

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Joint Housing Board	Report Number: N31
To: Strategy Executive	Date of meeting: 11 July 2013 15 July 2013

STRATEGIC TENANCY POLICY INCLUDING THE USE OF FLEXIBLE TENANCIES AND SUCCESSION RIGHTS

1. Purpose of Report

- 1.1 The Localism Act 2011 introduced a new statutory duty for Councils to develop a Strategic Tenancy Policy. The formal requirements for meeting this duty are:
- To explain the different types of tenancies a Council, and its Housing Association partners, will grant; and
 - To define a clear process for tenancy renewal where fixed term “flexible tenancies” are being introduced. A flexible tenancy is a fixed term tenancy rather than a secure tenancy which offers security for the lifetime of the tenant.
- 1.2 Committees have already approved the tenancy arrangements which will apply to its Housing Association partners. (Reports M129, CO/03/13 and C052 refer). The agreements reached were subject to separate negotiations with partners because of changes to the Homes and Community Agency funding arrangements from April 2011. These aspects of the Tenancy Policy will remain separate from those arrangements which relate to the Councils landlord responsibilities
- 1.3 An initial draft of the proposed policy for adopting a flexible tenancy scheme within the Councils own housing stock was developed by a “start and finish” group which was reported to the Joint Housing Board in October 2012.
- 1.4 The Localism Act has also introduced changes that limit the legal entitlement of people to succeed (take over) a secure or introductory tenancy when the tenant dies. However, Councils are free to allow discretionary successions to additional family members should they wish to do so.
- 1.5 The Housing Board approved the Councils to undertake a detailed three-month period of consultation on both these new requirements. This has helped to determine the final detail of the proposed arrangements. This report summarises the outcomes of this consultation exercise and makes recommendations on these matters.

2. Recommended to Strategy and Executive Committees

- 2.1 That a flexible tenancy scheme for new tenants (subject to the exclusions set out in Appendix A) be adopted with an implementation date for the scheme of 1 April 2014.
- 2.2 That the minimum term of the fixed term tenancy be five years for general needs accommodation (following a one year introductory tenancy).
- 2.3 That the continuation of lifetime tenancies for vulnerable households as set out in Appendix B be approved.
- 2.4 That the mitigating factors set out in the Equality Impact Assessment be approved.
- 2.5 That the new discretionary succession arrangements as detailed in paragraph 13.5 of the report which will become effective from 1 April 2014 be approved.
- 2.6 That the Head of Housing be authorised to make minor amendments to the schemes in consultation with the Joint Housing Board.
- 2.7 That it be noted that the impact of these arrangements may not be known for some time and that officers will keep the scheme under review and report back to the Joint Housing Board and, where appropriate, to Strategy and Executive Committees.

3. Financial Implications

- 3.1 It is difficult to predict precisely the level of additional resources needed to administer flexible tenancies. The introduction of flexible tenancies will generate start-up costs in introducing new tenancy agreements, the development of operational procedures, staff training, ICT costs, publicity and changes to information leaflets. It may also result in requests for reviews of the duration of a proposed tenancy, or additional pressure on the homelessness team, which will carry a staffing or legal cost, as would any cases where possession of a tenant's home is contested.
- 3.2 If flexible tenancies are introduced from April 2014 as proposed, there would be around 300 tenancy reviews per year from 2018/19.
- 3.3 These additional costs are likely to be offset by harder to quantify benefits. For example, the Councils are likely to make savings on repair costs and staff time in the long run if more tenants adhere to their tenancy conditions.
- 3.4 Tenants whose flexible tenancies are not renewed will result in an increase in the overall supply of homes and will be used to meet the needs of other households on the housing waiting list. Both Councils are challenged by the rising levels and costs of homelessness and therefore the increase in the options available will also have a direct and positive impact for these households.

- 3.5 These factors, together with any additional costs, will be monitored from the outset and the Councils will increase their budgets accordingly. The Corporate Manager for the Housing Revenue Account has confirmed that the Business Plans are able to absorb these additional costs.

4. Risk Management

Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Increase in demand for other services, in particular for homeless services if tenancies are not renewed.	High	Serious	Work with tenants to ensure we deliver clear and timely advice and early interventions, work with partner agencies and promote assistance with access into the private sector.
Negative impact on community stability	Medium	Serious	Make five years the standard tenancy length and keep the number of factors to be considered at tenancy renewal to a minimum. Try to facilitate moves that allow tenants to remain in locations of choice. Offer continued support and advice to tenants.
Lack of suitable housing options for households whose tenancies are not renewed	High	Serious	Officers are seeking to increase the range of housing options available i.e. making better use of the private sector and the partnerships with Registered Housing Providers.
Increase in level of voids and increased costs.	High	Serious	Establish clear criteria for tenancy renewal, increase the housing options/advice available, ensuring empty homes are let quickly and increase voids budget. Ensure the staffing structures are sufficiently flexible to manage these new arrangements effectively.
Negative publicity resulting from decision to replace secure tenancies	Medium	Serious	Clear communication strategy will explain advantages of arrangements, including how we will work with tenants throughout the review process and also protection provided to vulnerable households

5. Consultations

- 5.1 Both Councils consulted widely with our main stakeholders including a number of groups representing those with protected characteristics under the Equality Act 2010. Views were also sought of all housing applicants registered on the “Gateway to Homechoice” lettings system, existing tenants, both of our Tenants’ Forums, the Joint Housing Board and the Councils’ main stakeholders including other local authorities in Suffolk, Parish and District Councils, advice and advocacy agencies, supported housing providers as well as internal officers. The consultation lasted for a period of three months.
- 5.2 A downloadable consultation document, an online survey and a briefing note were devised as part of the consultation process. The downloadable consultation document and the online survey were available through a link on both Babergh and Mid Suffolk District Councils’ websites. There was also a link to the online survey from the “Gateway to Homechoice” website. Two dedicated email addresses were also set up for enquiries. Hard copies of the consultation document and briefing were targeted at those stakeholders without access to email or the internet.
- 5.3 A total of 40 responses in total were received (30 as a result of the online survey and 10 others). The majority of the responses were received from existing Babergh or Mid Suffolk District Council tenants, followed by those who own their own home. As such, it is likely that this exercise generated a different result to it might have done if the majority responding were those who are not currently adequately housed.

The results revealed:

- 50% of respondents agreed the Councils should adopt a flexible tenancy scheme.
- 50% of respondents agreed that the minimum term of the flexible tenancy should be five years.
- 47% of respondents believed that parents of a deceased tenant should succeed to the tenancy following death.
- 50% disagreed that grandparents of a deceased tenant should succeed to the tenancy following death.
- 77% agreed that children of a deceased tenant should succeed to the tenancy following death.
- 63% agreed that grandchildren of a deceased tenant should succeed to the tenancy following death.
- 54% disagreed that an aunt or uncle of a deceased tenant should succeed to the tenancy following death.
- 54% disagreed that a nephew or niece of a deceased tenant should succeed to the tenancy following death.
- 33% of respondents thought that a family member should have lived with the tenant for 3 years before in order to be able to succeed to the tenancy.

A précis of the responses to the questions is outlined in Appendix 1. Full details are available from officers upon request.

6. Equality Analysis

- 6.1 An Equalities Analysis Assessment Screening has been carried out and is attached at Appendix B.
- 6.2 The screening highlighted that the introduction of a fixed term (flexible) tenancy scheme has the potential to negatively affect individuals or groups of people with protected characteristics including age, disability, marriage and civil partnership and sex because such groups are more likely to be in social housing and on the Housing Register.
- 6.3 All of the potential negative impacts identified have or will be mitigated as much as possible within the implementation of the Strategic Tenancy Policy and its associated procedures and practical arrangements. All mitigating factors have been endorsed by the Joint Housing Board and will ensure tenancy protection to those who are most vulnerable.
- 6.4 The screening did raise particular concerns that limiting the term of flexible tenancies to two years for young tenants under 25 years of age would have a negative impact on such groups. We are therefore recommending changes so that all new tenants, regardless of age, will be offered a five year fixed term tenancy.

7. Shared Service / Partnership Implications

- 7.1 This is a joint report with recommendations which will affect applicants and tenants from both Councils.

8. Background information: Flexible tenancies

- 8.1 Under the current tenancy arrangements Councils and other social landlords are only able to grant lifetime (secure) tenancies. The Government believes changes are necessary because this means that some people are allocated a home at a moment of crisis in their life, and continue to live there long after their need for it has passed. Meanwhile, there are people waiting for a home who face much more difficult circumstances. This is perceived as being unfair and an inappropriate use of valuable public resources.
- 8.2 Councils have never had the freedom to grant fixed term tenancies before. The Joint Housing Board has considered these matters in detail and believes the introduction of a flexible tenancy scheme to new tenants would offer the Councils greater flexibility to address a number of current and future housing challenges.
- 8.3 For instance, the welfare benefit programme will start to have a considerable impact on tenants living in homes larger than they need. The under occupation of large family homes is a significant problem for the Councils as it limits the opportunity for new emerging families to move. By limiting the term of the tenancy for families who are likely to need smaller accommodation in the future, the Councils will have the ability to keep such cases under review. If a household's circumstances change, the Councils will have the ability to end the tenancy. Such flexibility does not exist under the current arrangements.

- 8.4 Flexible tenancies can also be used to move tenants from homes with facilities they no longer need. For example if a household is occupying a property with significant disabled adaptations which are no longer needed (for instance the disabled child moves away), then they could be offered a tenancy of an alternative property, more suited to their needs, at the end of their fixed term.
- 8.5 We believe we need to do more to raise the aspirations of some of our tenants some of whom have a long term benefit dependency and low aspirations to find work or gain educational qualifications. We also believe social housing should provide the foundation for some tenants to gain independence by being supported into work. The review of the staffing structure includes a new fixed term (Worklessness) post which will work with training providers and partners to introduce clear pathways into training and work and which will break the cycle of benefit dependency.
- 8.6 There are also understandable concerns about the use of flexible tenancies. We acknowledge that this type of tenancy could be unsettling and stressful for tenants, can cause disruption if children are settled at school and they could discourage tenants from looking after their home and getting involved in their community. Screening has considered these matters in detail and has recommended changes from the first draft of the policy and also recommended that these arrangements are subject to regular review.

9. A summary of the proposed flexible tenancy scheme

- 9.1 Flexible tenancies have most of the same rights as secure tenancies (the Right to Buy, Right to Exchange, etc) but they last for a fixed period at which point they are reviewed. The Councils can either decide to terminate the agreement at this point, renew the flexible tenancy or they could convert the tenancy to a full secure tenancy for life. These two options are critical to the operation of the scheme and will be explained within Section 12 of this report.
- 9.2 We are recommending that flexible tenancies should only apply to general needs accommodation. New tenants moving into sheltered housing will continue to receive a lifetime tenancy because such homes are restricted to tenants over pensionable age or those with an assessed disability, with the need for support. They are almost always smaller homes, therefore they are rarely under occupied and there is also a relatively low demand for such homes within the districts, so taking away long term security could make them even more difficult to let. The Councils' Registered Provider partners are applying their own exemptions to those living in their own supported housing schemes, and therefore all vulnerable tenants within the districts will be exempt from these arrangements.
- 9.3 Households who have their own savings and assets, perhaps a capital sum following a divorce, but also potentially a high annual income or perhaps a combination of both these factors, should have the ability to secure their own accommodation. The government intended these powers to be used to encourage applicants to be more accountable and self reliant. Income and Capital threshold levels, which mirror the arrangements within the Councils' Allocation Policy, will be used for this purpose.

10. The length of flexible tenancies

10.1 We are recommending that five-year flexible tenancies will apply to new tenants (subject to the exclusions explained below) from 1 April 2014. This is in addition to the standard one-year Introductory Tenancy.

11. Exclusions to the flexible tenancy regime

11.1 We have considered those situations where it is more appropriate to grant a lifetime tenancy. It is important to note existing secure tenants, including those who transfer from one Council home to another, are protected in law and will not form part of the proposed arrangements. (This requirement does not apply where a tenant chooses to move to an Affordable Rent home).

These exclusions are:

- Where a tenant is in receipt of a state pension or a disability benefit and moves into sheltered accommodation;
- Where a tenant, or a member of their household, is terminally ill or suffers a serious disabling condition during the period of the flexible tenancy;
- For couples living in a significantly adapted property, where the disabled tenant dies, the surviving tenant will be offered a secure tenancy, either through succession, or in the form of a new sole tenancy, in a more suitable property.

12. Renewing a flexible tenancy

12.1 The proposals to adopt flexible tenancies will give rise to the need for periodic review and the collection and analysis of information upon which these reviews will be based. A person's circumstances are likely to change during the life time of their fixed term tenancy and therefore a robust and regular review of the household's housing circumstances will be required.

12.2 There are three possible outcomes for the Councils following this review.

Firstly, the **flexible tenancy is not renewed**. This will occur where either;

- The tenant is under occupying their property
- A breach of tenancy has occurred
- The financial limits for income and assets, as set in the Councils Housing Allocation Policy have been exceeded.

Secondly, **the flexible tenancy is renewed** for a further five year term. This will occur where either:

- The household's circumstances have not changed
- The property remains suitable for the tenant's needs

Thirdly, **the flexible tenancy is converted to a secure tenancy**

- This will occur if the tenant is allocated sheltered accommodation
- Where a tenant, or a member of their household, develops a serious disabling condition during the period of their flexible tenancy. Officers will ensure the property meets the needs of the household and will, where appropriate, consider whether the conversion to a secure tenancy should involve a transfer to a house which is best placed to meet this need.

12.3 The Localism Act makes it clear that tenants whose tenancy will not be renewed at the end of a fixed term are entitled to advice and assistance into the private rented sector or low cost home ownership, in particular where there are children. The Councils will establish clear and very detailed arrangements on the types of help and advice available.

13. **Background information: Proposed new discretionary Succession arrangements**

13.1 The Localism Act has also introduced important changes to the way in which people can succeed to a secure or introductory tenancy (i.e. to take over the tenancy of a person who has died) for tenants granted a tenancy after 1 April 2012. The position prior to 1 April 2012 was that any family member who had resided with the tenant for the 12 months preceding death was entitled to succeed to the tenancy provided that there had been no prior succession or assignment.

13.2 As from 1 April 2012 the legal right to succession is limited to spouses, civil partners and couples living together as if they were a spouse or civil partner. While this excluded other family members living with the tenant at the time of their death, Councils are free to allow discretionary successions to additional family members should they wish to do so.

13.3 The Housing Board has considered whether additional discretionary rights should be granted, or whether to adhere to the strict legal position.

13.4 Adhering to the strict legal position and limiting succession rights will theoretically increase the number of homes available to let and would make better use of our housing stock. However, limiting succession rights would deny family members (those who are not either a spouse or civil partner of the deceased or living together as spouse or civil partner) the right to remain in homes they have often occupied for many years and will result in increased homelessness.

13.5 We are recommending that the Councils balance these contrasting positions outlined above and approve three discretionary succession rights as follows:

- Children of a deceased tenant will be given a discretionary succession right, subject to the formalities that no previous succession has already taken place, and there is no spouse, partner or civil partner currently residing in the property at the point of death
- People who find themselves accepting responsibility for the deceased tenant's dependents and need to reside with these dependents in order to be able to fulfil this role, and

- Succession rights will be allowed for family carers if the property in question is the principle or only residence of the survivor at the time the tenant dies.

13.6 It is proposed that the new succession policy should become effective from 1 April 2014 and introduced in line with revised tenancy Agreements for both Councils. Further, that these arrangements are reviewed after a 12 month operational period.

14. Appendices:

Title	Location
Appendix A: Summary of Consultation responses	Attached
Appendix B: Equalities Impact Assessment - Screening	Attached

15. Background Papers

None.

Authorship:

David Clarke	01473 825847 or 01449 724651
Corporate Manager – Business Improvement (People)	david.clarke@babergh.gov.uk

Consultation: Strategic Tenancy Policy
Fixed Term (Flexible) Tenancies and Succession Rights for New Council Tenants
January 2013

ANALYSIS**FIXED TERM (FLEXIBLE TENANCIES)**

Question 1: Please tell us how much you agree or disagree with the following statements, and, Question 2: Is there anything else you would like to say about fixed term (flexible) tenancies?

The Councils should continue to offer lifetime (secure) tenancies to all new tenants

- 10% neither agreed or disagreed
- 40% tended to agree or strongly agreed
- 50% tended to disagree or strongly disagreed

Only older or vulnerable tenants should receive a tenancy for life

- 7% neither agreed or disagreed
- 66% tended to agree or strongly agreed
- 27% tended to disagree or strongly disagreed

New tenants should have a fixed term (flexible) tenancy for five years

- 7% neither agreed or disagreed
- 50% tended to agree or strongly agreed
- 43% tended to disagree or strongly disagreed

Tenants under 25 years of age should have a two year fixed term (flexible) tenancy

- 4% neither agreed or disagreed
- 46% tended to agree or strongly agreed
- 50% tended to disagree or strongly disagreed

A tenancy should be renewed if the tenant's circumstances remain the same

- 3% neither agreed or disagreed
- 84% tended to agree or strongly agreed
- 13% tended to disagree or strongly disagreed

Tenants' annual income should be taken into account when deciding to renew the tenancy

- 3% neither agreed or disagreed
- 57% tended to agree or strongly agreed
- 40% tended to disagree or strongly disagreed

SUMMARY OF QUESTIONS 1 AND 2

- More participants disagreed that the Councils should continue to offer lifetime (secure) tenancies to all new tenants.
- The majority of participants agreed that only older or vulnerable tenants should receive a tenancy for life.
- More participants agreed that new tenants should have a fixed term (flexible) tenancy for five years.
- More participants disagreed that tenants under 25 years of age should have a two year fixed term (flexible) tenancy. Fears that a shorter tenancy for under 25s will not create independence and could result in repeat homelessness. Younger people should not be treated differently to other age group.
- A high number of participants agreed that a tenancy should be renewed if the tenant's circumstances remain the same.
- A higher number of participants agreed that tenants' annual income should be taken into account when deciding to renew the tenancy. However many participants highlighted that the annual income figures are too low - people cannot afford to buy a property or privately rent based on the proposed figures.
- Better partnership working is needed with private landlords to ensure standards and costs are reasonable.
- Renewal conditions are required for fixed term tenancies as well as good advice and support. Individual needs should be taken into account.
- Concerns about the impact of fixed term tenancies such as breaking up families and communities, costs of moving and the trauma of moving and homelessness.
- Older and more vulnerable people in particular need stability and require compassion and support.

THE RIGHTS TO SUCCEED TO A TENANCY

Question 3: Please tell us whether you agree or disagree with the following statements, and Question 4: How long should family members have lived with the tenant in order to succeed?

Parents of a deceased tenant should be able to succeed

- 13% neither agreed or disagreed
- 47% tended to agree or strongly agreed
- 40% tended to disagree or strongly disagreed

Grandparents of a deceased tenant should be able to succeed

- 17% neither agreed or disagreed
- 34% tended to agree or strongly agreed
- 50% tended to disagree or strongly disagreed

Children of a deceased tenant should be able to succeed

- 10% neither agreed or disagreed
- 77% tended to agree or strongly agreed
- 13% tended to disagree or strongly disagreed

Grandchildren of a deceased tenant should be able to succeed

- 17% neither agreed or disagreed
- 63% tended to agree or strongly agreed
- 20% tended to disagree or strongly disagreed

Aunt or Uncle of a deceased tenant should be able to succeed

- 27% neither agreed or disagreed
- 20% tended to agree or strongly agreed
- 54% tended to disagree or strongly disagreed

Nephew or Niece of a deceased tenant should be able to succeed

- 27% neither agreed or disagreed
- 20% tended to agree or strongly agreed
- 54% tended to disagree or strongly disagreed

SUMMARY OF QUESTIONS 3 AND 4

- More participants agreed that parents of a deceased tenant should be able to succeed
- More participants disagreed that grandparents of a deceased tenant should be able to succeed
- A high number of participants agreed that children of a deceased tenant should be able to succeed
- A high number of participants agreed that grandchildren of a deceased tenant should be able to succeed
- More participants disagreed that an aunt or uncle of a deceased tenant should be able to succeed
- More participants disagreed that a nephew or niece of a deceased tenant should be able to succeed
- Many participants thought a spouse or partner (including same sex couples) and other family members living with the tenant should be able to succeed
- The majority of participants thought family members should have lived with the tenant for more than three years in order to succeed

Question 5: Do you have any further comments to make about our proposals for fixed term (flexible) tenancies or succession rights?, and COMMENTS RECEIVED IN OTHER FORMATS

- Reiteration that income thresholds are too low to buy a property or privately rent - if this policy did apply there needs to be some financial assistance for those on a low income.
- Income thresholds proposed may be a disincentive to people to start a new job or increase hours/accept a promotion as it may result in them having to move home.
- Stability of families and communities will be negatively affected (schooling, jobs etc) by fixed term tenancies and succession rules: flexibility to be considered for families with children at more than one school - 5 year period might not be sufficient to allow stability and continuity.
- Fixed term tenancies remove security of accommodation for tenants.
- Reiteration that the vulnerable, elderly and families with children need protection and need to feel secure in their home.
- People should be able to succeed if they meet the criteria but to a property most suitable for their needs not to the home they currently live in.

- Succession rights should apply to non married and same sex partners.
- Reiteration that succession should apply for carers, spouses and children.
- Fears around using 2 year fixed term tenancies for under 25s. Does not provide enough security for under 25s: flexibility is needed for tenants under 25s because stability of accommodation is extremely important to young people who are engaging in training or starting work - it could be damaging to prospects.
- Policy needs to explain how we will support tenants to achieve independence through supporting access to work and training.
- Policy needs to clarify criteria that will be used to decide whether a tenancy is renewed or terminated (i.e. the process, timescales, who will conduct them, the role of advocates and representatives and details of the information and criteria that will be used to make a decision).

PLEASE NOTE THAT FULL CONSULTATION RESULTS ARE AVAILABLE TO CORPORATE MANAGERS ON REQUEST.

Author: Aimi Myhill, Housing Policy Officer - (01449) 724773, Aimi.Myhill@midsuffolk.gov.uk



Babergh District Council and Mid Suffolk District Council Equality Analysis Assessment - Screening

PART 1: General information	
Name of your work	Strategic Tenancy Policy- which includes the use of fixed term (flexible) tenancies and changes to succession rights.
State if you are assessing a contract, decision, function, policy, project or strategy	Policy
State if this is a new or existing piece of work	New
Name of any other people, departments or partners involved in the delivery of your work	Babergh and Mid Suffolk District Councils Internal departments: Tenant Services, Housing Assessments and Allocations, Supported Housing, Business Improvement (People) and Communities
State who the main stakeholders are (including who will be affected)	People in housing need, including those who are homeless, and applying for social housing within the Babergh and Mid Suffolk districts Internal departments: Tenant Services, Housing Assessments and Allocations, Supported Housing, Business Improvement (People) and Communities
Describe the aims, objectives and purpose of your work <ul style="list-style-type: none"> • Why you are doing this • How you are doing this • What you are doing • Who will benefit 	<p>Why</p> <p>Under the current tenancy arrangements Councils and other social landlords are only able to grant secure (lifetime) tenancies. The Government believes changes are necessary because this means that some people are allocated a home at a moment of crisis in their life, and continue to live there long after their need for it has passed. Meanwhile, there are people waiting for a home who face much more difficult circumstances. This is perceived as being unfair, and an inappropriate use of valuable public resource. If the fixed term tenancy scheme is introduced, when a household's circumstances change, the Councils will have the ability to review the tenancy and decide whether they are granted a further fixed term tenancy or if the household should</p>

secure their own accommodation which best meets their needs. Such flexibility does not exist under the current arrangements.

Using fixed term tenancies, we hope to make the best use of our Council housing stock. The under occupation of large family homes is a significant problem for the Councils as it limits the opportunity for new emerging families to move. By limiting the term of the tenancy for families who are likely to need smaller accommodation in the future, the Councils will have the ability to keep such cases under review.

Fixed term tenancies could help enhance housing mobility. We can encourage the use of the Tenants Incentive Scheme and mutual exchanges as part of our efforts to help manage occupation of stock.

Fixed term (flexible) tenancies can also be used to move tenants from homes with facilities they no longer need for example if a household is occupying a property with significant disabled adaptations which are no longer needed (for instance the disabled child moves away).

We believe we can do much more to raise the aspirations of some of our tenants some of whom have a long term benefit dependency and low aspirations to find work or gain educational qualifications. This drive to tackle worklessness is a way of mitigating some of the negative changes which will be imposed as the welfare reform programme gathers pace and will be a clear focus as we commence our transformational enquiries.

The Councils have never had the freedom to determine these types of decisions before. The Housing Board, who has considered these matters in detail, believes the introduction of a fixed term tenancy scheme for new tenants would offer the Councils far greater flexibility to address a number of current and future housing challenges for example the welfare benefit programme will start to have a considerable impact on tenants living in homes larger than they need.



	<p>How and What</p> <p>Please note that fixed term tenancies will only apply to new lettings as at 1 April 2014. Applicants who are already social housing tenants will continue to be offered a lifetime tenancy should they transfer.</p> <p>We have consulted on two parts of a new Policy. Firstly, whether we should adopt fixed term tenancies, and, secondly, whether we should introduce discretionary successions rights for people following the death of a tenant.</p> <p>This new policy will explain the different types of tenancies we will grant, how we intend to manage new tenancies, to set out the issues that we expect our Registered Provider partners to take account of in their own policies, to define a clear process for tenancy renewal where fixed term tenancies are being introduced, and to outline our policy on succession rights. We have also looked at the guidance and examples of where other landlords are looking to introduce best practice.</p> <p>Who</p> <p>People in housing need, including those who are homeless, and applying for social housing within the Babergh and Mid Suffolk districts.</p>
Name and job title of assessor	Aimi Myhill, Housing Policy Officer David Clarke, Corporate Manager - Business Improvement (People)
Telephone number	01449 724773 / 01449 724651
Date of completion	24/05/2013

PART 2: Evidence (data and information)

Please list the main sources of evidence reviewed (including full references) to determine the impact on each equality group. If there are gaps in your evidence you will need to undertake some additional evidence gathering before continuing with your assessment.

What quantitative data (numbers and statistics) do you have about your work relating to the equality groups?

- Benchmarking information
- Demographic profiles i.e. ONS, Census
- Statistical data (performance/monitoring/data about physical environment i.e. housing market)
- Survey results

Strategic Tenancy Policy Consultation, which ran from 28 January to 26 April 2013

- The number of online survey responses received was 30
- The number of comments received in other formats was 10

Gateway to Homechoice Housing Register Data, including the number of people on the waiting list for social housing at 26 September 2012 for Babergh and Mid Suffolk District Councils.

Gateway to Homechoice Housing Register Data and Analysis, including information about applicants and those housed in 2011/12 for Babergh and Mid Suffolk District Councils broken down by

- Age
- Sex

Stock Information, including the number of properties available for rent in 2011/12 for Babergh and Mid Suffolk District Councils.

Succession figures, 2012/13 for Babergh District Council

Census 2002 data

Customer Profiling data, collected in 2010/11 including

- Age
- Sex

Equality Monitoring Information for 30 online survey consultation responses including:

- Age
- Disability/health problems
- Ethnic origin
- Gender reassignment

	<ul style="list-style-type: none"> • Religion • Sex • Sexual orientation
<p>What qualitative information (in depth descriptive information) do you have about your work relating to the equality groups?</p> <ul style="list-style-type: none"> • Audits • Complaints information • Customer satisfaction survey results • Consultation results (new or existing) • Feedback • Internal or external advice and verification • Meeting minutes • Reports • Research • Risk assessments 	<p>Committee Reports</p> <ul style="list-style-type: none"> • ‘Flexible Tenancies’, Joint Housing Board, 24/05/2012, JHB/6/12 • ‘Flexible Tenancies’, Joint Housing Board, 18/10/2012, JHB/18/12 • ‘Tenancy Strategy (Housing Associations) for Babergh and Mid Suffolk District Councils, Community Policy Panel, 15/01/2013, CO/03/13 • ‘Tenancy Strategy (Housing Associations) for Babergh and Mid Suffolk District Councils, Executive Committee, 11/03/2013, CO52 <p>Inside Housing, ‘New tenants will keep right to buy’, 22/11/2010, Isabel Hardman. Available at: www.insidehousing.co.uk/new-tenants-will-keep-right-to-buy/6512613.article. [Accessed 25/09/2012].</p> <p>The Chartered Institute of Housing, ‘The practical implications of tenure reform’, May 2012, Debbie Larner (Head of Practice) and David Pipe (Policy and Practice Officer).</p> <p>Flexible Tenancy “Start and Finish Group”, which comprised tenants and elected members September/October 2012; ‘Case Studies’.</p> <p>Benchmarking with other authorities</p> <ul style="list-style-type: none"> • Cambridge City Council • Ipswich Borough Council • Waveney District Council • Bristol City Council • London Borough of Barnet • Tamworth Borough Council <p>Babergh and Mid Suffolk District Councils Tenancy Strategy 2013, a Greater Haven Gateway Tenancy Strategy based on a common framework/set of principles which nine local authorities (including Babergh and Mid Suffolk) as well as housing providers in the local area can sign up</p>

	<p>to. The advantage is transparency and consistency across a wide area which simplifies the policies which registered providers have to have 'regard to'.</p> <p>Equality Impact Assessment, into the Tenancy Strategy for Registered Providers (undertaken by partners of the Greater Haven Gateway Housing Group), authored by Joy Magna, Group Co-ordinator, 07 August 2012.</p> <p>Greater Haven Gateway Equality and Diversity Sub Group, February 2013, analysis/information about the Equality Impact Assessment carried out for the 'Tenancy Strategy'.</p> <p>The Localism Act 2011</p> <p>Greater Haven Gateway Allocation Policy - 1 November 2012 (amended May 2013)</p>
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PART 3: Impact

For each equality group below you need to:

State the type of impact (positive, negative or neutral) your work is likely to have (include references to the source of evidence for this);

1. Where your work is likely to have a negative impact which can be addressed, provide details of the practical steps you will take;
2. Where your work is likely to have a negative impact which cannot be addressed, but can be legally justified, provide details;
3. Where your work is likely to have a negative impact and shows potential for unlawful discrimination that cannot be legally justified, you must stop and seek legal advice.

<p>Age</p> <p><i>Think about the impact of your work on different age groups. The way younger people access services is different to the way older people access services. Consider safeguarding and child</i></p>	<p>Negative: the two- year fixed term tenancy for applicants under 25 years of age proposed in the Strategic Tenancy Policy Consultation would mean that such individuals would experience a differential impact compared to any other age group and may be negatively impacted upon because a two year tenancy would not promote independence, would adversely affect prospects such as jobs, could undermine their stability within the community, and could result in repeat homelessness. It could also provide young people with less of stake in their community and so discourage them in looking after their properties. [Evidence: Strategic Tenancy Policy Consultation]</p>
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<p>welfare.</p>	<p>Mitigation: as a result of feedback received from Strategic Tenancy Policy Consultation, we will be recommending changes so that all new tenants, regardless of age, will be offered a 5 year fixed term tenancy.</p> <p>Negative: A high number of participants in the Strategic Tenancy Policy Consultation thought that children of a tenant who dies should be able to succeed to a tenancy because of the negative impact this could provide for their dependents. [Evidence: Strategic Tenancy Policy Consultation].</p> <p>Mitigation: Although we do not record for reporting purposes the number of successions, we do hold some records. Based on figures we have for 2012/13 in Babergh, there were a total of 27 successions. We do not have any stats for Mid Suffolk. Of these 22 were to the partner/spouse, 2 were as a result of a brother passing away and only 3 were as a result of a parent passing away. Although there were initial concerns about making the best use of limited housing stock and limiting the discretionary succession rights as a result, based on this evidence we have, we will introduce a discretionary succession rule that allows children to succeed to a tenancy following death of a tenant. [Evidence: Succession figures 2012/13 for Babergh District Council, and Stock Information 2011/12 for Babergh and Mid Suffolk District Councils]</p> <p>Positive: fixed term (flexible) tenancies will help to free up much needed accommodation, maximising the supply of appropriate sized accommodation for families with young children, and for people belonging to other age groups who are in housing need, whilst making better use of the two Council's social housing stock. This will help to reduce under occupation and overcrowding as well as foster good relations and advance the equality of opportunity between older and younger people. [Evidence: Stock Information 2011, and, The Housing Register at 26/09/12]</p> <p>Negative: families who move into a property on a fixed term tenancy may at the time have young children who may subsequently grow up and move out of the family home during the period of the fixed term tenancy. This may mean that upon renewal, the property is no longer suitable for the needs of the family or couple. This could result in either moving the family to more suitable accommodation, or not offering another fixed term tenancy. [Evidence: Flexible Tenancy Start and Finish Group, 'Case Studies' September/October 2012]</p> <p>Mitigation: before the end of a fixed term tenancy the Councils will be talking to tenants about their housing options and will offer standardised advice and support, including signposting to relevant organisations. The aim is to prevent homelessness and help people find the most suitable and affordable accommodation available.</p>
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	<p>Negative: younger people of the age category 20-29 and people of the age category 30-39 are over represented on Mid Suffolk and Babergh District Councils' housing registers based on the total population in the district. This may mean that younger people and people of the age group 30-39 are disproportionately affected by fixed term tenancies than any other age group. [Evidence: Gateway to Homechoice Housing Register Data and Analysis 2011/12 'Age']</p> <p>Mitigation: by monitoring housing applications and allocations of properties through the Gateway to Homechoice system we will have a better understanding of how accessible the Choice Based Lettings is for all protected groups. Furthermore before the end of a fixed term tenancy the Councils will be talking to tenants about their housing options and will offer standardised advice and support, including signposting to relevant organisations. The aim is to prevent homelessness and help people find the most suitable and affordable accommodation available.</p> <p>Negative: the Strategic Tenancy Policy Consultation revealed there were concerns that fixed term tenancies may impact on older and more vulnerable people because they need stability and require compassion and support in their tenancy. [Evidence: Strategic Tenancy Policy Consultation]</p> <p>Mitigation: before the end of a fixed term tenancy the Councils will be talking to older or more vulnerable tenants not moving into or living in sheltered accommodation about their housing options and will offer standardised advice and support, including signposting to relevant organisations. The aim is to prevent homelessness and help people find the most suitable and affordable accommodation available. Exclusions to the fixed term tenancy scheme include where a tenant is in receipt of a state pension or disability benefit and moves into sheltered accommodation. Grounds to convert a fixed term tenancy will occur if the tenant is allocated sheltered accommodation.</p>
<p>Disability</p> <p><i>Think about the impact of your work on attitudinal, physical and social barriers.</i></p>	<p>Negative: the Strategic Tenancy Policy Consultation revealed there were concerns that fixed term tenancies may impact on older and more vulnerable people which could include those who are ill are disabled, because they need stability and require compassion and support in their tenancy. [Evidence: Strategic Tenancy Policy Consultation]</p> <p>Mitigation: before the end of a fixed term tenancy the Councils will be talking to vulnerable tenants about their housing options and will offer standardised advice and support, including signposting to relevant organisations. The aim is to prevent homelessness and help people find the most suitable and affordable accommodation available. Exclusions to the fixed term tenancy scheme include where a tenant or a member of their family is terminally ill or is suffering from a serious disabling condition, and, for couples living in a significantly adapted property, where the disabled tenant dies, the surviving</p>

	<p>tenant will be offered a secure tenancy, either through succession, or in the form of a new sole tenancy, in a more suitable property.</p> <p>Grounds to convert a fixed term tenancy to a secure tenancy will include where a tenant, or a member of their household, develops a serious disabling condition during the period of their flexible tenancy. Officers will ensure the property meets the needs of the household and will, where appropriate, consider whether the conversion to a secure tenancy should involve a transfer to a house which is best placed to meet this need.</p> <p>Flexible tenancies can be used to move tenants from homes with facilities/disabled adaptations they no longer need. If we decided to offer secure tenancies to those in heavily adapted properties, we would fail to make use to best use of our adapted stock in the future and the Councils would have to spend significant amounts of money adapting additional homes to meet the needs of disabled clients.</p> <p>Furthermore, if we allowed anyone in receipt of DLA or the new style payments a secure tenancy, we would be awarding a very high number. The threshold for the low level DLA is quite low at the moment and tenants can also be awarded it for many conditions, not necessarily conditions meaning a secure tenancy is required.</p>
<p>Gender Reassignment</p> <p><i>Think about the impact of your work on transgender and transsexual people. This can also include issues such as privacy of data and harassment.</i></p>	<p>Neutral: no differential impacts identified.</p>
<p>Marriage and Civil Partnership</p> <p><i>Think about the impact of your work on people who are single, married or in a civil partnership. Being Married or in a Civil Partnership should not affect the level of service that individuals receive.</i></p>	<p>Negative: many participants in the Strategic Tenancy Policy Consultation thought that a spouse or partner (including same sex and non married couples) should be able to succeed to a tenancy. The welfare of these groups of people if this does not happen was brought into question. [Evidence: Strategic Tenancy Policy Consultation]</p> <p>Mitigation: New powers under the Localism Act grant a statutory right to succession for spouses and partners (including same sex and non married couples).</p>
<p>Pregnancy and maternity</p>	<p>Neutral: no differential impacts identified.</p>

<p><i>Think about the impact of your work on working arrangements, flexible working, part-time working and infant caring responsibilities.</i></p>	
<p>Race</p> <p><i>Think about the impact of your work on different ethnic groups, nationalities, Roma Gypsies, Irish Travellers, different cultures and language barriers.</i></p>	<p>Neutral: no differential impacts identified.</p>
<p>Religion or Belief</p> <p><i>Think about the impact of your work on people with different religions, beliefs or no belief.</i></p>	<p>Neutral: no differential impacts identified.</p>
<p>Sex</p> <p><i>Think about the impact of your work on men and women (including a potential link to carers).</i></p>	<p>Positive: during 2011/12 the Customer Profiling Data as well as Gateway to Homechoice Housing Register data from 2011/12 showed that females were over represented on Mid Suffolk and Babergh District Councils' housing registers by based on the total population in the districts (Census 2002). This could be due to the total Mid Suffolk and Babergh populations having a higher number of females than males, the fact that females are more likely to take responsibility for finding housing for their families so are the person who registers for housing and that when couples separate, or that females are more likely to be the main carer for children and are therefore more likely to be in housing need.</p> <p>Therefore, as there are more women on the housing register in both Babergh and Mid Suffolk the fixed term tenancy scheme may benefit females because it will ensure that the supply of affordable housing is maximised for this group. Please note that status on the housing register is based on housing need and is irrespective of sex. [Evidence: Gateway to Homechoice Housing Register Data and Analysis 2011/12, and, Customer Profiling data 2010/11, Greater Haven Gateway Allocation Policy, and, Census 2002 data]</p> <p>Negative: a woman's status as the main carer for children could cause a potential negative impact due to a situation arising where a child or children leave home during the period of a fixed term</p>

	<p>tenancy, meaning the property is no longer suitable for the remaining parent and they are no longer categorised as in housing need. This may mean not having a fixed term tenancy renewed. [Evidence: Gateway to Homechoice Housing Register Data and Analysis 2011/12]</p> <p>Mitigation: before the end of a fixed term tenancy the Councils will be talking to tenants about their housing options and will offer standardised advice and support, including signposting to relevant organisations. The aim is to prevent homelessness and help people find the most suitable and affordable accommodation available.</p> <p>Negative: many participants in the Strategic Tenancy Policy Consultation thought that carers living with the tenant should be able to succeed to a tenancy. The welfare of this group of people if this does not happen was brought into question. [Evidence: Strategic Tenancy Policy Consultation]</p> <p>Mitigation: using new discretionary powers given to us as local authorities under the Localism Act, we have decided to offer succession to carers if the property in question is the principle or only residence of the survivor at the time the tenant dies.</p> <p>There may be debate in this area for example if someone has given up their home to care for a loved one who then soon passes away so in these cases, individual circumstances will be looked at. We will also include succession rights for those people who find themselves accepting responsibility for the deceased tenants' dependents and needs to live with them in order to be able to fulfil this role. This scenario is extremely unlikely but the provision is there if a case does arise.</p>
<p>Sexual Orientation</p> <p><i>Think about the impact of your work on heterosexual people as well as lesbian, gay and bisexual people.</i></p>	<p>Neutral: no differential impacts identified.</p>
<p>Other</p>	<p>Negative: the impacts of income thresholds for fixed term tenancies is not within the scope of the Equality Act, however this is a concern that has been raised during the Strategic Tenancy Policy Consultation. The concerns are that people cannot afford to buy a property or privately rent based on the proposed figures. [Evidence: Strategic Tenancy Policy Consultation]</p> <p>Mitigation: we considered amended the income thresholds based on feedback received however to ensure that no contradictions arise (i.e. which could mean a person wouldn't qualify to have an</p>

extension to their fixed term tenancy but would qualify to go back on the housing register and be housed) the limits must reflect those set in the Allocation Policy, and will be reviewed on an annual basis. Advice and support, including signposting to relevant organisations will also be offered to all tenants.

Negative: another concern revealed in the Strategic Tenancy Policy Consultation is the matter of a household's financial circumstances changing during the period of a fixed term tenancy. Those who move into a property on a fixed term tenancy may at the time be on a low income, and fall below the thresholds set by the Councils. During the period of the fixed term tenancy the situation of the household may alter, such as job changes (rises in income), or gaining assets. This may mean that upon renewal, the property is no longer suitable for the needs of the family or couple due to income reasons. This could result in the Councils not offering another fixed term tenancy. [Evidence: Strategic Tenancy Policy Consultation]

Mitigation: before the end of a fixed term tenancy the Councils will be talking to tenants about their housing options and will offer standardised advice and support, including signposting to relevant organisations. The aim is to prevent homelessness and help people find the most suitable and affordable accommodation available.

Positive: The use of fixed term tenancies may help raise the aspirations of some of our tenants some of whom have a long term benefit dependency and low aspirations to find work or gain educational qualifications.

PART 4: Summary of analysis

Considering the evidence listed above, please summarise the impact of your work.

Please include in your summary how the proposals:

- Impact on the elimination of discrimination, harassment or victimisation
- Advance the equality of opportunity
- Promote good relations between groups

There are concerns that this policy could negatively affect individuals or groups of people with protected characteristics including age, disability, marriage and civil partnership and sex. All of the negative impacts identified have or will be mitigated as much as possible within the implementation of the Strategic Tenancy Policy and its associated procedures and practical arrangements. Some positive impacts have also been identified for age and sex. Below summarises the impacts identified, and details where we have put into place actions to mitigate negative impacts.

AGE - negative impacts identified

Two - year fixed term tenancy for applicants under 25 years of age proposed in the Strategic Tenancy Policy Consultation. As a result we will be making changes so that all new tenants, regardless of age, will be offered a 5 year fixed term tenancy.

Concerns about a lack of succession rights for dependents. Based on figures we have for 2012/13 in Babergh, there were a total of 27 successions, of which only 3 were as a result of a parent passing away. Although there were initial concerns about making the best use of limited housing stock and limiting the discretionary succession rights as a result, based on this evidence we have which shows a very small number of successions to children of a deceased tenant, we have decided to introduce a discretionary succession rule that allows children to succeed to a tenancy following death of a tenant.

The age groups 20-29 years and 30-39 years are over represented on Babergh and Mid Suffolk's Housing registers, so may be impacted by fixed term (flexible) tenancies more than any other age group. We will monitor housing applications and allocations of properties through the Gateway to Homechoice system to enable us to have a better understanding of how accessible the Choice Based Lettings is for all protected groups.

Concerns that fixed term (flexible) tenancies may impact on older and more vulnerable people because they need stability and require compassion and support in their tenancy. Before the end of a fixed term tenancy the Councils will be talking to older or more vulnerable tenants about their housing options and will offer standardised advice and support, including signposting to relevant organisations. The aim is to prevent homelessness and help people find the most suitable and affordable accommodation available. Exclusions to the fixed term tenancy scheme include where a tenant is in receipt of a state pension or disability benefit and moves into sheltered accommodation. Grounds to convert a fixed term tenancy will occur if the tenant is allocated sheltered accommodation.

AGE - positive impact identified

Fixed term (flexible) tenancies will help to free up much needed accommodation, maximising the supply of appropriate sized accommodation to meet the needs of families with young children, and for people belonging to other age groups who are in housing need. This will help to reduce under occupation and overcrowding. This will help to reduce under occupation and overcrowding. The above will help to foster good relations and advance the equality of opportunity between older and younger people.

DISABILITY - negative impact identified

Concerns that fixed term (flexible) tenancies may impact on older and more vulnerable people which could include those who are ill or disabled, because they need stability and require compassion and support in their tenancy. Before the end of a fixed term tenancy the Councils will be talking to vulnerable people about their housing options and will offer standardised advice and support, including signposting to relevant organisations. The aim is to prevent homelessness and help people find the most suitable and affordable accommodation available. Exclusions to the fixed term tenancy scheme include where a tenant or a member of their family is terminally ill or is suffering from a serious disabling condition, and, for couples living in a significantly adapted property, where the disabled tenant dies, the surviving tenant will be offered a secure tenancy, either through succession, or in the form of a new sole tenancy, in a more suitable property.

Grounds to convert a fixed term tenancy to a secure tenancy will include where a tenant, or a member of their household, develops a serious disabling condition during the period of their flexible tenancy. Officers will ensure the property meets the needs of the household and will, where appropriate, consider whether the conversion to a secure tenancy should involve a transfer to a house which is best placed to meet this need.

MARRIAGE AND CIVIL PARTNERSHIP - negative impact identified

Concerns around the welfare of a spouse or partner (including same sex and non married couples) if they should not have the ability to succeed. New powers under the Localism Act grant a statutory right to succession for spouses and partners (including same sex and non married couples).

SEX - positive impact identified

Females were over represented on Mid Suffolk and Babergh District Councils' housing registers by based on the total population in the districts.

SEX - negative impacts identified

A woman's status as the main carer for children could cause a potential negative impact in terms of the potential situation arising where a fixed term tenancy is not renewed if circumstances change. The Councils will offer standardised advice and support, including signposting to relevant organisations will also be offered to all tenants. The aim is to prevent homelessness and help people find the most suitable and affordable

accommodation available. Officers will be seeking to increase the range of housing options available i.e. making better use of the private sector and the partnerships with Registered Housing Providers.

Concerns around lack of succession rights for carers living with the tenant. Using new discretionary powers given to us as local authorities under the Localism Act, we have decided to offer succession to carers if the property in question is the principle or only residence of the survivor at the time the tenant dies. There may be debate in this area for example if someone has given up their home to care for a loved one who then soon passes away so in these cases, individual circumstances will be looked at.

OTHER - negative impact identified

Impacts of income thresholds for fixed term tenancies is not within the scope of the Equality Act, concerns that people cannot afford to buy a property or privately rent based on the proposed figures. We considered amended the income thresholds based on feedback received however to ensure that no contradictions arise, the limits must reflect those set in the Allocation Policy, and will be reviewed on an annual basis. Advice and support, including signposting to relevant organisations will also be offered to all tenants.

Concerns raised about the introduction of fixed term tenancies and succession rules having a negative impact on community stability, affecting families, access to work jobs, schooling, increased homelessness and traumas and costs of moving. We will make five years the standard tenancy length and keep the number of factors to be considered at tenancy renewal to a minimum. We will also try to facilitate moves that allow tenants to remain in locations of choice where at all possible.

Communication and accessibility of information and services - an issue picked up in the Equality Impact Assessment that was carried out for the Sub Regional 'Tenancy Strategy' (adopted by Babergh and Mid Suffolk District Councils) is the accessibility of accessing the housing register online (Gateway to Homechoice). This is often referred to as 'digital exclusion'. There are mechanisms developed on a sub regional basis to mitigate any problems.

OTHER - positive impacts identified

The use of fixed term tenancies may help raise the aspirations of some of our tenants some of whom have a long term benefit dependency and low aspirations to find work or gain educational qualifications.

Summary

Mixed feedback and evidence exists for the introduction of a fixed term tenancy scheme and the introduction of new discretionary succession rights. Overall we received more feedback in relation to fixed term tenancies. This can probably be attributed to the fact that this scheme will be likely affect a higher number of people.

The majority of respondents to the consultation are in favour of a fixed term tenancy scheme; however there are potential negative impacts that

may arise as a result of the introduction of this new scheme.

Before the end of a fixed term tenancy we will talk to tenants about their housing options. It is most likely that at the end of the tenancy term another fixed term tenancy will be granted with a number of exceptions, such as a change in financial circumstances meaning a tenants has sufficient funds to privately rent or purchase a property, family circumstances change so the same size property is no longer required and where a tenancy has not been conducted satisfactorily (anti-social behaviour or neglect to the property for example). Other circumstances will be taken into account as to whether another fixed term tenancy should be granted such as if a tenant or a member of their household, is terminally ill or suffers a serious disabling condition during the period of the tenancy. We will provide standardised practical support and advice to help people find the best housing solution and to avoid situations of homelessness.

Ultimately the main aims of the Councils is to make best use of housing stock, house those who are most in need, tackle under occupation to allow us to provide housing to new emerging families, and to encourage housing mobility which can have a positive impact in terms of people living in the most suitable housing for their needs, encouraging work and training opportunities and helping to raise the aspirations of our tenants and those living in our communities. All of the above aims will help to advance the equality of opportunity and promote good relations between those living in our communities.

Monitoring of fixed term (flexible tenancies) and succession rights

We need to determine a final policy document and set of procedures for the Strategic Tenancy Policy through project group work during the next few months. This will include details of what the review process for fixed term tenancies includes so that the information used constitutes a sufficient review of the tenant's ability to be granted a further fixed term tenancy. We may consider the introduction of a household ambition plan completed at the point of tenancy sign up with agreed actions i.e. to participate in the community, obtain work or training, improve health such as giving up smoking or becoming a volunteer. This may be a contentious area so great thought will be needed before any decisions are made. Review criteria based on disability status, income and size of property alone does not constitute a sufficient review for a fixed term tenancy.

We will ensure that the fixed term tenancy scheme is kept under regular review. Furthermore, by monitoring housing applications and allocations of properties through the Gateway to Homechoice system (including equality monitoring) we will have a better understanding of how accessible the Choice Based Lettings is for all protected groups.

Equality monitoring carried out through the Greater Haven Gateway Equality and Diversity Sub Group will pick up a lot of equality and diversity monitoring for the Sub Regional 'Tenancy Strategy' that has been adopted by Babergh and Mid Suffolk District Councils.

PART 5: Recommendations to the Equality Analysis Group

It is recommended that if your work is likely to have a high impact (negative) on one or more of the equality groups that you need to carry out a Full Equality Analysis Assessment.

In your opinion does your contract, decision, function, policy, project or strategy need to progress to a 'Full Equality Analysis Assessment'?	No
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PART 6: FOR USE OF THE EQUALITY ANALYSIS GROUP ONLY

Quick Reference table: insert details of the likely impact/s of the work.

	Age	Disability	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and maternity	Race	Religion or Belief	Sex	Sexual Orientation
Negative	X	X		X				X	
Neutral			X		X	X	X		X
Positive	X							X	

Notes/comments/recommendations	<ol style="list-style-type: none"> 1. The 'income thresholds or changes in circumstances due to income' being used as criteria for not renewing a fixed term tenancy may act as a disincentive to work. Suggestion to tackle this is to offer higher rent levels? 2. Under the proposed discretionary right for child/children of a decreased tenant, how long must a child have lived with the parent for in order to succeed to the tenancy - mention this in the detail of policy/procedures 3. Regarding advice and assistance offered to tenants - when will this be provided; a formal review process is needed 4. If disability benefits change or are withdrawn, how would this apply to the policy? Would criteria/definitions in the policy with regard to fixed term tenancies (i.e. exclusions and conversions) be reviewed? 5. There is a need to ensure customers are aware of our allocation criteria / how housing need is worked out for council properties - particularly around disability; include a summary of information in the appendix of the policy? 6. There is a mention of 'serious disabling condition' under exclusions and conversions for fixed term tenancies; recommend to seek a professional
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	<p>view on what this entails for each individual case and need clear criteria in the policy/procedures</p> <p>7. Regarding statutory succession rights for spouses and partners - does the partner or spouse of the deceased tenant have to be named on the tenancy agreement to have these rights?</p> <p>8. Suffolk Family Carers may be able to help in working out the detail of discretionary succession rights for carers</p> <p>9. Mention of household ambition plan - be careful not to impose conditions on tenants (is this allowed?), also there is a need to explore how to help people help themselves. This ties in with the future work of the financial inclusion team, health and wellbeing and worklessness, so a good idea to work jointly on this. Suggestion of an annual tenancy review to monitor this if it is introduced.</p>
Name and job title of completing Equality Analysis Group member	Breige Convery, Policy Officer
Date	05/06/13
Assessment reference number	EAG/017

When completed, an electronic copy of this assessment should be saved with all other correspondence and documentation (including evidence) relating to the contract, decision, function, policy, project or strategy. A copy of this assessment should be published on the Council's website if the contract, decision, function, policy, project or strategy is for external publication.