

**Devon Home Choice**  
**FINAL Equality Impact Assessment – May 2016**

**1 Introduction**

1.1 The aims of this Equality Impact Assessment are to:

- Ensure that Devon Home Choice policy or practice does not unlawfully discriminate
- Identify any adverse impacts of policy or practice upon particular groups
- Consider how Devon Home Choice policy or practice could better advance equality of opportunity

1.2 This assessment follows the initial Equality Impact Assessment previously undertaken in 2010.

1.3 Further updates will be undertaken as part of the annual policy review process.

**2 The Equality Act and the public sector equality duty**

2.1 The Equality Act 2010 brought together and replaced the previous anti-discrimination laws with a single Act. The majority of the Act came into force on 1 October 2010. The Act includes a public sector equality duty (the 'general duty'). This came into force on 5 April 2011.

2.2 The aim of the general duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. The duty ensures that equality considerations are built into the design of policies and the delivery of services and that they are kept under review.

2.3 Public bodies are required to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act
- Advance equality of opportunity between people who share a relevant protected characteristic<sup>1</sup> and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

**3 Devon Home Choice**

3.1 The aims of Devon Home Choice are to:

- Provide choice for people seeking housing and the ability to move within Devon

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<sup>1</sup> The general duty covers the following protected characteristics: Age, Disability, Gender reassignment, Pregnancy and maternity, Race (including ethnicity, nationality or colour), Religion or belief, Sex and Sexual orientation

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- Develop a common scheme across Devon that is transparent, easy to understand and accessible to all

**3.2 Devon Home Choice operates as follows:**

- People who are seeking a council or housing association home complete an application form to join the Devon Home Choice register
- The application is then assessed and placed in a particular band dependent on their circumstances and housing need
- Each week council and housing association homes available to let in Devon will be advertised
- People on the Devon Home Choice register are able view all the homes being advertised and bid for up to 3 homes each week that they feel suit their needs
- Homes are offered to the person/ household who is eligible for the property with the highest priority band, who has been in that band the longest

**4 Approach taken to this equality impact assessment**

4.1 This assessment will consider each of the protected characteristics in turn.

4.2 An initial draft report will be presented to the Devon Home Choice Operational Group and the Management Board. Comments will be invited on the draft report and the extent of any further work that is required.

**5 Protected characteristic: Age**

5.1 Table 1 shows that for nearly half (45%) of the households registered with Devon Home Choice, the oldest person is between 25 and 44 years old. In 29% of households the oldest person is between 45 and 64 years old, whereas there are smaller proportions for those over 65 (14%) or between 16 and 24 (12%).

5.2 The most significant differences with the age profile across Devon from the 2011 Census is the much higher proportion 25 to 44 year olds registered with Devon Home Choice, and the lower proportion of over 65 year olds.

5.3 It is suggested that these differences are due to the fact that people in the 25 to 44 year old are more likely to be seeking a home (e.g. moving from the parental home, new couples seeking a home, single people whose relationship has ended, having a new/ additional child etc.), than those over 65 who are more likely to have settled accommodation and are not seeking to move.

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**Table 1: Age of the oldest household member (Active applications as at 25 April 16)**

Age Group	No.	%	2011 Census	
			No.	%
16 - 24	3,870	12%	131,423	14%
25 - 44	14,823	45%	259,290	27%
45 - 64	9,545	29%	312,309	33%
65+	4,728	14%	240,995	26%
<b>Total</b>	<b>32,966</b>	<b>100%</b>	<b>944,017</b>	<b>100%</b>

- 5.4 The Devon Home Choice policy makes clear that anyone over 16 years of age who is eligible may apply.
- 5.5 Households who apply to join the Devon Home Choice register are treated equally, and assessed in line with the policy without reference to age.
- 5.6 The only specific provisions in the Devon Home Choice policy related to age and the assessment of applications are that:
- Households with 2 children lacking a bedroom, who would otherwise normally be assessed as lacking 1 bedroom, are considered to be severely overcrowded: Band B
  - Households with children under 8 who are living above the third floor: Band C
- 5.7 However there are other categories that will address the needs of particular age groups. For example:
- Health and wellbeing (all age groups): Bands A - D
  - Move-on from supported accommodation (all age groups): Band B
  - Underoccupying tenants (older age groups): Band B
  - Moves for work (working age households): Band C
  - Shared facilities (all age groups but includes those people living with their parents): Band D
- 5.8 Older people who require support to live independently can use Devon Home Choice to bid for suitable accommodation to meet their needs
- 5.9 In order to ensure that people of all ages can register with, and participate in Devon Home Choice the following measures are in place:
- Information is available in a range of different formats on request
  - Newsletters are sent to applicants identified as vulnerable, who are in one of the high priority groups and who cannot otherwise access information about available homes. The newsletter can be produced in large font for those who need it

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- An advocate (for example family, friend or support agency) can complete the application form and bid for homes on behalf of a vulnerable person. If an applicant does not have an advocate and can't bid themselves automatic bids can be placed on their behalf.
- The Devon Home Choice website is W3C AA compliant, and meets current accessibility standards.

**6 Protected characteristic: Disability**

- 6.1 In over a third (37%) of households registered with Devon Home Choice the main applicant indicated on their application that they have a disability. It should be noted that the proportion of households that include at least one person with a disability will be higher than this due to joint applicants and other household members (e.g. children) with a disability.
- 6.2 Of those households where the main applicant indicated that they have a disability, the most common disabilities were:
- Physical disability: 24%
  - Mental illness: 19%
  - Other: 13%
  - Mental illness and Physical disability: 9%
- 6.3 In a significant proportion (38%) of households the main applicant indicated that they have more than one disability.
- 6.4 The 2011 Census data for Devon reveals that 27% of all households in the county included at least one person with a long-term health problem or disability.
- 6.5 The proportion of households registered with Devon Home Choice who have a disability is therefore significantly higher than for the population in the county as a whole. This is not unsurprising given that for many people, their disability may affect their housing need and the ability to find alternatives to social housing.
- 6.6 The health and wellbeing element of the Devon Home Choice policy seeks to address some of the specific needs of people with disabilities, whose health and wellbeing is being adversely affected by their current accommodation.
- 6.7 In order to ensure that people with disabilities can register with, and participate in Devon Home Choice the following measures are in place:
- Information is available in a range of different formats on request
  - Newsletters are sent to applicants identified as vulnerable, who are in one of the high priority groups and who cannot otherwise access information about available homes. The newsletter can be produced in large font for those who need it

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- An advocate (for example family, friend or support agency) can complete the application form and bid for homes on behalf of a vulnerable person. If an applicant does not have an advocate and can't bid themselves automatic bids can be placed on their behalf.
- The Devon Home Choice website is W3C AA compliant, and meets current accessibility standards.

**7 Protected characteristic: Gender reassignment**

- 7.1 36 households registered with Devon Home Choice include a main applicant who described themselves as transgender on their application (0.1% of all applications). Following the 2015 policy review it has been agreed that Transgender will be changed to 'Other' on the application form (e.g. so the gender question becomes 'Female, Male or Other').
- 7.2 However the 'Lesbian, Gay, Bisexual and Transgender (LGB&T) Health Needs Assessment' published by Public Health Devon in 2014 states that this is likely to be an underestimate. Some people may be unwilling to identify themselves as transgender on their application.
- 7.3 There is no specific reference to transgender people in the Devon Home Choice policy. However if transgender people experience harassment or violence from neighbours their application will be considered as other applicants in this situation. For example, their application could be assessed as Band A to escape violence, Band B if it is accepted that it is unreasonable for the applicant to continue living there and they are assessed to be homeless and in priority need (and that private rented accommodation is not appropriate) etc. Any assessment would be determined on a case-by-case basis.

**8 Protected characteristic: Pregnancy and maternity**

- 8.1 In over 1,200 (4%) of households registered with Devon Home Choice the main applicant indicated on their application that they were pregnant. There will also be a number of applications where the joint applicant or another household member is pregnant.
- 8.2 Time-related medical conditions (such as pregnancy-related conditions) are explicitly excluded from the health and wellbeing framework. However the health and wellbeing element of the policy would be applied to those households with new babies with specific needs (e.g. they need to be on the ground floor, have an extra bedroom due to the equipment they need etc.).
- 8.3 The Devon Home Choice IT system will automatically assign an extra bedspace if someone within a household is pregnant. In addition the local authority managing the application will also assess whether the size of home an applicant needs should be increased because they are pregnant. For example, a single person who is pregnant will have the size of home they need manually increased from a 1 bed to a 2 bedroom home. This assessment is done manually as it depends on the number, sex and gender of any other children (e.g. a couple with 3 children under 16 who are expecting a 4<sup>th</sup> child will not have their bedroom need increased)

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**9 Protected characteristic: Race (including ethnicity, nationality or colour)**

9.1 Table 2 below shows the proportion of the Devon Home Choice register and lets made in 2015/16 (data taken from the Devon Home Choice Monitoring report April 2016), together with the profile of the county population from the 2011 Census.

**Table 2: Devon Home Choice register and homes lets in 2015/16 by ethnicity of the main applicant compared with the 2011 Census results for Devon**

	<b>Devon Home Choice Register</b>	<b>2011 Census</b>	<b>Lets 2015/16</b>
<b>Asian/ Asian British</b>	<b>0.9%</b>	<b>0.8%</b>	<b>0.5%</b>
Bangladeshi	0.2%	0.1%	0.1%
Indian	0.2%	0.3%	0.1%
Other	0.4%	0.4%	0.3%
Pakistani	0.0%	0.0%	0.0%
<b>Black/ Black British</b>	<b>0.7%</b>	<b>0.3%</b>	<b>0.9%</b>
African	0.4%	0.2%	0.6%
Caribbean	0.1%	0.1%	0.2%
Other	0.1%	0.0%	0.1%
<b>Chinese</b>	<b>0.1%</b>	<b>0.4%</b>	<b>0.1%</b>
<b>Mixed</b>	<b>0.7%</b>	<b>0.9%</b>	<b>0.9%</b>
White & Black African	0.2%	0.1%	0.4%
White & Black Asian	0.1%	0.3%	0.1%
White & Black Caribbean	0.3%	0.3%	0.3%
White & Black Other	0.1%	0.2%	0.1%
<b>Other</b>	<b>0.8%</b>	<b>0.2%</b>	<b>0.6%</b>
<b>Prefer not to say</b>	<b>1.7%</b>	<b>n/a</b>	<b>1.8%</b>
<b>White</b>	<b>95.2%</b>	<b>97.3%</b>	<b>95.2%</b>
British	91.2%	94.5%	90.9%
Gypsy or Irish Traveller	0.0%	0.1%	0.0%
Irish	0.3%	0.4%	0.4%
Other	3.6%	2.3%	3.9%
<b>Not specified</b>	<b>0.0%</b>	<b>n/a</b>	<b>0.0%</b>

9.2 The table shows broad consistency between the profile of households registered with Devon Home Choice, homes let and the 2011 Census results. The largest difference is the lower proportion of white British households registered on Devon Home Choice and let homes in 2015/16 compared to the profile of the county population from the 2011 Census. However these differences may be partly

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explained by some applicants selecting the ‘Prefer not to say’ option on the Devon Home Choice application.

- 9.3 Similarly, Table 3 below shows a similar profile of the nationality of main applicants registered with Devon Home Choice, compared to the county as a whole. The only difference is the lower proportion of households registered with Devon Home Choice where the main applicant indicated that they were not a British or EU national. However this could again be explained by the number of households where an answer is not recorded on Devon Home Choice for this question.

**Table 3: Nationality of the main applicant compared with the 2011 Census results**

	<b>Devon Home Choice</b>	<b>2011 Census</b>
British/UK National	94%	94%
European National	3%	3%
Other	1%	3%
Not specified	1%	n/a

- 9.4 Certain people from abroad with limited rights to remain in the United Kingdom are not eligible to join the Devon Home Choice register. Local authorities therefore conduct an initial assessment of applications to assess whether they are eligible<sup>2</sup>.
- 9.5 All households who are assessed to be eligible to apply to Devon Home Choice have their application assessed in exactly the same way, regardless of race or nationality.
- 9.6 In order to ensure that people of different races and nationalities can register with, and participate in Devon Home Choice the following measures are in place:
- Information is available in a range of different formats on request. Local authorities can provide translation and interpretation services
  - The Devon Home Choice website can easily be translated into over 100 different languages using Google translate.
  - People can bid for homes using a multi-language automated telephone service. This uses a standard script which is available in 19 languages
  - An advocate (for example family, friend or support agency) can complete the application form and bid for homes on behalf of a vulnerable person. If an applicant does not have an advocate and can't bid themselves automatic bids can be placed on their behalf.

**10 Protected characteristic: Religion**

- 10.1 Table 4 below reveals a much lower proportion of households registered with Devon Home Choice where the main applicant gave their religion as Christian compared to the 2011 Census results for the county. However, as above, this may be affected to a large extent by the number of Devon Home Choice applications

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<sup>2</sup> Torbay Council also apply a local connection qualification for applications they manage – please see the Devon Home Choice policy for more information

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where this information is missing or applicants have selected the ‘Prefer not to say’ option, as this accounts for a third of all Devon Home Choice applications.

- 10.2 Devon Home Choice, both the policy and day-to-day practice is considered to be neutral to faith groups.

**Table 4: Religion of the main applicant compared with the 2011 Census results**

	<b>Devon Home Choice</b>	<b>2011 Census</b>
Christian	32%	61%
None	32%	29%
Not specified/ Prefer not to say	32%	8%
Other	2%	1%
Muslim	1%	1%
Buddhist	0%	0%
Hindu	0%	0%
Jewish	0%	0%
Sikh	0%	0%

**11 Protected characteristic: Sex or Sexual orientation**

- 11.1 Women are the main applicant in 61% of households registered with Devon Home Choice. It should be noted however that for couples or families the choice of main applicant may often be a random one depending on who is completing the application.
- 11.2 It is worth noting that over three quarters of households with a male main applicant are made up of single males or childless couples. There is a significant difference for households with a female main applicant, where the majority (59%) include at least 1 child.
- 11.3 The Devon Home Choice policy is generally considered to be gender neutral. However there may have a negative impact on men who have children from a previous relationship who regularly stay with them. The Devon Home Choice policy previously sought to minimise this impact by providing such applicants with some additional priority and placed their applications in Band D. However, this category was removed from the policy in 2012 following a policy review.
- 11.4 Table 5 shows the Sexual orientation of the main applicant compared with the estimate from the ‘Lesbian, Gay, Bisexual and Transgender (LGB&T) Health Needs Assessment’ published by Public Health Devon in 2014. As above, there is a far higher proportion of households where this information has not been provided or the applicant has selected the ‘Prefer not to say’ option. Indeed the LGB&T health needs assessment states that sexual orientation is under-reported on Devon Home Choice.

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**Table 5: Sexual orientation of the main applicant compared with the estimate from the ‘Lesbian, Gay, Bisexual and Transgender (LGB&T) Health Needs Assessment’ published by Public Health Devon in 2014**

	<b>Devon Home Choice</b>	<b>Public Health Devon 2014</b>
Bisexual	1%	0%
Gay man	1%	1%
Gay woman/lesbian	1%	0%
Heterosexual/straight	68%	94%
Other	1%	0%
Not specified/ Prefer not to say	29%	4%

- 11.5 As for transgender people above, there is no specific reference to sex or sexual orientation in the Devon Home Choice policy. However if people experience harassment or violence from neighbours as a result of their sexual orientation their application will be considered as other applicants in this situation. Any assessment would be determined on a case-by-case by basis.
- 11.6 Similarly, same-sex partners who are fleeing domestic violence will be assessed in the same way as someone fleeing domestic violence from a heterosexual couple.

## **12 Conclusion**

- 12.1 This Equalities Impact Assessment Update was approved by the Devon Home Choice Management Board at their meeting on 13 May 2016