

# AGENDA



## CABINET

**MONDAY, 8 APRIL 2013**

**11.00 AM**

**COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL,  
GRANTHAM**

Beverly Agass, Chief Executive

**MEMBERS:** Councillor Mrs. Linda Neal (Leader/Portfolio: Policy, Strategy and Strategic Partnerships), Councillor Paul Carpenter (Deputy Leader & Portfolio: Governance & Communication), Councillor Mrs Frances Cartwright (Portfolio: Grow the Economy and Economic Development), Councillor John Smith (Portfolio: Green, Healthy and Arts), Councillor Mike Taylor (Portfolio: Strategic Resources - Well Run Council) and Councillor Teri Bryant (Portfolio: Good Housing)

Committee Support Officer: Lucy Bonshor 01476 40 61 20  
e-mail: [l.bonshor@southkesteven.gov.uk](mailto:l.bonshor@southkesteven.gov.uk)

**Members of the public are entitled to attend the meeting of the Cabinet at which key decisions will be taken on the issues listed on the following pages. Key decisions are marked \*.**

### 1. APOLOGIES

**2. MINUTES**

**3. DISCLOSURE OF INTERESTS (IF ANY)**

**4. \*TENANCY POLICY**

Report H&N0113 by the Head of Housing and Neighbourhoods.

**(Enclosure)**

**5. MATTERS REFERRED TO CABINET BY THE COUNCIL, SCRUTINY COMMITTEE OR THE POLICY DEVELOPMENT GROUPS**

**6. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.**

**7. REPRESENTATIONS RECEIVED FROM NON CABINET MEMBERS**

**8. ANY OTHER BUSINESS WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT**



**MEETING OF THE CABINET**  
**4 MARCH 2013 - 11.03 AM – 11.15 AM**

**PRESENT:**

**Councillor Paul Carpenter**  
**Councillor Mrs Frances Cartwright**  
**Councillor John Smith**

**Councillor Mrs. Linda Neal - Chairman**

**Chief Executive (Beverly Agass)**  
**Strategic Director Community & Environment (Tracey Blackwell)**  
**Head of Housing and Neighbourhoods (Ian Richardson)**  
**Head of Finance (Richard Wyles)**  
**Head of Legal and Democratic Services/Monitoring Officer (Lucy Youles)**  
**Housing Options Team Leader – Housing Solutions (May Read)**  
**Cabinet Support Officer (Lucy Bonshor)**  
**Administrative Assistant (Alex Jarvis)**

**CO47. APOLOGIES**

Apologies for absence were received from Councillor Teri Bryant and Councillor Mike Taylor.

**CO48. MINUTES OF THE MEETING HELD ON 18 FEBRUARY 2013**

The decisions from the meeting held on 18th February were agreed as a correct record of the decisions taken.

CO49. DISCLOSURE OF INTERESTS (IF ANY)

None disclosed.

CO50. HOUSING STRATEGY

**Decision:**

**Cabinet notes the contents of the consultation and approves the Housing Strategy content as appended to report HNS01/13 subject to the wording for the amendment required to page 10 being approved by the Portfolio Holder for Good Housing.**

Considerations/reason for decision:

- 1) Report HNS01/13 from the Head of Housing and Neighbourhoods.
- 2) Widespread consultations carried out with customers, councillors, stakeholders, representatives from partner agencies, including Registered Providers and developers, support providers, police, tenants, private landlords, the Community Focus Forum and the Communities PDG.
- 3) The focus of the consultation on the strategy was the strategic priorities which would shape the housing agenda in the district over the life of the strategy.
- 4) S. 8 of the Housing Act 1985 requires that every local housing authority consider housing conditions in their district and the needs of the district with respect to the provision of further housing accommodation.
- 5) The provision of a Housing Strategy is a statutory requirement in accordance with s.87 of the Local Government Act 2003.
- 6) Comments made by the Head of Housing and Neighbourhoods about the required amendment.
- 7) Comments made by Members at the meeting.

Other options considered:

None: it is a requirement that the Council has a strategy to identify and meet the housing needs of the district.

CO51. ALLOCATIONS POLICY

**Decision:**

**That Cabinet notes the outcomes to date of the consultation process and approves the revised allocations policy.**

Considerations/reasons for decision:

- 1) Report HNS02/13 from the Head of Housing and Neighbourhoods.
- 2) Widespread consultations carried out with customers, councillors, stakeholders, representatives from partner agencies, including Registered Providers and developers, support providers, police, tenants, private landlords, the Community Focus Forum and the

- Communities PDG.
- 3) The proposed policy moves away from a point's scheme to a banding scheme which was more transparent and fair.
  - 4) The Housing Act 1996 requires that every authority shall have a scheme for determining priorities and the procedures to be followed in allocating housing accommodation.
  - 5) Comments made by Cabinet Members at the meeting.

Other options considered:

None: It is a legal requirement that the Council has a policy for the allocation of its housing. Retaining the points scheme or moving, as recommended, to a banding scheme are the only options to have been considered.

DATE DECISIONS EFFECTIVE:

Decisions CO50 and CO51 as made on 4th March 2013 can be implemented by Wednesday 13th March 2013, unless subject to call-in by the Scrutiny Committee Chairman or any five members of the Council from any political group.

**South Kesteven District Council, Council Offices, St. Peter's Hill, Grantham,  
Lincolnshire NG31 6PZ**

**Contact: Cabinet Support Officer - Lucy Bonshor Tel: 01476 40 61 20  
e-mail:l.bonshor@southkesteven.gov.uk**

## REPORT TO CABINET

**REPORT OF:** Head of Housing & Neighbourhoods

**REPORT NO:** H&N0113

**DATE:** 8<sup>th</sup> April 2013

<b>TITLE:</b>	Tenancy Policy	
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	Key Decision	
<b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>	Councillor Teri Bryant Good Housing for All	
<b>CONTACT OFFICER:</b>	Ian Richardson, Head of Housing & Neighbourhoods Tel: 01476 406063. E-mail – <a href="mailto:ian.richardson@southkesteven.gov.uk">ian.richardson@southkesteven.gov.uk</a>	
<b>INITIAL IMPACT ANALYSIS:</b>  Equality and Diversity	Carried out and Referred to in paragraph (7) below	Full impact assessment Required: No
<b>FREEDOM OF INFORMATION ACT:</b>	This report is publicly available via the Your Council and Democracy link on the Council's website: <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a>	
<b>BACKGROUND PAPERS</b>	None	

## **1. RECOMMENDATIONS**

- 1.1 Cabinet is recommended to agree the Tenancy Policy, as appended to this report.

## **2. PURPOSE OF THE REPORT**

- 2.1 To inform the Cabinet of work undertaken to develop the draft SKDC Tenancy Policy and to seek approval of the policy.

## **3. DETAILS OF REPORT**

### **3.1 Background Information / Synopsis**

The Government has introduced wide ranging reforms to social housing legislation, regulation and policy. The reforms require significant change in the way social housing is developed, let and managed.

The Government's revised tenancy standard sets out that all providers of social housing must publish a clear and accessible Tenancy Policy which outlines the landlord's approach to tenancy management

Feedback received during discussions with Communities PDG, the Community Focus Forum and a stakeholder consultation event has been considered during the drafting of the attached Tenancy Policy. The policy, as drafted, reflects Cabinet's position in earlier agreeing the Tenancy Strategy and the consultation feedback which informed that decision: the Tenancy Policy of SKDC does not incorporate the use of 'flexible tenure', retaining instead the use of secure 'lifetime' tenancies.

The central consideration during consultation was whether or not SKDC should adopt flexible tenancies, as permitted under the Localism Act. Such tenancies would be granted for a given term of not less than two years and, at the expiry of the term could either be extended or brought to an end. There was a prevailing view among consultees that the potential advantages of being able to recover possession at the end of the term would be outweighed by the potential negative impact of destabilising neighbourhoods and the possibility of flexible tenure acting as a disincentive to investment by tenants in their homes and communities.

This draft policy, which has already been the subject of consultation with Communities Policy Development Group, has been circulated in its final draft form to the PDG membership. Cabinet will be advised in advance of making a decision on the policy of any comments received from the PDG membership as a consequence of circulating the final draft.

## **4. OTHER OPTIONS CONSIDERED**

- 4.1 No other options have been considered, there being a requirement for the Council to have a policy for the granting and management of tenancies of council housing.

## **5. RESOURCE IMPLICATIONS**

- 5.1 There are no resource implications arising directly from this policy: the policy will be implemented within existing resource provision.

## **6. RISK AND MITIGATION**

Risk has been considered as part of this report and any specific high risks are included in the table below:

<b>Category Risk</b>	<b>Action / Controls</b>
None	

## **7. ISSUES ARISING FROM IMPACT ANALYSIS**

- 7.1 There are no issues arising.

## **8. CRIME AND DISORDER IMPLICATIONS**

- 8.1 There are no implications associated with this policy.

## **9. COMMENTS OF FINANCIAL SERVICES**

- 9.1 As outlined within the report there are no specific financial implications arising from the adoption of this policy, as any associated expenditure will be minimal and contained within existing resources.

## **10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES**

10.1 Under the Localism Act, responsibility for social housing regulation passes to the Homes and Communities Agency (HCA) Regulation Committee from 1 April 2012. Prior to 1<sup>st</sup> April 2012, the regulator was the Tenant Services Authority. The HCA has introduced regulatory standards which came into effect on the 1<sup>st</sup> April 2012. The standards require clear policies to be in place.

## **11. COMMENTS OF OTHER RELEVANT SERVICES**

- 11.1 None.

## **12. APPENDICES:**

- 12.1 Appendix 1: Draft Tenancy Policy  
Appendix 2: Equality Analysis (Stage 1) Tenancy Policy

**SOUTH KESTEVEN DISTRICT COUNCIL**  
**TENANCY POLICY**

**CONTENTS**

**Purpose of the policy**

**Introduction**

**Tenancies:**

- **types granted**
- **length of tenancies**

**Paying rent**

**Tenancy reviews**

**Succession rights**

**Housing exchanges**

**Policy review**

## **PURPOSE AND SCOPE OF THIS POLICY**

This policy sets out how South Kesteven District Council (“the Council”) will use the range of options introduced by the Localism Act 2011 and outlines the changes to the regulatory standards that all social landlords are expected to meet.

The policy will provide clear guidance with regard to the Council’s approach to managing its housing stock.

The key aim of this policy is to make best use of the Council’s housing stock in order to ensure it meets existing and future tenants housing needs.

The policy sets out:

- The types of tenancies the council will offer
- The circumstances in which tenancies will be offered
- The length of tenancy terms
- The basis upon which the Council may exceptionally grant discretionary succession rights, taking into account the needs of vulnerable household members
- The Council’s approach to tackling tenancy fraud
- How frequently the policy will be reviewed

The policy aligns with the Council’s Tenancy Strategy which sets out a code of practice that all social landlords working in South Kesteven should have regard to when deciding what types of tenancy to offer their tenants.

## **INTRODUCTION**

The Council is committed to making best use of its housing stock in order to meet tenants’ and future applicants’ housing needs. This policy aims to ensure that tenants have the right home for as long as they need it.

The Council, in its role as a social landlord, will assist customers to achieve their housing aspirations, within a framework of re-housing priorities for both existing tenants and applicants which is described by the Allocations Policy. (Please see the Allocations Policy for details).

## **TYPES OF TENANCY**

### **Introductory tenancies**

Since May 2008, all new tenants have been granted introductory tenancies to help the Council combat anti-social behaviour and efficiently deal with breaches of tenancy conditions.

The introductory tenancy acts as a trial period which lasts for twelve months, but may be extended for a further six months. If the tenancy is conducted satisfactorily by the tenant, the tenancy will automatically become 'secure' twelve months (or further extended period) after the tenancy started.

During the introductory period tenants have less security and fewer rights than secure tenants:

- They cannot buy their home
- They cannot exchange homes with other tenants
- Their home is at much higher risk of re-possession if they do not keep to the terms of the tenancy agreement
- They cannot transfer their tenancy to another person, except on death or as a result of a court order

### **Secure tenancies**

On becoming a 'secure tenant' tenants acquire rights in addition to those of an 'introductory tenant'. Subject to detailed guidance, secure tenants' benefits include the right to buy their home or to exchange their home with another tenant. Existing secure tenants transferring to another property within the Council's own stock will be granted a further secure tenancy.

### **Demoted tenancies**

Where a secure tenant is responsible for anti-social behaviour in accordance with s.82A of the Housing Act 1985, their secure tenancy may be demoted by a court order for a period of twelve months. A demoted tenancy has reduced rights which are similar to those of an introductory tenancy.

### **Joint tenancies**

Any of the tenancies described above may be granted as 'joint' tenancies (tenancies in the joint names of two or three persons) in the following circumstances:

- The proposed joint tenants are all eligible for housing as defined by relevant legislation **and**
- The proposed joint tenants are married or in a civil partner relationship **or**
- The proposed joint tenants have lived together for at least twelve months prior to the joint tenancy application **or**
- The proposed joint tenants are in a 'mutually supportive' and 'established' relationship

The Council will not normally grant a joint tenancy to a person who is entitled to succeed to that tenancy (eg. surviving parent or child).

### **Non-secure tenancy**

There are a few exceptional circumstances in which the Council can grant accommodation to people outside of the normal framework of an introductory, secure or demoted tenancy. This is when the accommodation is made available for a temporary period for a specific purpose. The use of this type of tenancy is for a homeless household to whom the Council have a legal duty to provide temporary accommodation.

### **Flexible tenure**

The Council does not currently use flexible tenancies under which a tenancy could be granted for a fixed period.

## **LENGTH OF TENANCY**

The Council's secure tenancy entitled the tenant to remain in their home until action is taken to bring that tenancy to an end in circumstances where a tenant has failed to comply with the terms of their tenancy. Secure tenancies are intended to offer stability to tenants and their families, supporting the development of thriving, stable and sustainable communities.

All of the Council's tenancies are 'weekly' and run from week to week (from Monday to midnight on Sunday).

The tenancy may be ended as follows:

- By the tenant serving a 'notice to quit', giving at least four weeks' notice in writing

- By the Council obtaining a court order following service of either a notice of proceedings for possession (introductory or demoted tenancies) or a notice of seeking possession (secure tenancies) in circumstances where:
  - the terms and conditions of the tenancy are breached or
  - possession is required for the purpose of demolition of the property or
  - where extensive works are required that cannot reasonably be carried out without obtaining possession
- By agreement – this is referred to as surrender
- On the death of the tenant if no succession applies

### **PAYING RENT**

A condition of all tenancies is that rent is paid weekly. A tenant may choose to pay their rent at different intervals but must not allow their rent account to fall into arrears. Rent levels are subject to annual review.

All tenants are given a range of convenient and flexible rent payment methods although payment by Direct Debit is encouraged as this is the easiest option for most tenants to use and helps to ensure that rent is paid on time. Payment options include:

- Monthly Direct Debit – this requires payment on either the 1<sup>st</sup> or the 15<sup>th</sup> of each month
- Post Office and Pay Outlets using the free ALLPAY card payment method
- Salary deductions, where tenant is also an employee of the Council
- Debit/credit card, using an automated 24-hour local rate dedicated payment line
- Internet payments
- Direct payments from welfare benefits, where appropriate and possible.
- By cheque, either through the post or at one of the Council's offices
- In exceptional circumstances payment may be accepted in cash at one of the Council's offices.

Throughout the financial year, there are four 'rent free' weeks. These are during April and December and tenants are informed which are the 'free weeks'.

Rent account statements are sent to all tenants in April. Tenants who owe more than £10.00 on their rent account, or who do not pay their rent by monthly direct debit, will receive additional statements in July, October and January.

If a tenant does not pay their rent, contact will be made and an arrangement to pay off the arrears may be put in place. If the arrears are not paid by the tenant, even after an arrangement is made, the Council will begin legal action. This could lead to court action and eviction and will be carried out in accordance with the Council's recovery procedure. Court action and eviction may incur further costs for the tenant. Tenants will be kept fully informed of the process being followed and offered opportunities to pay any rent owed to the Council.

Possession proceedings will be considered as a last resort once alternative means of recovering the outstanding arrears have been considered and have failed.

### **INTRODUCTORY TENANCY REVIEWS**

During the period of an introductory tenancy at least two appraisals will be carried out to determine whether or not the tenant is successfully maintaining their tenancy.

A check will be made on:

- The rent account
- The condition of the property
- The general conduct of the tenancy

Providing the tenancy is being conducted satisfactorily, no further action will be taken and the tenancy will become a secure tenancy after twelve months. However, further action will be taken to either terminate the tenancy or extend the introductory period for a further 6 months should a breach of tenancy be identified. The extension of tenancy will allow the Council to further monitor the conduct of the tenant before deciding whether to grant a secure tenancy or to take action to bring the tenancy to an end.

### **SECURE TENANCY REVIEWS**

Secure tenancies are also subject to review. The intention is to visit each property at intervals throughout the tenancy.

This will allow the Council to:

- Identify any support needs that a tenant may have
- Update its records with any changes to a household's circumstances or a change in occupancy
- Arrange repairs that are the Council's responsibility which have not been reported by the tenant
- Signpost the tenant to other services as appropriate

### **SUCCESSION RIGHTS**

Succession rights only apply to secure tenancies. Under the terms of the Localism Act 2011, for secure tenancies created from April 2012 the right to succeed to a secure tenancy on death of a tenant is limited to spouses, civil partners and those living with the tenant as if they were civil partners. For tenancies created before April 2012, the right to succeed applies slightly more widely and clarification should be sought from the Council by any tenant concerned about whether another person would have the right to succeed to the tenancy.

Succession to a tenancy can only happen once.

Under the Localism Act a statutory right of succession is only given to spouse or partner/civil partner. In exceptional circumstances, where there are compelling reasons for another member of the immediate family, or someone living as a member of the immediate family, to remain in that particular property, SKDC may exercise discretion in extending succession to another person. This discretion is intended to protect the interests of vulnerable persons who would be placed at greater risk should they be required to move to alternative accommodation. Applications for discretion to be exercised must be made at the earliest possible opportunity following the death of the tenant. In these circumstances, as in other cases, succession can only happen once.

In all cases, the successor must be living at the property as his or her only or principal home at the time of the tenant's death.

If the successor is not the spouse or partner of the tenant, the family member must have lived with the tenant for at least 12 months ending with the date of the tenant's death. Proof of this period of residence will be required.

If a joint tenant dies during their tenancy, the remaining tenant(s) may succeed to the tenancy and the tenancy continues, providing there hasn't been a previous succession to the tenancy. In circumstances where there has been a previous succession, no further succession will be permitted.

## **HOUSING EXCHANGES**

Secure tenants of the Council have the right, subject to obtaining the prior permission of the Council, to exchange homes with another South Kesteven District Council tenant, a Council tenant from another local authority or a tenant of a housing association.

The Council has the right to refuse permission for the exchange to take place, for example:

- If any of the tenants wishing to exchange have a Notice of Seeking Possession and/or a court order against them – for rent arrears or other breach of tenancy
- If the exchange would mean that one or both homes would be either too big or too small for a tenant's needs
- If the property has been adapted in any way for use by a disabled person

The property will be inspected before any exchange is allowed and conditions may be imposed before permission is granted; for example, clearing any debts owed to the Council or putting right any damage to the property.

Applications to exchange can be made by registering on HomeSwapper at [www.HomeSwapper.co.uk](http://www.HomeSwapper.co.uk) The service is FREE to South Kesteven District Council tenants and allows for tenants to exchange properties in the local area or anywhere in the UK.

The right to exchange is subject to approval from the Council. A request must be made in writing to the Council if the tenant does not have access to the on-line HomeSwapper service.

## **POLICY REVIEW**

The policy complies with the terms of South Kesteven District Council's Equality Scheme by using customer information to ensure that service delivery and communication with customers is in line with their needs and requirements, whilst ensuring procedures are fair and transparent.

Where discretionary aspects of the policy exist, close monitoring systems will be in place to ensure that decisions made are based on the principles of the policy. Decisions will be subject to review by senior managers.

The policy will be published on the South Kesteven District Council intranet and website.

The policy has been approved and takes effect from 1<sup>st</sup> May 2013. It will be reviewed not later than April 2016.

DRAFT



# **South Kesteven District Council**

## **Equality Analysis (Stage 1)**

### **Tenancy Policy**

<b>Service Area:</b>  <b>Housing Management</b>	<b>Lead officer:</b> <b>Jane Booth</b>	<b>Date of Meeting:</b>  <b>6<sup>th</sup> March 2013</b>						
	<b>Assessors:</b> <b>Jo Toomey</b>							
	<b>Neutral Assessor:</b> <b>Carol Drury</b>							
<p><b>1. Name and description of policy/service/function/strategy :</b></p> <p>The Tenancy Policy sets out how the Council will use the range of options introduced by the Localism Act 2011 and outlines changes to regulatory standards that all social landlords are expected to meet. It gives clear guidance to customers and colleagues regarding the Council's approach to managing its housing stock.</p> <p><b>Is this a new or existing policy?</b></p> <p><b>New</b></p>								
<p><b>2. Complete the table below, considering whether the proposed policy/service/function/strategy could have any potential positive, or negative impacts on groups from any of the protected characteristics (or diversity strands) listed, using demographic data, user surveys, local consultations evaluation forms, comments and complaints etc.</b></p> <table border="1"> <thead> <tr> <th><b>Equality Group</b></th> <th><b>Does this policy/service/function/strategy have a positive, or negative impact on any of the equality groups?</b>  <b>Please state which for each group</b></th> <th><b>Please describe why the impact is positive, or negative.</b> <b>If you consider this policy etc is not relevant to a specific characteristic please explain why</b></th> </tr> </thead> <tbody> <tr> <td><b>Age</b></td> <td>Neutral impact due to age</td> <td>Tenancies are not granted based on protected characteristic however we do have a legal duty to offer tenancies to qualifying applicants aged over 16 years old. 16-18 years olds must hold the tenancy 'in trust' until they reach the age of 18.</td> </tr> </tbody> </table>			<b>Equality Group</b>	<b>Does this policy/service/function/strategy have a positive, or negative impact on any of the equality groups?</b>  <b>Please state which for each group</b>	<b>Please describe why the impact is positive, or negative.</b> <b>If you consider this policy etc is not relevant to a specific characteristic please explain why</b>	<b>Age</b>	Neutral impact due to age	Tenancies are not granted based on protected characteristic however we do have a legal duty to offer tenancies to qualifying applicants aged over 16 years old. 16-18 years olds must hold the tenancy 'in trust' until they reach the age of 18.
<b>Equality Group</b>	<b>Does this policy/service/function/strategy have a positive, or negative impact on any of the equality groups?</b>  <b>Please state which for each group</b>	<b>Please describe why the impact is positive, or negative.</b> <b>If you consider this policy etc is not relevant to a specific characteristic please explain why</b>						
<b>Age</b>	Neutral impact due to age	Tenancies are not granted based on protected characteristic however we do have a legal duty to offer tenancies to qualifying applicants aged over 16 years old. 16-18 years olds must hold the tenancy 'in trust' until they reach the age of 18.						

<b>Disability</b>	Potential for a negative impact	Tenancies are not granted based on protected characteristic however, the limit to the number of adapted properties we have, or those properties that would be suitable for adaptation could result in a delay for disabled applicants being offered a property. The disabled adaptation framework ensures that any requests for adaptations are dealt with as swiftly as possible. Every reasonable adjustment is made to minimise this negative impact.
<b>Race</b>	Neutral impact due to ethnicity, colour or nationality	Tenancies are not granted based on protected characteristics.
<b>Gender Reassignment</b>	Neutral impact due to gender reassignment	Tenancies are not granted based on protected characteristics.
<b>Religion or Belief</b>	Neutral impact due to any religion or belief	Tenancies are not granted based on protected characteristics.
<b>Sex</b>	Neutral impact due to a person's sex	Tenancies are not granted based on protected characteristics.
<b>Sexual Orientation:</b>	Neutral impact due to any sexual orientation	Tenancies are not granted based on protected characteristics.
<b>Pregnancy and Maternity</b>	Neutral impact relating to pregnancy and maternity	Tenancies are not granted based on protected characteristics.
<b>Marriage and Civil Partnership</b>	Neutral impact due to marriage or civil partnership	Tenancies are not granted based on protected characteristics. However, legislation specifically grants spouses and civil partners the rights to succession to a tenancy
<b>Carers</b>	Potential negative impact on carers	We do not propose to grant joint tenancies to applicants and their carers, unless that

		carer is their spouse or civil partner. Every reasonable adjustment is made to minimise this negative impact.
<b>Other Groups (e.g. those from deprived (IMD*) communities; those from rural communities, those with an offending past)</b>	Possibility of both positive and negative impact	<u>Negative</u> : the Council offers secure tenancies which, providing tenants do not breach any terms of their agreement, permits the tenants to live in the property until death. This does limit the availability of our housing stock. Every reasonable adjustment is made to minimise this negative impact. <u>Positive</u> : our Allocations Policy does allow for applicants from all communities (deprived, rural etc) to go on our housing register

\*(IMD = Indices of multiple deprivation)

**3. What equality data/information did you use to inform the outcomes of the proposed policy/service/function/strategy? (Note any relevant consultation who took part and key findings)**

This Policy aligns with the Council's Tenancy Strategy and Allocations Policy. As part of the Council's housing programme of work consultation has been undertaken with tenants, housing applicants, Community Focus Forum, Communities PDG, representatives from Housing Associations, Parish Councils and elected Members. Details of the results of this consultation are available on request.

**If there are any gaps in the consultation/monitoring data, how will this be addressed?**

No gaps.

**4. Outcomes of analysis and recommendations (please note you will be required to provide evidence to support the recommendations made): Please tick one of the options.**

- a. No major change needed: equality analysis has not identified any potential for discrimination or for negative impact and all opportunities to promote equality have been taken

**If you have ticked option (a) go to stage 3**

- b. Adjust the proposal to remove barriers identified by equality analysis or to better promote equality.  Please complete the

questions in the box below.

**b.1 In brief, what changes are you planning to make to your proposed policy/service/function/strategy to minimise or eliminate the negative equality impacts?**

**b.2 Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.**

**If you have ticked option b go to Stage 2**

**c. Adverse impact but continue  Please provide an explanation in the box below that clearly sets out your justification for continuing with the proposed policy/function/service/strategy. You should consider in stage 2 whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.**

**If you have ticked option c please go to Stage 2**

**d. Stop and remove the policy/function/service/strategy as equality analysis has shown actual or potential unlawful discrimination**

**Signed (Lead Officer):** Jane Booth, Service Manager, Housing Manager

**Date completed:** 6<sup>th</sup> March 2013

**Signed (Neutral Assessor):** Carol Drury  
**Date signed off:** 6<sup>th</sup> March 2013