

<b>TITLE</b> Name / description of the issue being assessed	Draft Tenancy Strategy 2018
<b>DATE</b> Date the DIA is completed	20 July 2018
<b>LEAD OFFICER</b> Name, title and dept of person responsible for carrying out the DIA.	Helen Miller, Senior Housing Strategy and Partnerships Officer, Strategic Housing

### 1 Summary description of the proposed change

- What is the change to policy / service / new project that is being proposed?
- How does it compare with the current situation?

The new draft Tenancy Strategy has been written to meet the requirements of the Localism Act 2011 and the Housing and Planning Act 2016 which further reforms social tenancies.

The original Tenancy Strategy was written in 2012 in response to changes introduced to social tenancies by the Localism Act 2011. This Act required each local housing authority to provide a tenancy strategy and for the registered providers in their area to have due regard to it. It amended the Housing Act 1996 to permit new 12 month introductory tenancies and fixed term secure tenancies to be granted and for the housing need of the tenants to be reassessed to determine whether the tenancy will be renewed.

The Housing and Planning Act 2016 showed the governments' intentions to encourage social landlords to provide fixed term tenancies in the majority of cases and specifying circumstances where lifetime tenancies should be granted. However, the powers to require these changes have not been enacted, nor a date set when they will be. The Housing and Planning Act also introduces voluntary 'pay to stay' powers. This strategy responds to the Housing and Planning Act 2016 as it is currently enacted.

In August 2018 the Ministry of Housing, Communities and Local Government released a Green Paper, A new deal for social housing. This discusses the use of fixed term tenancies and states the government is proposing it does not make fixed term tenancies mandatory for local authorities whilst recognising the benefits of fixed term tenancies and still permitting the use of introductory and fixed term tenancies by social landlords.

It is a shorter, simpler strategy than the previous version with less detail, no major changes in policy direction yet it is clearer in its encouragement for social landlords to consider using fixed term tenancies. It is hoped that if social landlords offer new tenants fixed term tenancies that can be renewed to households that remain in housing need this will create a slightly larger number of homes becoming available for allocating each year in time. Households who are no longer in housing need will be advised to seek a

tenancy or to buy on the open market.

## 2 Summary of evidence used to support this assessment

- Eg: Feedback from consultation, performance information, service user records etc.
- Eg: Comparison of service user profile with Medway Community Profile

Social tenancies allow households that cannot afford a home on the open market to have a tenancy at a lower than market price with longer tenancies than currently found in the private rented sector.

During the year 2017-18 approximately 6% of the housing stock managed by Medway Council became available for allocation. Other social landlords manage a further 12396 lettable homes and approximately 4 % of their stock became available for allocation.

On 1 June 2018 there were 1,749 households registered with Homechoice in active bands A-D with a housing need, 749 registered for sheltered housing or extra care accommodation only and 3,269 on the inactive register. This indicates high levels of demand for social housing with small numbers of homes becoming available for allocation each year.

This shows that it remains important that social housing is allocated to make the best use of the housing. Medway Council provides 3011 socially rented homes and began issuing secure fixed term tenancies, following an introductory tenancy, in 2013. However, other social landlords in Medway have not yet begun to issue fixed term tenancies.

64.9% of Medway Council housing tenants were in receipt of housing benefit in May 2018 indicating that they would be unable to afford to rent a home in the private rented sector where rents are higher or buy their home. This suggests that the majority will still be in housing need when a tenancy draws close to an end yet some will no longer be in housing need and will be able to seek a home on the open market and so increase the number of homes available to allocate.

We consulted with every social housing provider with stock in Medway by posting a copy of the strategy to them and seeking their comments. One housing association responded showing they had understood the draft strategy and had no objections to it.

## 3 What is the likely impact of the proposed change?

Is it likely to :

- Adversely impact on one or more of the protected characteristic groups?
- Advance equality of opportunity for one or more of the protected characteristic groups?
- Foster good relations between people who share a protected characteristic and those who don't?

(insert ✓ in one or more boxes)

Protected characteristic groups (Equality Act 2010)	Adverse impact	Advance equality	Foster good relations
Age			

# Diversity impact assessment

<b>Disability</b>			
<b>Gender reassignment</b>			
<b>Marriage/civil partnership</b>			
<b>Pregnancy/maternity</b>			
<b>Race</b>			
<b>Religion/belief</b>			
<b>Sex</b>			
<b>Sexual orientation</b>			
<b>Other (eg low income groups)</b>		✓	

#### 4 Summary of the likely impacts

- Who will be affected?
- How will they be affected?

This strategy will encourage social landlords to use fixed term tenancies which could increase the number of socially rented homes let per year, so increasing the likelihood of a low income household getting a tenancy they can afford. The need for a social tenancy will be assessed as fixed term tenancies approach their end. This allows the landlord to assess whether the household still has a need for a tenancy in a socially rented home and if the household can afford a private sector tenancy or to buy a home their tenancy may not be renewed.

This will impact those tenants who no longer need a social tenancy and will encourage them to seek a home on the open market. It will make a slightly larger number of lets available for households in greatest need each year.

#### 5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

- What alternative ways can the Council provide the service?
- Are there alternative providers?
- Can demand for services be managed differently?

The Tenancy Strategy could remain as it is so missing this opportunity to encourage social landlords to consider issuing fixed term tenancies.

# Diversity impact assessment

## 6 Action plan

- Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence

Action	Lead	Deadline or review date

## 7 Recommendation

The recommendation by the lead officer should be stated below. This may be:

- to proceed with the change, implementing the Action Plan if appropriate
- consider alternatives
- gather further evidence

If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.

I recommend that the new strategy is adopted.

## 8 Authorisation

The authorising officer is consenting that:

- the recommendation can be implemented
- sufficient evidence has been obtained and appropriate mitigation is planned
- the Action Plan will be incorporated into the relevant Service Plan and monitored

### Assistant Director

Ruth Du Lieu

### Date

Contact your Performance and Intelligence hub for advice on completing this assessment

RCC:	phone 2443	email: <a href="mailto:annamarie.lawrence@medway.gov.uk">annamarie.lawrence@medway.gov.uk</a>
C&A (Children's Social Care):	contact your usual P&I contact	
C&A (all other areas):	phone 4013	email: <a href="mailto:jackie.brown@medway.gov.uk">jackie.brown@medway.gov.uk</a>
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