equality.**

**4. EQUALITY INFORMATION AND ENGAGEMENT**

**4a.** For a service plan, please list what equality information you currently have available, **OR** for a new/changed policy or practice please list what equality information you considered and engagement you have carried out in relation to it.

Please provide a link if the information is published on the web and advise when it was last updated?

(NB. Equality information can be both qualitative and quantitative. It includes knowledge of service users, satisfaction rates, compliments and complaints, the results of surveys or other engagement activities and should be broken down by equality characteristics where relevant.)

<b>Details of the equality information or engagement</b>	<b>Internet link if published</b>	<b>Date last updated</b>
<a href="#">Strategic Tenancy Policy</a>	<a href="http://www.bury.gov.uk/index.aspx?articleid=2299">http://www.bury.gov.uk/index.aspx?articleid=2299</a>	2013
<a href="#">Anti Social Behaviour, Crime &amp; Policing Act 2014</a>		2014
<a href="#">EHRC Human Rights at Home</a>		March 2011
<a href="#">OFT Guidance on unfair terms in tenancy agreements</a>		Sept 2005
<a href="#">Consultation exercises with councillors, officers, Springs TMO, tenants and residents etc.</a>		

**4b.** Are there any information gaps, and if so how do you plan to tackle them?

[Council and Six Town Housing officers are currently developing an improved monitoring system of where adapted properties are in the Borough.](#)

## 5. CONCLUSIONS OF THE EQUALITY ANALYSIS

<p><b>What will the likely overall effect of your policy/service plan be on equality?</b></p>	<p>The new tenancy agreement will apply equally to all tenants and residents of Council-owned residential dwellings. It will enhance the rights and responsibilities of all tenants, providing equal benefits to all people, irrespective of their protected characteristics. Due to the positive effect on disabled customers (and where relevant their carers) there will be a benefit from them having increased prospects of obtaining the tenancy of an adapted property.</p>
<p><b>If you identified any negative effects (see questions 3a) or discrimination what measures have you put in place to remove or mitigate them?</b></p>	<p>Not applicable.</p>
<p><b>Have you identified any further ways that you can advance equality of opportunity and/or foster good relations? If so, please give details.</b></p>	<p>Not applicable.</p>
<p><b>What steps do you intend to take now in respect of the implementation of your policy/service plan?</b></p>	<p>Following approval of the report recommendations by Cabinet, officers will carry out the statutory consultation required before the new tenancy agreement can be introduced. Any issues raised which will result in any changes to the tenancy agreement will be incorporated subject to this decision being delegated to the Executive Director for Communities and Wellbeing.</p>

## 6. MONITORING AND REVIEW

**If you intend to proceed with your policy/service plan, please detail what monitoring arrangements (if appropriate) you will put in place to monitor the ongoing effects. Please also state when the policy/service plan will be reviewed.**

The effectiveness of the new tenancy agreement and the impact on the performance of estate management functions by Six Town Housing will be carried out by the Council's Housing Strategy Programme Board and Housing Operations Board and Six Town Housing's Board, Executive Business Review Meeting (EBRM), Audit Standards, Risk and Performance Committee (ASRAP), and the Customer Review Groups.

The effect on anti social behaviour of the new provisions will be also be monitored by the Joint Engagement Team (JET), chaired by STH and the Community Safety Partnership.



The impact on disabled customers will also be monitored by the above groups and the Adaptations Working Group.

**COPIES OF THIS EQUALITY ANALYSIS FORM SHOULD BE ATTACHED TO ANY REPORTS/SERVICE PLANS AND ALSO SENT TO THE EQUALITY INBOX ([equality@bury.gov.uk](mailto:equality@bury.gov.uk)) FOR PUBLICATION.**