



Equality Impact Assessment

First Homes Policy (2024)

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Document details

Title	First Homes Policy (2024)
Document type	Policy
Version submitted for decision	2.0
New or Existing document	Existing
If this is an existing document, is this a major or minor change?	Major changes due to new guidance released in February 2024 – Local Authority Guidance Notes.
Decision makers	Cabinet
Type of decision	Approval and adoption by the Council
Date of decision	1 July 2024

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

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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 Dover District Council (“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 making our services inclusive 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:

- Equality Act 2010
- Transparency, Influence and Accountability (including Tenant Satisfaction Measures) Standard
- Complaint Handling Code 2024 (Housing Ombudsman)

The following Council documents relate to this policy:

- Tenancy Management Policy
- Vulnerable Tenant Policy
- Disabled Adaptations Policy
- Complaints Policy

- Safeguarding Policy
- Equality Policy

3.0 Summary

3.1 Background

First Homes are a form of discounted market sale housing which meets the definition of affordable housing as defined by the Government via Homes England and the First Homes Planning Policy Guidance. First Homes was first introduced in May 2021, and was delivered via two phases; Phase 1 was a pilot scheme, and Phase 2 through the Early Delivery Programme 2021-2023 (“the EDP”). Through the EDP the Government aimed to deliver 1,500 First Homes.

In February 2024, the Government published the ‘Local Authority Guidance notes’ (“the Guidance”) which provided greater detail and information on the administrative and governance functions of local authorities as found during the EDP and feedback received.

The Council has an established First Homes Policy (2022) (“2022 version”) which was approved and adopted by Cabinet in 2022. The newly released Guidance has been used to inform the review of the 2022 version, and the changes have been incorporated into the proposed updated First Homes Policy (2024) (“2024 version”). An Equality Impact Assessment (EIA) was conducted for the 2022 version; this EIA serves as an update to that version, which considers the provisions and potential impacts as mentioned in the Guidance.

3.2 Eligibility for First Homes

The First Homes scheme has set eligibility criteria as set out below, referred to as ‘national eligibility criteria’. The Council can apply additional eligibility criteria to First Homes properties in the district provided there is a clear need for it, referred to as ‘local eligibility criteria’.

Table 1: National and Local Eligibility Criteria

National criteria	Local criteria
Only for first-time buyers.	No additional local criteria can be set.
Household income of no more than £80,000.	Can be set lower (but not higher) than the national cap.
Buyers must have a mortgage ‘home purchase plan’ covering at least 50% of the discounted purchase value.	No additional local criteria can be set.
There is no national local connection or key worker criteria.	Can set local connection and / or key worker criteria.

In addition to this, the Council can also define what it believes a ‘key worker’ to be.

Naturally, as the scheme has eligibility criteria, whether it is national or local, the Council will be required to assess and reject applications from applicants who do not meet the set criteria for the First Home property. Decisions to reject an application will solely be based on whether

the applicant(s) meet the set criteria, therefore, the decision may impact on any one of the protected characteristics.

3.3 First Homes Position Statement

The Council published its First Homes Position Statement (“the Statement”) in November 2021. Paragraph 9.3 of the Statement states

The discount rate for First Homes will be 30% and the national eligibility criteria will be applied until the adoption of the Local Plan 2040. This position statement will remain a material consideration until this time.

All applications therefore will need to meet the national eligibility criteria (Table 1) until the Local Plan 2040 is adopted. If a local connection criteria is applied in the future, then this document along with the Policy will need to be reviewed.

4.0 Information

4.1 Aim of the decision

The aim of this decision is for Cabinet to approve and adopt the updated First Homes Policy (2024) to replace the existing First Homes Policy (2022).

4.2 Aim of the policy

The aim of the Policy is to set out how the Council will administer and oversee the sale, resale and letting of First Homes properties in the Dover district, in compliance with the Local Authority Guidance Notes (“the Guidance Notes”) published in February 2024 and the Planning Policy Guidance (PPG).

The aims of the Policy are to:

1. Ensure that First Homes properties are sold in compliance with regulatory and legislative requirements.
2. Ensure that the Council meets its administrative and governance duties towards the delivery of the First Homes scheme.
3. Clearly define the Council’s position on eligibility and qualifying criteria for applicants.
4. Detail how applications can be made and what applicants can expect of the application process.
5. Help to encourage and support sustainable home ownership for residents within the district.

4.3 Intended outcome(s)

The intended outcomes of the policy would be:

1. First Homes are sold to eligible applicants who meet the scheme’s criteria.

2. Where applicable, First Homes are let in compliance with the Guidance Notes and the PPG.
3. The Council administers and oversees the First Homes scheme in the district compliantly.
4. The Council provides a consistent, fair, and efficient services to First Home stakeholders.
5. First Home stakeholders are clear on their responsibilities throughout the sale, resale and letting processes.

4.4 Consultations

Members from the following teams / departments were involved and consulted with during the development of the Policy:

- Strategic Housing
- Legal Team
- Data Protection
- Equality & Diversity
- Planning Team
- Accounts

4.5 Intended beneficiaries and stakeholders

The main beneficiaries of this Policy are:

- Council staff involved with First Homes
- First Homes stakeholders
 - Applicants and vendors
 - Developers
 - Estate agents
 - Mortgage advisors
 - Solicitors
- Residents of the Dover district
- DDC 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	Low	Negative	<p>The nature of the product means that applications must meet the set eligibility criteria, national or local, to purchase a First Homes property. This means that some applicants with protected characteristics may have their applications rejected on the basis of not meeting the eligibility criteria.</p> <p>Applicants who are first-time buyers and 55+ may find it difficult to obtain a mortgage of at least 50% as determined by a mortgagees own lending criteria and policies (i.e., minimum mortgage terms).</p>	<p>Decision to reject an application will be solely based on whether the applicant(s) meet the set eligibility criteria, and not a protected characteristic.</p> <p>The Policy, along with links to online guidance and information on our webpages, clearly state what the eligibility criteria is for the scheme.</p> <p>Adverts posted for First Homes properties will contain reference to the eligibility criteria.</p> <p>Where, as the scheme progresses, there is shown to be a demonstrable impact to older and / or disabled persons, the Council will review and consider funding for specialist schemes, such as Housing for People with Long-term Disabilities (HOLD) and Older Persons Shared Ownership (OPSO), referring to the Council's Local Plan and Housing Needs assessments.</p>

Disability	Low	Negative	<p>The nature of the product means that applications must meet the set eligibility criteria, national or local, to purchase a First Homes property. This means that some applicants with protected characteristics may have their applications rejected on the basis of not meeting the eligibility criteria.</p> <p>The First Homes scheme delivers 'general needs' types properties, and does not deliver properties that have been adapted for disabilities. Therefore, this may mean that First Homes properties may not be suitable for many eligible disabled applicants.</p>	<p>Decision to reject an application will be solely based on whether the applicant(s) meet the set eligibility criteria, and not a protected characteristic.</p> <p>The Policy, along with links to online guidance and information on our webpages, clearly state what the eligibility criteria is for the scheme.</p> <p>Adverts posted for First Homes properties will contain reference to the eligibility criteria.</p> <p>Where, as the scheme progresses, there is shown to be a demonstrable impact to older and / or disabled persons, the Council will review and consider funding for specialist schemes, such as Housing for People with Long-term Disabilities (HOLD) and Older Persons Shared Ownership (OPSO), referring to the Council's Local Plan and Housing Needs assessments.</p>
Gender	Low	Neutral	<p>The nature of the product means that applications must meet the set eligibility criteria, national or local, to purchase a First Homes property. This means that some applicants with protected characteristics may have their applications rejected on the basis of not meeting the eligibility criteria.</p>	<p>Decision to reject an application will be solely based on whether the applicant(s) meet the set eligibility criteria, and not a protected characteristic.</p> <p>The Policy, along with links to online guidance and information on our webpages, clearly state what the eligibility criteria is for the scheme.</p>

				Adverts posted for First Homes properties will contain reference to the eligibility criteria.
Gender reassignment	Low	Neutral	The nature of the product means that applications must meet the set eligibility criteria, national or local, to purchase a First Homes property. This means that some applicants with protected characteristics may have their applications rejected on the basis of not meeting the eligibility criteria.	<p>Decision to reject an application will be solely based on whether the applicant(s) meet the set eligibility criteria, and not a protected characteristic.</p> <p>The Policy, along with links to online guidance and information on our webpages, clearly state what the eligibility criteria is for the scheme.</p> <p>Adverts posted for First Homes properties will contain reference to the eligibility criteria.</p>
Marriage and Civil Partnership	Low	Neutral	The nature of the product means that applications must meet the set eligibility criteria, national or local, to purchase a First Homes property. This means that some applicants with protected characteristics may have their applications rejected on the basis of not meeting the eligibility criteria.	<p>Decision to reject an application will be solely based on whether the applicant(s) meet the set eligibility criteria, and not a protected characteristic.</p> <p>The Policy, along with links to online guidance and information on our webpages, clearly state what the eligibility criteria is for the scheme.</p> <p>Adverts posted for First Homes properties will contain reference to the eligibility criteria.</p>
Pregnancy and Maternity	Low	Neutral	The nature of the product means that applications must meet the set eligibility	Decision to reject an application will be solely based on whether the applicant(s)

			<p>criteria, national or local, to purchase a First Homes property. This means that some applicants with protected characteristics may have their applications rejected on the basis of not meeting the eligibility criteria.</p>	<p>meet the set eligibility criteria, and not a protected characteristic.</p> <p>The Policy, along with links to online guidance and information on our webpages, clearly state what the eligibility criteria is for the scheme.</p> <p>Adverts posted for First Homes properties will contain reference to the eligibility criteria.</p>
Race	Low	Neutral	<p>The nature of the product means that applications must meet the set eligibility criteria, national or local, to purchase a First Homes property. This means that some applicants with protected characteristics may have their applications rejected on the basis of not meeting the eligibility criteria.</p>	<p>Decision to reject an application will be solely based on whether the applicant(s) meet the set eligibility criteria, and not a protected characteristic.</p> <p>The Policy, along with links to online guidance and information on our webpages, clearly state what the eligibility criteria is for the scheme.</p> <p>Adverts posted for First Homes properties will contain reference to the eligibility criteria.</p>
Religion, Belief or Lack of Belief	Low	Neutral	<p>The nature of the product means that applications must meet the set eligibility criteria, national or local, to purchase a First Homes property. This means that some applicants with protected characteristics may have their applications rejected on the basis of not meeting the eligibility criteria.</p>	<p>Decision to reject an application will be solely based on whether the applicant(s) meet the set eligibility criteria, and not a protected characteristic.</p> <p>The Policy, along with links to online guidance and information on our webpages, clearly state what the eligibility criteria is for the scheme.</p>

				Adverts posted for First Homes properties will contain reference to the eligibility criteria.
Sexual Orientation	Low	Neutral	The nature of the product means that applications must meet the set eligibility criteria, national or local, to purchase a First Homes property. This means that some applicants with protected characteristics may have their applications rejected on the basis of not meeting the eligibility criteria.	<p>Decision to reject an application will be solely based on whether the applicant(s) meet the set eligibility criteria, and not a protected characteristic.</p> <p>The Policy, along with links to online guidance and information on our webpages, clearly state what the eligibility criteria is for the scheme.</p> <p>Adverts posted for First Homes properties will contain reference to the eligibility criteria.</p>