

## SECTION A

Name of policy / project / service	Central Lincolnshire Tenancy Strategy
Background and aims of policy / project / service at outset	<p><u>Background</u> The Localism Act 2011, sets out in Part 7, Chapter 2, 150, a requirement for all local housing authorities to produce a tenancy strategy.</p> <p>(1)A local housing authority in England must prepare and publish a strategy (a “tenancy strategy”) setting out the matters to which the registered providers of social housing for its district are to have regard in formulating policies relating to—</p> <p>(a)the kinds of tenancies they grant,</p> <p>(b)the circumstances in which they will grant a tenancy of a particular kind,</p> <p>(c)where they grant tenancies for a term certain, the lengths of the terms, and</p> <p>(d)the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.</p> <p>In response to this the central Lincolnshire authorities of City of Lincoln Council, North Kesteven District Council and West Lindsey District Council have produced this joint tenancy strategy to address the housing-related matters set out in the Act. This section of the Act also sets out what should be included within the Tenancy Strategy.</p> <p>The Localism Act permits local authorities and private Registered Providers to use flexible tenancies. City of Lincoln Council has made the decision to only use flexible tenancies in exceptional circumstances such as homeless through fire or flood and in need of temporary accommodation until their own property is habitable. However, we would not want to prevent private Registered Providers from using such tenancies should they choose to.</p> <p>This strategy sets out the options which the councils suggest may be appropriate in the area should the private Registered Providers choose to use these options. The options are all set out in Part 7, Chapter 2</p>

of the Localism Act 2011.

Section 107A of the Localism Act 2011 provides information of the use of flexible tenancies and the review process involved.

### Aims

The strategy aims to give Registered Providers in the central Lincolnshire area guidance to inform their policies and practices with regard to making the best use of their stock. It will also continue to ensure that the local housing need is able to be met whilst improving the functionality of the housing market.

The key objective of the strategy is to ensure the social housing stock is used in the best possible way to provide homes for those households who are unable to secure or afford a home that meets their needs in the private sector. It has been recognised that lifetime tenancies are not always the most appropriate tenancy and the government has introduced the use of flexible or fixed term tenancies which should last for a minimum of five years. In most circumstances these are expected to be reviewed, however, under circumstances where a household's needs can be better met through an alternative tenure or the household is financially able to secure alternative accommodation these tenancies will not be renewed. This is to protect the valuable resource of social housing to ensure those households who genuinely need social housing and cannot meet their housing needs in the open market can be helped.

The strategy will also set out the councils' approach to the use of flexible tenancies to assist with addressing under occupancy, and encouraging tenants to have control over their own housing situations and offering support where needed to ensure this is able to happen.

Each Registered Provider must have regard to this strategy when formulating and applying their own tenancy policies.

The whole strategy is guidance to which the Private Registered Provider's must have regard to. This is the council's suggested approach. Private Registered Provider's must provide the council with a copy of the tenancy policy and as long as it can be shown to have taken regard to this strategy the Private Registered Provider's do not have to follow it word for word.

Prior to the development of the strategy research was carried out into tenancies started five years ago, of the 853 tenancies started in 2005/2006 just 353 remained in their council property. The top three reasons for ending a tenancy was for a private tenancy, a mutual exchange or a transfer within the social sector. This shows a high number of these tenants remained in social housing.

	<p>Consultation was carried out with the households who have remained in the same property to assess family make up and circumstances at the start of the tenancy and 5 years later.</p> <ul style="list-style-type: none"> <li>• No respondents had a household income above £25,000</li> <li>• 91% are happy with their home</li> <li>• 85% feel their home is affordable</li> <li>• 77% are happy living in social housing</li> <li>• 72% would not be able to afford any other tenure</li> <li>• 85% would prefer to remain in council rented accommodation</li> </ul> <p>We asked the tenants some questions about their views on tenancy length and the use of social housing:</p> <ul style="list-style-type: none"> <li>• 75% said social housing should be for as long as the tenant wants it</li> <li>• 86% said a review should take into account the households ability to afford and access alternative accommodation</li> <li>• 55% said 5 years was not long enough before a review took place, however, 57% said 5 years was an appropriate time</li> </ul> <p>Prior to developing the strategy all private Registered Providers were consulted and none indicated an intention to use flexible tenancies.</p> <p>This equality analysis has been carried out for the City of Lincoln Council only and looks only at the impact of the commitments made in the strategy by the City of Lincoln Council. The implications of the commitments made by other partners and not supported by the City of Lincoln Council are not considered as part of this analysis.</p>
<p>Person(s) responsible for policy or decision, or advising on decision, and also responsible for equality analysis</p>	
<p>Key people involved <i>i.e. decision-makers, staff implementing it</i></p>	

## SECTION B

This is to be completed and reviewed as policy / project / service development progresses

	Is the likely effect positive or negative? (please tick all that apply)			Please describe the effect and evidence that supports this?*	Is action possible to mitigate adverse impacts?	Details of action planned including dates, or why action is not possible
	Positive	Negative	None			
Age	√			<p>Throughout 2011/2012 there were 154 requests for nominations from private registered providers, 24 of which were for sheltered accommodation.</p> <p>Those households who are over the age of 60 or residents of sheltered housing schemes will retain and continue to be offered Assured or Secure tenancies.</p> <p>The strategy suggests that households who are moving into sheltered, warden assisted or extra care accommodation should be provided with a secure or assured tenancy. Also suggested is that those households who are of state retirement age should also be offered a secure or assured tenancy. This is due to the applicants needs being seen as lifelong, this would mean an allocation of a property which is of a suitable type and size to meet the needs of the household. Where a household requires support they are offered a secure or assured tenancy and therefore we did not see it fair</p>	Yes/No/NA	

			<p>to penalise those of the same age for not requiring the support provided through sheltered, warden assisted or extra care accommodation by providing them with a flexible tenancy rather than a secure or assured tenancy. This would apply to new tenancies only.</p> <p>Households who already hold an assured or secure tenancy and wish to move via a transfer within the social sector will retain their tenancy. Should the household move out of the social sector and wish to return to social housing they may not be offered a lifetime tenancy.</p>		
Disability	√		<p>The strategy sets out that the Private Registered Providers should ensure that adapted housing stock should be used for households who need it most. This includes the instigation of a tenancy review should the household member who requires the adaptation no longer be residing in the property. In some cases this will free up a property for a household who require the adaptation. Please note this will only apply to permanent changes, such things as grab rails will not instigate a review, if they are not longer required they can easily be removed. This will only apply to such adaptations as level access showers, full wheelchair access, through floor lifts etc.</p> <p>Where a request for an adaptation is received from an existing household a review will be carried out to test the viability of them staying in their current property or whether a move to a property which has already been adapted would be more suitable. Both options will be assessed to find the best solution for</p>	NA	

the household.

All properties with adaptations will be let to those with the need for the adaptations in the first instances, not only to provide the best use of the stock but also to provide households with a home which better meets their requirements and allows them to live independently. The council owns 2,237 properties with some kind of adaptation, some have more than one adaptation, these include, grab/hand rails, level access showers, ramps, stairlift, through floor lifts and fully wheelchair accessible properties. Private Registered Providers will also have properties which have adaptations to them. The council does not hold information on such properties.

Throughout 2011/2012 there were a total of 202 council owned properties let with some kind of adaptation. Some of these properties had more than one type of adaptation.

<b>Adaptation</b>	<b>Number of properties let</b>
Hand rails	98
Ramp	37
Stair lift	19
Through floor lift	1
Level access shower	148

The council will provide adaptations on its own properties and also offers Disabled Facilities Grants for homes in the private sector where an essential adaptation is required to enable a disabled occupant to live independently. In 2010/2011 the

				<p>council spent £277,809.70 on adaptations to council properties to allow a household to live independently, in 2011/2012 this rose to £322,921.84.</p> <p>In response to one of the consultation responses from a Registered Provider the council reconsidered the recommendation of providing households with a disabled member(s) with secure or assured tenancies given the objective of making the best use of the stock in the city. These households will now be provided with a flexible tenancy for a minimum of five years which will be reviewed and renewed should the disabled member remain in the household. If the disabled member does not remain in the household this will trigger a review of the tenancy whereby a household's tenancy may or may not be renewed.</p>		
Gender re-assignment			√	<p>The strategy sets out the guidance from local authorities for Private Registered Provider's to inform their tenancy policies. This does not set out any criteria which suggests households should be allocated different tenancies based on this characteristic.</p>	NA	
Pregnancy and maternity	√			<p>The strategy suggests providers should renew flexible tenancies if the household has children in a nearby school to ensure their education is not disrupted provided the property remains suitable. If the review suggests not renewing the tenancy careful consideration should be given to the assistance given to help the household move whilst minimizing the disruption to the child's education i.e.</p>	NA	

			<p>remaining in the school catchment area. This is included within the strategy as the council recognises that there are situations where a household may require a different type or size of property to meet the households changing needs.</p> <p>All properties advertised through Lincoln Homefinder are let or nominations are provided to Registered Providers with a view to making the best use of the stock. Properties will only be let to households meet the size requirements for a property i.e. a three bedroom house will usually only be let to a household with two or more children in line with the housing allocations policy. This will continue to be the case when the new Lincs Homefinder policy is introduced. Pregnancy will be taken into account when allocating the property and bedrooms will be allocated including the unborn child, provided proof of pregnancy has been provided.</p> <p>Where a parent has proven regular overnight access to a child a larger property can be provided, this is the choice of the applicant, i.e. a single person with access to a child will be able to bid for one and two bedroom flats and maisonettes. Two bedroom properties may be subject to benefit implications from the welfare reform dependant on household type and size.</p> <p>Households will be able to re-apply for housing or request a mutual exchange should they need a larger property due to additional children as they can with a secure tenancy.</p>		
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Race			√	The strategy sets out the guidance from local authorities for Private Registered Provider's to inform their tenancy policies. This does not set out any criteria which suggests households should be allocated different tenancies based on this characteristic.	NA	
Religion or belief			√	The strategy sets out the guidance from local authorities for Private Registered Provider's to inform their tenancy policies. This does not set out any criteria which suggests households should be allocated different tenancies based on this characteristic.	NA	
Sex			√	The strategy sets out the guidance from local authorities for Private Registered Provider's to inform their tenancy policies. This does not set out any criteria which suggests households should be allocated different tenancies based on this characteristic.	NA	
Sexual orientation			√	The strategy sets out the guidance from local authorities for Private Registered Provider's to inform their tenancy policies. This does not set out any criteria which suggests households should be allocated different tenancies based on this characteristic.	NA	
Marriage / civil partnership			√	The strategy sets out the guidance from local authorities for Private Registered Provider's to inform their tenancy policies. This does not set out	NA	

				any criteria which suggests households should be allocated different tenancies based on this characteristic.		
Human Rights (see page 8)	√			<p>This strategy supports the following Human Rights Characteristics:</p> <ul style="list-style-type: none"> <li>• Freedom from torture and inhuman or degrading treatment</li> <li>• Right to liberty and security</li> <li>• Respect for your private and family life, home and correspondence</li> <li>• Right to marry and start a family</li> <li>• Protection from discrimination in respect of these these rights and freedoms</li> <li>• Right to peaceful enjoyment of your property</li> <li>• Right to education</li> </ul> <p>The council expects Private Registered Provider's to anticipate renewing flexible tenancies apart from in exceptional circumstances. It is not the intention of this strategy to encourage stock turnover, the council wants to develop sustainable and inclusive communities across the city.</p>	NA	

*\* Evidence could include information from consultations; voluntary group feedback; satisfaction and usage data (i.e. complaints, surveys, and service data); and reviews of previous strategies*

Did any information gaps exist?	Y/N/NA	If so what were they and what will you do to fill these?
There is no data on the use and success of flexible tenancies in the city as this is a new type		Monitor the use and success of flexible tenancies to ensure they are being used effectively. Where possible collect data on length of flexible tenancies upon termination and renewal of tenancies after the five year period. The earliest data will be available following five years of the first flexible tenancies being offered.

<p>of tenancy introduced by the Government as part of their portfolio of products through the Localism Act 2011.</p>		<p>Data on terminations will be available after tenants have terminated their tenancies and this could be anything from one month to five years.</p> <p>Where providers choose to use flexible tenancies we will request such information to assess the level of success and the circumstances in which they have proved successful in the city. There is only one know provider using flexible tenancies in the city at present.</p>
<p>Accurate data on disability for the waiting list and tenants</p>		<p>The data regarding disability will continue to be asked and more specifically asked for if they require specific adaptations such as grab rails, level access showers, stairlifts, ramps into properties etc. Households who need such adaptations do not necessarily consider themselves to have a disability. This is being addressed by the introduction of a new, improved housing application form later this year.</p>

## SECTION C

### Decision Point - Outcome of Assessment so far:

Based on the information in section B, what is the decision of the responsible officer (please select one option below):

- |   | Tick here |
|---|-----------|
| • <b>No equality or human right Impact</b> (your analysis shows there is no impact) - sign assessment below                     | [ ]       |
| • <b>No major change required</b> (your analysis shows no potential for discrimination, harassment)- sign assessment below      | [ X ]     |
| • <b>Adverse Impact but continue</b> (record objective justification for continuing despite the impact)-complete sections below | [ ]       |
| • <b>Adjust the policy</b> (Change the proposal to mitigate potential effect) -progress below only AFTER changes made           | [ ]       |
| • <b>Put Policy on hold</b> (seek advice from the E&D officer as adverse effects cant be justified or mitigated) -STOP progress | [ ]       |

Conclusion of Equality Analysis  
(describe objective justification for continuing)

There are no negative impacts identified from the strategy. There are a number of positive impacts on some protected characteristics with the majority seeing no impact.

Positive impacts can be seen for those who are over the state pensionable age to give them security of tenure in later life for those who choose to move into general needs properties or sheltered/warden/extra care accommodation.

Where negative impacts were identified through the development and consultation processes these have been considered and the policy has been amended to counteract these negative impacts. This has included a change to the strategy resulting in no impact on the age characteristic and amendments to the strategy around disabled household members and the tenancy types they have been offered. The latter change meant that it is not recommended that households with a disabled member receive a secure or assured tenancy but a flexible tenancy is provided for a minimum of five years with a recommendation that should the disabled household member remain the tenancy be renewed for at least a further five years. This allows security of tenure for the household and flexibility in ensuring the best use of stock for the landlord given the amount of money landlords spend on adapting properties to make them suitable for those who require an adaptation to remain in their home.

When and how will you review and measure the impact after implementation?\*

The full impact of the strategy and the following Registered Provider's policies with regard to tenancies will not be seen until five years following the adoption and implementation of the strategy. However, the use for flexible tenancies and any ensuing reviews before the five year mark will be monitored and considered in the full review of the strategy in five years time. Should there be any amendments required before this point we will ensure these are included when they arise and can be analysed.

The review will involve looking at the number of tenancies issued, the number of these which are flexible

	tenancies and looking at how many of these have been renewed or ended and the circumstances surrounding both of these situations. This may involve consideration as to whether five years is an appropriate tenancy length for the city or whether this should be extended. Consideration should also be given to the amount of additional work Registered Provider's must do to enable them to carry out a satisfactory tenancy review, is this proportional to the benefits received from offering five year tenancies or would a longer term tenancy be more appropriate.
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Checked and approved by responsible officer(s) (Sign and Print Name)		Date	
Checked and approved by Assistant Director (Sign and Print Name)		Date	

When completed, please send to [info.equality@lincoln.gov.uk](mailto:info.equality@lincoln.gov.uk) and include in Committee Reports which are to be sent to the relevant officer in Democratic Services

The Equality and Human Rights Commission guidance to the Public Sector Equality Duty is available via:  
<http://www.equalityhumanrights.com/new-public-sector-equality-duty-guidance/>