



Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for	Somerset Council		
Version	1.0	Date Completed	11/11/2022

Description of what is being impact assessed

The council has the ability to end the main housing duty (Section 193(2)) with a suitable offer of privately rented accommodation as opposed to an offer of social housing. This offer is referred to as a Private Rented Sector Offer. The council must have a policy in place to use this power and it is this policy that we are impact assessing.

Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012 concerns the suitability of privately rented accommodation offered to certain applicants who are homeless or threatened with homelessness. Private rented sector accommodation must meet the requirements of Article 3 if it is to be considered suitable when offered to bring to an end the section 193(2) main housing duty (section 193(7F)).

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

The policy will affect all households in Somerset that are owed the main housing duty (Section 193(2)). In the year 2021/2022 there were 328 households that were owed a main housing duty in Somerset (NOTE: this does not include residents from Somerset West and Taunton who did not provide accurate data for all four quarters in 2021/2022). If we include an estimate for the Somerset West and Taunton, the total number of people that could have been affected by this policy is around 500 per year. However, in 2021/2022, there were only 14 households across Somerset that had the main duty ended through a Private Rented Sector Offer, this is approximately 3% of all cases. In all 14 cases the households accepted the offer and this ended the main housing duty towards the applicant.

The main reason why Private Rented Sector Offers were not used more frequently in Somerset over the period 2021/2022 is because it has become increasingly difficult to find a suitable and affordable option in the private rented sector. This is mostly due to the gap between rents and the Local Housing Allowance rates within Somerset.

We know that there are some key differences between social rented accommodation and private rented accommodation, namely:

- 1) Private rented accommodation is more expensive
- 2) Social housing is typically seen as a more secure and longer-term tenancy

Therefore applicants that become homeless tend to want social housing tenancies and not tenancies in the private rented sector. However when the Council accept a main housing duty (Section 193(2)) to an applicant, this duty is ended through an offer of a settled home. This settled home can be in the Private Rented Sector so long as it meets the suitability requirements.

An applicant can remain on the social housing register following an acceptance or refusal of a Private Rented Sector Offer.

We do have some other data sources which can help inform us on how this policy might impact on protected groups, although this data set includes all people that are homeless or at risk of homelessness (a broader group) as opposed to those that are owed the main housing duty.

The [Homelessness Case Level Information Collection \(H-CLIC\)](#) contains the core questions to be used in the monitoring of statutory homelessness by local authorities in England following commencement of the Homelessness Reduction Act 2017. This data is collected by local housing authorities in relation to households that are homeless or at risk of homelessness. The data for Somerset is broken down into the four district council areas and the latest data is for the year April 2021 until March 2022. H-CLIC data includes the following:

- Age of main applicant (68% of all people that were homeless or at risk of homelessness in Somerset were under 44 years of age)
- Ethnicity of main applicant (in 2021/2022, 93% of people that are homeless or at risk of homelessness identified as White, 1% as Asian / British, 1% as Black/African/ Caribbean/Black British, 1% as mixed/multiple ethnic and 4% as Other/Not known)
- 13% of homeless applicants are female single parents while 3% are male single parents. 50% are single males without dependent children and 23% are single females without dependent children. 4% are couples with dependent children and 7% are couples without dependent children.
- Of the main applicants that were homeless or at risk of homelessness in Somerset in 2021/2022, 76% identified as heterosexual/straight, 1% as homosexual (gay/lesbian), 2% as Other and 20% as other.
- Of the main applicants that were homeless or at risk of homelessness in Somerset in 2021/2022, 20% identified as Full time working, 13% as part time working, 1% as training, 22% as registered unemployed, 2% as not registered but seeing work, 13% not seeking work/at home and 16% as not working due to long term illness/disability, 5% as retired, 6% as other and 2% as not known.

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

In undertaking the assessment, the following people/organisations have been consulted:

- Mendip District Council Private Sector Housing team and Housing Options Team
- Sedgemoor District Council Private Sector Housing team and Housing Options Team
- Somerset West and Taunton Private Sector Housing team and Housing Options Team
- South Somerset District Council Private Sector Housing team and Housing Options Team
- Somerset County Council Equalities team

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<p>Homelessness Case Level Information Collection (H-CLIC) data shows us that 68% of all people that were homeless or at risk of homelessness in Somerset were under 44 years of age.</p> <p>We do not have any data or evidence to suggest that this policy would negatively affect applicants due to their age.</p>	□	⊗	□
Disability	<p>Of the main applicants that were homeless or at risk of homelessness in Somerset in 2021/2022, 20% identified as Full time working, 13% as part time working, 1% as training, 22% as registered unemployed, 2% as not registered but seeing work, 13% not seeking work/at home and 16% as not working due to long term illness/disability, 5% as retired, 6% as other and 2% as not known.</p>	⊗	□	⊗

	<p>This policy does not exclude any groups from being offered a Private Rented Sector Offer, however it is accepted that for some cases it is more realistic to find suitable accommodation within the social housing sector. For example, there are some situations where the physical characteristics of a potential home are not suitable for somebody with a particular disability. Major adaptations may be required to make the potential offer of accommodation suitable and may delay the offer. It is more likely that major adaptations can be completed on a social rented property than a privately rented property as any adaptations require the permission from the landlord.</p> <p>However, the existing Homelessness legislation would prevent the Council from making an unsuitable accommodation offer (Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p> <p>Where a suitable Private Rented Sector Offer was made to an applicant with long term illness or disability, appropriate signposting/referrals are made to appropriate organisations to provide support e.g. Adult social care.</p>			
<p>Gender reassignment</p>	<p>We do not have any data or evidence to suggest that this policy would negatively affect applicants that are transexual or have undergone gender reassignment.</p>	<p>□</p>	<p>⊗</p>	<p>□</p>
<p>Marriage and civil partnership</p>	<p>We do not have any data or evidence to suggest that this policy would negatively affect applicants that are married or in a civil partnership.</p>	<p>□</p>	<p>⊗</p>	<p>□</p>
<p>Pregnancy and maternity</p>	<p>We do not have any data or evidence to suggest that this policy would negatively affect applicants that are pregnant or in the maternity period</p>	<p>□</p>	<p>⊗</p>	<p>□</p>

<p>Race and ethnicity</p>	<p>Homelessness Case Level Information Collection (H-CLIC) data shows us that in 2021/2022, 93% of people that are homeless or at risk of homelessness identified as White, 1% as Asian / British, 1% as Black/African/ Caribbean/Black British, 1% as mixed/multiple ethnic and 4% as Other/Not known.</p> <p>Asian, Black and other ethnically diverse people are more likely to experience poorer outcomes than those that identify as white. Data shows us that people from the BAME group are more likely to be in poverty, less likely to be homeowners, have lower weekly incomes, more likely to experience homelessness, more likely to be affected by unemployment etc.</p> <p>We do not have any data on what language is spoken by applicants. However, where applicants do not have English as a first language, it is important that decision notifications offered in a variety of formats and languages. This will be especially important where a Private Rented Sector Offer is being made and the applicant needs to carefully weigh up the consequences of accepting or refusing such an offer.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Religion or belief</p>	<p>We do not have any data or evidence to suggest that this policy would negatively affect applicants in respect of religion or belief.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Sex</p>	<p>We do not have any data or evidence to suggest that this policy would negatively affect applicants that are married or in a civil partnership.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Sexual orientation</p>	<p>We do not have any data or evidence to suggest that this policy would negatively affect applicants based on their sexual orientation.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	We do not have any data or evidence to suggest that this policy would negatively affect applicants for any other reason.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
---	--	--------------------------	--------------------------	--------------------------

Negative outcomes action plan
 Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
The Private Rented Sector Offer Policy should be available to download online but should also be accessible in a paper format to those that do not have access to the internet or do not have the relevant IT skills.	01/04/2023	Peter McGuire – Strategic Housing Manager	The PRSO policy will be uploaded to the new Somerset Council website.	<input type="checkbox"/>
Information and advice for applicants should be available in a range of accessible formats where appropriate and on request.	01/04/2023	Case officers	Case file reviews	<input type="checkbox"/>
All offers to end the main housing duty must be suitable for the applicant. This policy does not exclude any groups from being offered a Private Rented Sector Offer, however it is accepted that for some cases it is more realistic to find suitable accommodation within the social housing sector. For example, where adaptations are required to make accommodation suitable for somebody needing disabled access, a judgement will be made on whether a Private Rented Sector Offer is the appropriate response. The policy has been amended to reflect this (see 2.3).	01/04/2023	Case officers	In making offers to applicants, officers need to complete the PRSO checklist to ensure suitability requirements have been met. This will be monitored	<input type="checkbox"/>

			through case file reviews, complaints and statutory reviews.	
--	--	--	--	--

If negative impacts remain, please provide an explanation below.

N/A

Completed by:	Peter McGuire (Strategic Housing Manager – Mendip District Council)
Date	23/11/2022
Signed off by:	Jai Vick, Head of Housing Services, Mendip District Council
Date	09/12/2022
Equality Lead/Manager sign off date:	Public Health Promotion Manager – Equalities - 09/12/2022
To be reviewed by: (officer name)	Peter McGuire, Strategic Housing Manager, Mendip District Council
Review date:	01/04/2024