

Equality Impact Assessment Template

To complete the template, please refer to the Equality Impact Assessment Process & Guidance Notes. Section 5 (5.1 to 5.8) in pages 11 to 17 provides a step-by-step guide on how to carry out initial, partial and full impact assessments.

- (1) The General Information section must be completed in all assessments.
- (2) For an Initial Impact Assessment, complete Sections 1 - 4
- (3) For a Partial Impact Assessment, proceed to complete Section 5
- (4) For a Full Impact Assessment, proceed to complete Sections 6- 8

General Information	
Name of function/policy: Succession Procedure	
Subsidiary/Directorate: PCHA	
Officer completing the assessment	
Name:	Job title: Policy Officer
Tel. no:	Email address:
Date of assessment: 24/10/08	
Is this an existing or proposed function/policy? Existing	
Initial Impact Assessment (Sections 1- 4)	
Section 1. Responsibility and Ownership (refer to 5.1 in pages 11 & 12 in guidance notes)	
1.1 Who is responsible for this function/policy at senior management level? (this could be a named individual or a group e.g. DEG) Deputy Director Housing	
1.2 Who is responsible for this function/policy on a day-to-day basis? (this could be a named individual or a group) Housing Services Manager	
1.3 Who else, both internally and externally, influences delivery of this function/policy? Housing Services Team Income Services Team Legal Services Team	
Section 2. Aims and Objectives of the Function or Policy (refer to 5.2 in page 12 in guidance notes)	
2.1 What are the aims and objectives of this function/policy? <ul style="list-style-type: none"> • To deal with succession requests within agreed timescales • To be fair and transparent in operation 	

<ul style="list-style-type: none"> To comply with our statutory and contractual obligations in relation to succession rights To operate any discretionary powers within clear guidelines To ensure the procedure is applied consistently across all cases to deliver a fair service to all residents and applicants 			
2.2 Who are the target groups that will benefit from this function/policy? All potential successors will benefit from the operation of this procedure.			
2.3 What are the intended outcomes of this function/policy? <ul style="list-style-type: none"> To fulfil our statutory and contractual obligations in relation to succession rights To ensure that those entitled to succeed are able to do so, and that those with no entitlement to succeed are not given new tenancies (except where this has been given on discretionary grounds, as specified in the procedure) To operate a transparent decision-making process To increase satisfaction by processing requests in line with published timescales and service standards, and providing useful information to residents 			
Section 3. Relevance to the General Duty: <ul style="list-style-type: none"> Eliminating Unlawful Discrimination, Promoting Equality of Opportunity, and Promoting Good Community Relations (refer to 5.3 in pages 12 - 15 in guidance notes)			
The following questions may help to guide relevance to the General Duty :			
<ul style="list-style-type: none"> Is the policy/function directly or indirectly discriminatory? Refer to Guidance Notes Section 5.3.1 in page 13 for definition of discrimination. Is the policy/function intended to increase equality of opportunity by implementing positive action to redress disadvantages? Is this lawful? Is the policy/function likely to result in different outcomes for different groups? How the impacts affect relation between groups or between Genesis and different community groups? 			
3.1 Is there any evidence that this function/policy may have/has had positive, adverse or neutral impact upon the General Duty on the following groups of people:			
<p>examples of evidence - monitoring/performance data, surveys, evaluation reports, census, consultation findings, inspection reports, partner organisations data etc.</p> <p>examples of adverse impact – lower success rates in allocating/selecting process, eligibility criteria which disadvantage any groups, access denied/difficult compared to other groups, poorer quality of service/information etc</p>			
	Positive	Adverse	Neutral
	Yes/No	Yes/No	Yes/No
3.1.1 Ethnic Groups	Y	N	N
List the evidence: PCHA uses translation services and interpreters where necessary. All letters sent inform the resident of this. Officers will accept communication from third parties speaking on behalf of residents where the resident has given their consent to this arrangement. The succession rights are clear and set out in law and the tenancy agreement, therefore there is little scope to discriminate either inadvertently or deliberately. Succession rights are based on familial relationships,			

<p>not any other criteria (e.g. diversity criteria).</p> <p>What are the risks: where there are competing claims for succession and the applicants cannot decide between themselves who should succeed, the landlord has the right to chose a successor. This discretionary power could lead to discrimination. It may be more difficult for people from outside the UK to prove their familial relationship, e.g. if they have to get their birth certificate translated. Also if the deceased died in another country their death certificate may be more difficult to obtain and may also need to be translated.</p>			
<p>3.1.2 Gender (including transgender)</p>	<p>Y</p>	<p>N</p>	<p>N</p>
<p>List the evidence: The succession rights are clear and set out in law and the tenancy agreement, therefore there is little scope to discriminate either inadvertently or deliberately. Succession rights are based on familial relationships, not any other criteria (e.g. diversity criteria).</p> <p>What are the risks: where there are competing claims for succession and the applicants cannot decide between themselves who should succeed, the landlord has the right to chose a successor. This discretionary power could lead to discrimination.</p>			
<p>3.1.3 Disability</p>	<p>Y</p>	<p>N</p>	<p>N</p>
<p>List the evidence: The succession rights are clear and set out in law and the tenancy agreement, therefore there is little scope to discriminate either inadvertently or deliberately. Succession rights are based on familial relationships, not any other criteria (e.g. diversity criteria). Residents can request information from PCHA in large print and Braille. PCHA will also accept applications for succession from advocates speaking on behalf of a resident.</p> <p>What are the risks: where there are competing claims for succession and the applicants cannot decide between themselves who should succeed, the landlord has the right to chose a successor. This discretionary power could lead to discrimination. There is also a discretionary power to allow a carer to “succeed” to a new tenancy – this is to be decided by the Housing Manager. There are, however, clear guidelines stating what criteria they should base their</p>			

decision on.			
3.1.4 Age	Y	N	N
<p>List the evidence: The succession rights are clear and set out in law and the tenancy agreement, therefore there is little scope to discriminate either inadvertently or deliberately. Succession rights are based on familial relationships, not any other criteria (e.g. diversity criteria). Minors are entitled to succeed to a tenancy; this would be held in trust until they were old enough to hold the tenancy themselves.</p> <p>What are the risks: where there are competing claims for succession and the applicants cannot decide between themselves who should succeed, the landlord has the right to chose a successor. This discretionary power could lead to discrimination.</p>			
3.1.5 Sexual orientation	Y	N	N
<p>List the evidence: The succession rights are clear and set out in law and the tenancy agreement, therefore there is little scope to discriminate either inadvertently or deliberately. Succession rights are based on familial relationships, not any other criteria (e.g. diversity criteria). PCHA explicitly states in its procedure that same sex couples (cohabitees and civil partners) will be treated equally to partners of different sexes. The phrase “living together as man and wife” is deemed to apply to same sex partners.</p> <p>What are the risks: where there are competing claims for succession and the applicants cannot decide between themselves who should succeed, the landlord has the right to chose a successor. This discretionary power could lead to discrimination.</p>			
3.1.6 Religion or belief	Y	N	N
<p>List the evidence: The succession rights are clear and set out in law and the tenancy agreement, therefore there is little scope to discriminate either inadvertently or deliberately. Succession rights are based on familial relationships, not any other criteria (e.g. diversity criteria).</p> <p>What are the risks: where there are competing claims for succession and the applicants cannot decide between themselves who should succeed, the landlord has the right to chose a successor. This</p>			

discretionary power could lead to discrimination. It may be more difficult for people from outside the UK to prove their familial relationship, e.g. if they have to get their birth certificate translated. Also if the deceased died in another country their death certificate may be more difficult to obtain and may also need to be translated.		
3.2 Is there any evidence to believe that some or all of the groups in 3.1.1 – 3.1.6 could be differently affected by the function/policy?		
	Yes	No
		X
Please specify:		
3.3 What are the risks and/or benefits to the Genesis Housing Group of the positive or adverse impacts identified above? Please specify.		
<p>Risks: There are some cases where discretion may have to be used, for example in deciding whether to award a carer a tenancy. There are clear guidelines on the criteria that should be used to assess the case. No guidelines have been set to decide how to deal with cases where there is more than one potential successor trying to succeed to the tenancy. This could lead to discrimination. Potential successors would, however, be able to appeal through the complaints procedure. Some groups may find it more difficult to provide the documentary evidence needed to prove familial relationships, for example if they were born outside the UK they may need to get birth certificate translated. If the deceased died in another country it may take longer to get the death certificate and this may also need to be translated.</p> <p>Benefits: The rights of different people to succeed to a tenancy are clearly set out in law and in PCHA's tenancy agreement. This ensures that there are adequate safeguards to limit the power of individual officers to exercise their discretion to offer tenancies to particular groups at the expense of others. The criteria for succession is clearly set out and residents are informed of these rights.</p>		
Section 4. Assessment of Equality Impact (refer to 5.4 in pages 15 - 16 in guidance notes)		
4.1 It is possible to determine the equality impact of the function/policy by answering the following questions:		
	Yes	No
4.1.1 Is any of the adverse impacts identified in 3.1.1 – 3.1.6 justified?	N/A	
4.1.2 Is the differential treatment identified in 3.2 significant and justifiable in the wider policy objectives?	N/A	
4.1.3 Is the risk identified in 3.3 justified?		X
4.2 If any of the answers in 4.1.1 to 4.1.3 is 'no', is there a better opportunity to meet the General duty by amending the function/policy?		
	Yes	No
	X	
4.3 This next stage of assessment for this function/policy is: (please choose either 4.3.1, 4.3.2 or 4.3.3)		

<ul style="list-style-type: none"> • If any of the answers in 4.1.1 to 4.1.3 is 'no', then a partial assessment should be undertaken. • If additional evidence will be needed in order to support the amendments in Section 5, and an action plan is also needed in order to implement the amendments, then proceed to a full assessment 		
	Yes	No
4.3.1 It will not be assessed further but will continue to be monitored		X
4.3.2 It will proceed to a partial assessment (Section 5)	X	
4.3.3 It will proceed to a full assessment (Sections 5 to 8)		X
Partial Impact Assessment		
Section 5. Consideration of Alternatives (refer to 5.5 in page 16 in guidance notes)		
5.1 What amendments are proposed for this function/policy in order to mitigate the adverse impacts or for positive impacts?		
Amendments	Who By	When by
Need to amend the section on competing claims for succession to clarify what criteria the Housing Services Manager should use in order to decide who is able to succeed to the tenancy.	Policy Officer	01/09/08
Need to add in a section on appeals, clarifying that any appeals will be made via the Complaints Procedure. People can also appeal through the court where they are unhappy about a decision on succession.	Policy Officer	12/09/08
Review how we disseminate information on succession procedure and who is entitled to succeed. Develop information sheet/succession pack for applicants to inform them of rights. Keep copies of this information for potential audit.	Policy Officer and Housing Services Manager	End October 2008
Add in a paragraph under the "Supporting Documentation" section of the procedure to acknowledge that some people may find it more difficult to provide the required documents, e.g. to prove familial relationships. We also need to be aware that it may take longer for some people to provide documentation, for example need to get items translated or need to get a death certificate from another country. PCHA need to be sensitive to these difficulties whilst ensuring as far as we can that the person is entitled to succeed.	Policy Officer	End October 2008
Keep information about who has applied to succeed and the outcome of the decision. Record this on a	Housing Services	Ongoing

spreadsheet along with response timescales. Document the reason for any refusals in “comments” column.		Manager				
5.2 Will more evidence be needed for supporting the amendments?						
				Yes	No	
					X	
5.3 If ‘yes’, what the additional evidence will be? <i>e.g. Who has expert knowledge of the issues? Which groups have a direct interest?</i>						
5.4 How will the additional evidence be acquired? (e.g. through consultation, commission new research etc)						
5.5 Will experts or partners be involved in the assessment at this stage?						
				Yes	No	
					X	
5.6 If ‘yes’, who are they? What are their roles?						
5.7 The next stage is to decide whether a full assessment will be necessary. This decision can be based on the answers to the following questions:						
				Yes	No	
5.7.1		Has significant adverse impact on some groups of people been identified in 3.1.1 – 3.1.6?			X	
5.7.2		Will significant amendments (refer to 5.1) be needed to mitigate the adverse impacts, without affecting the policy’s overall aims?			X	
5.7.3		Could the adverse impact result in unlawful discrimination?			X	
5.7.4		Could the adverse impact hinders equality of opportunity?			X	
5.7.5		Could the adverse impact lead to tension between different groups?			X	
5.8 Based on the evidence gathered in 5.71 to 5.75, will this function/policy be subject to a full assessment?						
				Yes	No	
					X	
5.8.1 Date by which the Full Impact Assessment will be completed:						
5.8.2 Officer responsible for carrying out the Full Impact Assessment:						
Full Impact Assessment						
Section 6. Action Plan for Implementing Proposed Changes to the Function or Policy within the next 12 months (refer to 5.6 in page 16 in guidance notes)						
Action	Target Group	Intended Outcome	Monitoring Arrangement	Responsible Officer	Completion Date	Action Completed Yes/No
<i>Issues to be considered:</i>						
Is the action	- Will the action have	- Is the intended	- Can the action be monitored within	Who will be responsible for :	When the action will be carried	

relevant to the: - policy/ function - business objectives/ priorities	the same impact on all target groups - will another group be adversely affected?	outcome clear? - Will the intended outcome address all the concerns? - Any potential unintended impacts?	existing systems? - Are changes to existing monitoring systems required?	- implementing action - monitoring action - overall policy development at senior management level?	out & monitoring completed?	

**Section 7. Consultation on Action Plan
(refer to 5.7 in page 16 in guidance notes)**

7.1 Groups that have been consulted:

<u>Groups</u> Consultation	Ethnicity	Gender	Disability	Age	Sexual Orientation	Religion/ Belief
How consultation is carried out?						
When consultation is done?						
How many people are consulted?						
Which organisations are consulted?						
Consultation findings						

7.2 Amendments or changes, if any, proposed as a result of consultation.

7.3 When the amendments will be carried out? By who?

**Section 8. Publication of Results of Assessment, Consultation and Monitoring
(refer to 5.8 in page 17 in guidance notes)**

8.1 How the results will be published?

Method (e.g. Genie, customer newsletters)	Date

8.2 Will access and language issues be considered? If yes, how?

Name of officer completed this assessment: Jenny Preece

Signature:

Date: 24/10/08

(Instruction : On completion of this assessment, please attach it to the function/policy and submit to the Senior Manager for approval).