



# Equality Impact Assessment

HRA Rent Setting Policy

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## Document details

<b>Title</b>	HRA Rent Setting Policy
<b>Document type</b>	Policy
<b>Version submitted for decision</b>	TBC
<b>New or Existing document</b>	New document
<b>If this is an existing document, is this a major or minor change?</b>	N/a
<b>Decision makers</b>	Cabinet
<b>Type of decision</b>	Approval and adoption
<b>Date of decision</b>	4 March 2024

<b>Responsible department</b>	Housing Services
<b>Are other departments or partners involved in delivering this strategy, policy, plan, or project?</b>  <b>If 'Yes' please provide details.</b>	Yes  Officers in the following teams will be involved to some extent in the Policy's implementation and delivery: <ul style="list-style-type: none"><li>• Housing management</li><li>• Accounts</li><li>• Legal</li></ul>

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## **1.0 Purpose of the Equality Impact Assessment**

The Equality Act 2010 replaced the previous anti-discrimination laws with a single Act simplifying the law by removing inconsistencies, making it easier to understand and therefore comply with it, and strengthens it to help tackle discrimination and inequality. The Act came into force on 1 October 2010.

The Public Sector Equality Duty (PSED) came into force on 5 April 2011. The duty ensures that all public bodies, including the Council:

- play their part in making society fairer by tackling discrimination and providing equality of opportunity for all; and
- consider the needs of all individuals in their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

PSED encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet the needs of different groups of people. Where activities may have an impact to one particular group of people, public bodies are required to identify mitigations that will either lessen the impact or provide an alternative solution to meet the needs of that particular group.

By understanding the effect our activities have on different groups of people, and how inclusive our services can support and increase people's opportunities, the Council will be better placed to deliver policies and services that are efficient and effective.

This Equality Impact Assessment (EIA) helps the Council to ensure that we fulfil our legal obligations as per the PSED and to have due regard to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

## **2.0 Applicable legislation and regulations**

The following legislation and regulations apply to the proposed policy:

- The Housing Act 1985
- The Landlord and Tenant Act 1985
- Local Government and Housing Act 1989
- Housing and Regeneration Act 2008
- The Health and Social Care Act 2012

- Guidance on rents for social housing – Department for Communities and Local Government, May 2014
- Welfare Reforms and Work Act 2016
- Social Housing Rents (Exceptions and Miscellaneous Provisions) Regulations 2016
- Direction on the Rent Standard 2019
- Policy Statement on Rents for Social Housing issued by the Secretary of State February 2019
- Rent Standard Guidance 2023 – Department of Levelling-Up, Housing and Communities

The following Council strategic documents relate to this policy:

- Housing Revenue Account (HRA) Business Plan & Budget
- Tenancy Strategy 2021 – 2026
- Tenancy Management Policy 2021
- DDC Tenancy Agreement

### **3.0 Summary**

The affordability of rents is one of the fundamental benefits of social housing and setting social housing rents in line with legislation and Government rent policy is an essential requirement for the Council as a social housing landlord.

The Policy explains how the Council will calculate and manage rents and service charges (where these are applicable) for residential properties within our HRA in compliance with the Policy Statement on Rents for Social Housing and the Rent Standard 2023 as published by the Regulator of Social Housing (“the Regulator”).

This equality impact assessment (EIA) has been undertaken in accordance with the public sector equality duty (PSED) as stipulated in Section 149 of the Equality Act 2010. The EIA has identified some potentially positive and negative impacts with the implementation of this policy.

### **4.0 Information**

#### **4.1 Aim of the decision**

The aim of the decision is for Cabinet to approve the content of the proposed policy, and for the policy to be adopted and implemented.

## 4.2 Aim of the policy

The aim of the policy is to ensure that the Council manages and set rents in compliance with the Policy Statement on Rents for Social Housing, the Rent Standard 2023 and any other applicable legislation relating to the setting and management of rents and services charges (as set out in section 2.0).

## 4.3 Intended outcome(s)

The intended outcomes of this policy are to ensure:

- The Council sets rents in compliance with national rent policy.
- Rents and service charges for properties within the HRA are set in a consistent manner and cover the cost of management and service delivery, whilst also taking into account future investment needs.
- Tenants have confidence in the Council to apply a consistent and compliant approach to setting and managing its rent and service charges and are aware of how details about their rent and service charges are supplied to them, or how they can be requested.
- The Policy maximises income to support the maintenance of our existing housing stock, and the investment in the development or acquisition of new affordable housing, for rent or for low-cost homeownership.
- The provisions provide as much financial certainty for the HRA as possible and support the delivery of the HRA Business Plan.

## 4.4 Improving health and reducing inequality

The Council has an important role in improving resident's health under the Health and Social Care Act 2012. This relates to its 'core functions' (such as housing, leisure, green spaces and environmental health) and to its 'enabling roles' (such as economic development, planning and engaging with communities).

This policy helps the Council improve health / reduce inequalities for tenants by ensuring rents are set according to legislation and government policy to enable the Council to provide well managed and maintained social housing for our tenants which in turn also helps the Council to improve and reduce health inequalities for tenants.

## 4.5 Intended beneficiaries

The scope of the policy will apply to all social housing tenants paying either Formula Rent or Affordable Rent. At the time of this report, the policy will impact a total of 4,382 properties.

## 4.6 Main stakeholders

The main stakeholders in relation to this policy are:

- Council tenants (of social housing)
- Household members
- Family members of tenants
- Council staff
- Councillors

## 5.0 Assessment of the decision

The table below assesses if the decision is likely to be relevant to the three aims of the Equality Duty.

If the decision is relevant to the three aims of the Equality Duty, the Impact and Mitigations table must be completed to show how it is relevant and what the impact(s) will be.

Aim	Relevance Yes/No
Eliminate discrimination, harassment, victimisation.	Yes
Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not.	Yes
Foster good relations between persons who share relevant protected characteristics and persons who do not share it.	Yes

## 6.0 Impact and Mitigations

Characteristic	Relevance High/Medium/Low	Impact of the decision Positive/Neutral/ Negative	Reasons for impact	Mitigations
Age	Medium	Positive / Negative	<p>The age of a tenant does not affect the rent charged; however, it is acknowledged that younger tenants, often in their first tenancy and some older tenants may not understand the process of rent increases.</p> <p><u>Positive:</u> All ages will benefit from consistent and affordable rents being set, as well as improvements to existing housing stock, and the development of new affordable housing.</p> <p><u>Negative:</u> Potential increases in rent and service charges may disadvantage those on low incomes.</p>	<p>More information and support on our website may be required to tenants understand how rent setting and changes occur. Adjustments to the way we inform tenants about rent and service charge changes will need to adapt to the preferred method of contact.</p> <p>Where a change in rent and service charges negatively impacts a tenant, the Council will offer support and advice and where appropriate refer the tenant to an external organisation (with the tenant's permission) that can provide professional financial advice and support.</p> <p>The Council is developing a Vulnerable Tenant and Leasehold Policy which sets out how the Council will support identified vulnerable residents and make reasonable adjustments.</p>



Disability	Medium	Positive / Negative	<p>A tenant's disability does not affect the rent charged; however, it is acknowledged that some disabled residents may be deemed as vulnerable, and therefore require additional support and advice.</p> <p><u>Positive:</u> The same as highlighted in 'Age' characteristic.</p> <p><u>Negative:</u> The same as highlighted in 'Age' characteristic.</p>	The same as highlighted in 'Age' characteristic.
Gender	Low	Positive / Negative	<p><u>Positive:</u> The same as highlighted in 'Age' characteristic.</p> <p><u>Negative:</u> The same as highlighted in 'Age' characteristic.</p>	The same as highlighted in 'Age' characteristic.
Gender reassignment	Low	Positive / Negative	<p><u>Positive:</u> The same as highlighted in 'Age' characteristic.</p> <p><u>Negative:</u> The same as highlighted in 'Age' characteristic.</p>	The same as highlighted in 'Age' characteristic.

Marriage and Civil Partnership	Low	Positive / Negative	<p><u>Positive:</u> The same as highlighted in 'Age' characteristic.</p> <p><u>Negative:</u> The same as highlighted in 'Age' characteristic.</p>	The same as highlighted in 'Age' characteristic.
Pregnancy and Maternity	Medium	Positive / Negative	<p><u>Positive:</u> The same as highlighted in 'Age' characteristic.</p> <p><u>Negative:</u> The same as highlighted in 'Age' characteristic.</p> <p>If a tenant is pregnant or has recently had a child, they may have a reduced income due to maternity leave, or experience difficulties in making rent payments due to increase costs.</p>	The same as highlighted in 'Age' characteristic.
Race	Medium	Positive / Negative	<p><u>Positive:</u> The same as highlighted in 'Age' characteristic.</p> <p><u>Negative:</u> The same as highlighted in 'Age' characteristic.</p>	Where a tenant struggles with understanding English the Council will (where necessary) apply for documents to be translated or drafted in a format that makes it easier for the tenant to understand.

			<p>A tenant's race does not affect the rent charges; however, it is acknowledged that for some tenants whose first language is not English, they may find it difficult to understand content and messages informing them about changes to rent and service charges.</p>	<p>All content will be written in 'plain English' pertaining to changes in rent and service charges.</p> <p>Where a change in rent and service charges negatively impacts a tenant, the Council will offer support and advice and where appropriate refer the tenant to an external organisation (with the tenant's permission) that can provide professional financial advice and support.</p> <p>The Council is developing a Vulnerable Tenant and Leasehold Policy which sets out how the Council will support identified vulnerable residents and make reasonable adjustments.</p>
Religion, Belief or Lack of Belief	Low	Positive / Negative	<p><u>Positive:</u> The same as highlighted in 'Age' characteristic.</p> <p><u>Negative:</u> The same as highlighted in 'Age' characteristic.</p>	The same as highlighted in 'Age' characteristic.
Sexual Orientation	Low	Positive / Negative	<p><u>Positive:</u> The same as highlighted in 'Age' characteristic.</p>	The same as highlighted in 'Age' characteristic.

			<u>Negative:</u> The same as highlighted in 'Age' characteristic.	
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