

Equality Impact Assessment Template (EqIA)

An Equalities Impact Assessment (EqIA) is a tool to understand the effects a decision will or is likely to have on people, specifically those people who have one or more protected characteristics under the Equality Act 2010.

It is an evidence-based approach and aims to ensure that decision-making processes are fair and do not present barriers to participation or create disadvantage for protected groups.

The EqIA should be started early on in a project before any decision is made. It can also be used:

- As a service improvement tool, and
- To assess the implications of strategic and operational decisions.

In this way, we can help ensure we do not discriminate, and promote equality.

What is the Public Sector Equality Duty (PSED)?

The PSED under the [Equality Act 2010](#) requires that in the exercise of its functions, Waltham Forest Council must have due regard whilst seeking and evidencing ways that we:

- eliminate unlawful discrimination – including victimisation or harassment
- advance equality of opportunity between people who share a protected characteristic and those who don't
- foster or encourage good relations between people who share a protected characteristic and those who don't

The PSED helps the council meet its legal duties and to become more accountable, inclusive, credible and community orientated.

Protected characteristics under the Equality Act 2010

It is against the law to discriminate against someone because of a protected characteristic. These are:

- Age
- Sex
- Ethnicity and race
- Religion or belief
- Disability
- Sexual orientation
- Pregnancy and maternity
- Gender reassignment
- Marriage and civil partnership

An EqIA enables officers to assess the impact of proposed decisions on people with these characteristics.

Protected characteristics as determined by Waltham Forest Council

In addition to our statutory obligations under the Equality Act 2010, Waltham Forest Council include Care Leavers as having a protected characteristic and to this extent passed a motion in April 2023 to recognise this action. Therefore, Waltham Forest Council's EqIA process also includes a requirement to explore the impact of a proposal on that group.

Additional groups that face structural inequalities

As a Council, we are committed to tackling structural disadvantages faced by our residents. We encourage staff to think about how a decision, proposal or policy might affect wider groups who are not covered by the Equality Act, but still experience relative material or social disadvantage in accessing opportunity.

The [State of the Borough report](#) identifies a number of additional groups that should be taken into account:

- Those who face socio-economic inequality (e.g. unemployment, low income, low academic qualifications) or live in areas of high deprivation
- Care Leavers
- People with caring responsibilities
- Survivors of domestic violence
- Migrants, including refugees and asylum seekers
- Homeless people and people at risk of homelessness
- People who are experiencing long-term unemployment

There might be other disadvantaged groups that you know from your service data who might be adversely affected by your proposal or policy. You need to consider these groups as well as the protected characteristics above as part of your EqIA.

Carrying out an EqIA

When doing an assessment, you must answer these questions:

- Is the proposal, policy, or project likely to exclude or have a detrimental (harmful) effect on a specific group or community?
- Does it affect some groups or communities differently and can this be justified?
- How might it affect wider determinants (factors) such as income, housing, education, employment, neighborhoods, and communities that impact on health and well-being?
- Is the proposal, policy, or project likely to be equally accessed by all groups and communities? If not, can this be justified?
- Are there any barriers that might make it hard or stop different groups or communities accessing the proposal or policy to be delivered?
- Could the proposal or policy promote equality and good relations between different groups?

Service areas are responsible for ensuring EqIAs are started early on and should consult widely within their service to ensure they have considered all potential impacts. This should also include considering the impact on people who have identities that overlap e.g., intersectionality of gender, race, and disability for instance.

When completing a EqIA use data to help collate demographic evidence including:

- Census 2021 in Waltham Forest
- Statistics about the borough
- Other service specific data insights and sources, including data requests via Hornbill.

Guidance on compliance with the Public Sector Equality Duty for officers and decision makers

1. The duty is mandatory and must be met by the decision-maker and not delegated. It is for the decision-maker to consider with help from the report and officer analysis.
2. EqIAs must be evidence-based and accurate – negative impacts must be fully and frankly identified so the decision-maker can fully consider their impact.
3. There must be compliance with the duty when decisions, proposal or policies are being formulated by officers and then by members or officers when taking the decision. The Council cannot rely on an EqIAs produced after the

decision is made but sometimes a “provisional” EqIA is appropriate eg. before consultation on a decision, proposal, or policy.

4. When an equality implication is identified, officers and members must give conscious and open-minded consideration to the equality duty when making a decision.
5. The duty is not, however, to achieve the three equality aims but to pay due regard when making the final decision – therefore, the duty can encourage officers to amend or change a decision, proposal, or policy where an equality implication is identified, but it does not stop difficult but justifiable decisions being made e.g to no longer continue a service for instance.
6. The decision maker may take into account things that may objectively justify taking a decision which has negative impact on equalities, e.g. financial targets, value for money or service needs.
7. The duty is ongoing: EqIAs should be reviewed over time and should say how impact will be monitored after the decision.

Positive action

The Equality Act allows ‘positive action’ to tackle disadvantage faced by those sharing a protected characteristic, even if it has the consequence of disadvantaging those sharing a different protected characteristic. Positive action can be justified where it is proportionate. Positive action is different from positive discrimination, which is unlawful.

An example of unlawful positive discrimination would be where an employer recruits a person because they have a relevant protected characteristic rather than because they are the best candidate. For example, it would be unlawful to hire someone simply because their team was under-represented by woman and the candidate is hired because they are a woman.

However, if under-representation is an identified issue, then you could take steps to promote vacancies to this group or provide extra support for them to apply. This is positive action.

The difference between positive action and positive discrimination can be difficult to define and is determined by the particular situation. It is important to reflect upon whether any element of your service necessitates positive action. It is critical that you satisfy your duty under the Equality Act and therefore if you have any concerns, please seek further guidance/or legal advice before continuing.

Equality Impact Assessment (EqIA)

Section 1: About the proposal, policy or project

Name of proposal, policy, or project:

Housing Revenue Account (HRA) Budget 2025/26 including tenants rent and service charges

Name of lead officer and contact details:

Natalie Gasper

Name of service and directorate for this proposal, policy, or project:

Housing Service, Place Directorate

Strategic Director responsible for this proposal, policy, or project:

Rob Manning

Date the EqIA was started:

19th November 2024

What kind of proposal, policy or project is this assessment for?

Tick all that apply.

- Change in service delivery or new service
- Change in policy or new policy
- Grants and commissioning
- Budget change or service cut
- Other - if ticked, please give more detail: Click or tap here to enter text.

Section 2: Proposal, policy, or project summary

Please give a summary of this proposal, policy, or project

Give brief details of:

- What the proposed decision or change is.
- The reasons for this decision or change.
- The outcomes you are hoping to achieve.

To agree the Housing Revenue Account (HRA) budget for 2025/26 including tenants rents and service charges. It is proposed that from 1st April 2025 to increase tenant rents by 2.7% in line with the rent standard set by the Regulator for Social Housing of CPI+1%. Increase tenants service charges and heating charges to enable full cost recovery from tenants receiving the service in line with council policy. In addition, agree increases to garage rents, travellers rents and sheltered accommodation rents and service charges by 2.7% in line with the rent standard set by the Regulator for Social Housing of CPI+1%.

Who will be affected by this proposal, policy, or project?

For example: staff, service users, or the wider community

Council tenants, including those in temporary accommodation and sheltered accommodation, tenants of garages and tenants at the traveller's site will be directly impacted by the proposal either through the contribution they pay to rent or other service charges including heating.

Section 3: Equality analysis

This section asks you to consider the potential impact (both positive and negative) of the proposed proposal, policy or project on the protected characteristics and the mitigations that will be taken to avoid or counteract any negative impact identified. If no negative impact(s) has been identified for that group, briefly explain why this is not applicable.

Please consider how the proposed change will affect staff, service users or members of the wider community who share one or more of the following protected characteristics. Think about what action(s) you can take to address their specific needs. In addition, you may wish to consider the short-, medium- and longer-term implications, intersectionality between the different characteristics, as well as mitigations that may be required.

All Council tenants will be impacted by the 2.7% rent increase, as well as the increase in service charges.

Age

This can refer to people who have, for example, a specific age, or who are in a specific age range.

Will the proposed change have a differential impact [negative] on people of a specific age or age group (e.g. older or younger people)? If so, explain why this group may be affected and what mitigating actions will be taken.

All Council tenants will be impacted by the 2.7% rent increase, as well as the increase in service charges. However, tenants receiving housing benefit will not see any direct adverse impact. Current statistics show that 70% of tenants currently receive one of these benefits. Others may be adversely impacted by a benefit cap or under-occupancy due to Government policy on the welfare reform, which only applies to working age households. Moreover, service charges increase will allow for improvements in services and in maintenance standards, which will therefore positively impact all tenants. No age group will be uniquely impacted by the increases in rent and service charges.

Highlight any positive benefits the proposed decision will have on people of a specific age or age group.

The Council promotes the uptake of benefits by those tenants who qualify for housing benefit. There is provision in the budget to assist tenants adversely affected by welfare reform – such as providing advice and assisting tenants who wish to move to smaller properties.

The Council has set up a liaison group to address the many issues raised by the welfare reform. The group has prepared an action plan allocating responsibility to various officers.

Heating charges reflect the Council's ability to negotiate bulk purchase arrangements for fuel supplies. The Council has a commitment to maintain good standards of insulation in Council properties. Further improvements to insulation are included in the HRA capital programme.

The Council is working to minimise the numbers of people in temporary accommodation and to keep the cost down. There is an established process in place between Revenue & Benefits and Housing Services to identify TA households affected by the benefits cap. Housing staff support the residents to apply for Discretionary Housing Payments, which will make up any shortfall that they are assessed as not being able to afford themselves, and this service will be extended to cover those affected by the Cap as a result of the rent adjustment.

Once the key decision has been agreed letters will be sent to all Council tenants notifying them of the changes. Information outlined within the letters will clearly state contact numbers at Waltham Forest and at the Benefits Section for housing benefit and other sources of advice if they have any concerns.

Sex (gender)

Sex refers to whether you are a man or a woman.

Will the proposed change to service/policy have a differential impact [negative] on people of a specific sex (e.g. women, men)? If so, explain why this group may be affected and what mitigating actions will be taken.

Changes in service charges and rents will affect all tenants. For rent increases, but those who qualify for housing benefit or Universal Credit will not be directly affected.

Women are overrepresented as council tenants so an increase in rents and charges may have a disproportionate effect on this group.

Highlight any positive benefits the proposal decision will have on people of a same or different sex (gender).

The Council promotes the uptake of benefits by those tenants who qualify. There is provision in the budget to assist tenants adversely affected by welfare reform, for instance to provide advice and to assist those who wish to move to smaller accommodation.

Ethnicity and race

This refers to a group of people defined by their race, colour, and nationality (including citizenship), ethnic or national origins.

Will the proposed change to service/policy have a differential impact [negative] on people of a certain race? If so, explain why this group may be affected and what mitigating actions will be taken.

A report by the Department for Work and Pensions tells us that working-age adults living in households headed by someone from an ethnic minority were more likely to live in low-income households. For example, over half of households from the Bangladeshi, Asian Other, Black, and Other ethnic groups were in the 2 lowest income quintiles (after housing costs), with Black households being most likely out of all ethnic groups to have a weekly income of less than £600.

Given the over-representation of Black, Indigenous and People of Colour (BIPOC) as Council tenants it is likely that this group is disproportionately impacted by the proposed increase in rents and service charges. Improvements in services and in maintenance standards will benefit all tenants. Increases in rents will affect all tenants but those who qualify for housing benefit or Universal Credit will not be directly affected.

Highlight any positive benefits the proposed change will have on people of a certain race.

The Council promotes the uptake of benefits by those tenants who qualify. There is provision in the budget to assist tenants adversely affected by welfare reform, for instance to provide advice and to assist those who wish to move to smaller accommodation.

Religion or belief

Religion refers to a person's faith (e.g. Buddhism, Islam, Christianity, Judaism, Sikhism, Hinduism) and includes lack of belief (e.g. Atheism). Belief includes any religious and philosophical belief including lack of belief (e.g. Atheism).

Will the proposed change to service/policy have a differential impact [negative] on people who follow a religion or belief, including lack of belief? If so, explain why this group may be affected and what mitigating action will be taken.

It is not envisaged that there will not be any direct or disproportionate impact on residents caused by the rent or service charge increases as a result of their religion.

Changes in rents will affect all tenants but those who qualify for housing benefit or Universal Credit will not be directly affected.

Highlight any positive benefits the proposed change will have on people with different religions or beliefs (including a lack of belief).

The Council promotes the uptake of benefits by those tenants who qualify. The Council provides advice to tenants and assist those who wish to move to smaller accommodation.

Disability

A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on the person's ability to carry out normal day-day activities.

This could include physical impairment, hearing impairment, visual impairment, learning difficulties, long-term illness or health condition, mental illness, or other impairments.

Will the proposed change to service/policy have a differential impact [negative] on people with disabilities? If so, explain why this group may be affected and what mitigating action will be taken.

According to a research study by the Labour Force Survey (September 2022) Disabled people are almost twice as likely to be unemployed as non-disabled people. On average, living costs are estimated to be £583 more on average a month for disabled people; with 24% of families with disabled children, costs amount to over £1,000 a month (Scope November 2022). After housing costs, the proportion of working age disabled people living in poverty (27%) is higher than the proportion of working age non-disabled people (19%).

Disabled people are more likely to not be working, and where they are working, are more likely to be earning less. Regarding welfare reform (specifically changes related to under-occupation), disabled tenants who require an additional bedroom for a non-resident carer who provides overnight care for the Housing Benefit claimant or their partner, will not experience a Housing Benefit reduction. There are no exemptions for other disabled tenants. Changes to service costs will affect all tenants. The capital programme includes provision for adaptations to make dwellings suitable for disabled tenants.

Highlight any positive benefits the proposed change will have on people with a disability.

To mitigate the impact of these changes to disabled people who are not exempt, the Council looks to how Discretionary Housing Payments can be used to support tenants according to their individual circumstances. The Council promotes the uptake of benefits by those tenants who qualify for housing benefit.

Sexual orientation

This refers to whether a person is attracted to people of the same sex or a different sex to themselves. Please consider the impact on people who identify as heterosexual, bisexual, gay, lesbian, or asexual.

Will the proposed change to service/policy have a differential impact [negative] on people with a particular sexual orientation? If so, explain why this group may be affected and what mitigating action will be taken.

It is not anticipated that the proposed increase to rents will adversely affect individuals based on their sexual orientation.

Highlight any positive benefits the proposed change will have on people who identify as heterosexual, bisexual, lesbian or asexual.

The Council promotes the uptake of benefits by those tenants who qualify.

Pregnancy and maternity

Pregnancy refers to the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Will the proposed change to service/policy have a differential impact [negative] on pregnancy and maternity? If so, explain why this group may be affected and what mitigating action will be taken.

We hold no specific data regarding pregnancy or maternity for housing tenants, but it is not anticipated that the proposed increase to rents will adversely affect these individuals.

Highlight any positive benefits the proposed change will have on people who are pregnant/expecting a baby.

The Council promotes the uptake of benefits by those tenants who qualify.

Gender reassignment

This refers to people who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex.

According to a [2020 landmark Employment Tribunal ruling](#), people who identify as gender fluid and non-binary or transitioning are protected under this section of the Equality Act and should therefore be considered as part of your assessment.

Will the proposed change to service/policy have a differential impact [negative] on transgender people? If so, explain why this group may be affected and what mitigating action will be taken.

We hold no specific data regarding gender reassignment, but it is not anticipated that the proposed increase to rents will adversely affect these individuals.

Highlight any positive benefits the proposed change will have on people who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex.

The Council promotes the uptake of benefits by those tenants who qualify.

Marriage and civil partnership

Marriage and civil partnerships are different ways of legally recognising relationships. The formation of a civil partnership must remain secular, where-as a marriage can be conducted through either religious or civil ceremonies. In the UK both marriages and civil partnerships can be same sex or mixed sex. Civil partners must be treated the same as married couples on a wide range of legal matters.

Will the proposed change to service/policy have a differential impact [negative] on people in a marriage or civil partnership? If so, explain why this group may be affected and what mitigating action will be taken.

It is not anticipated that the proposed increase in rents and charges will adversely affect individuals if they are married or in civil partnerships, more so than non-married residents or those not in civil partnerships.

Highlight any positive benefits the proposed change will have on people in a marriage or civil partnership.

It is considered that no adverse affected on this group by this decision.

Care Leavers

Will the proposed change to service/policy have a differential impact [negative] on people who are Care Leavers? If so, explain why this group may be affected and what mitigating action will be taken.

We hold no specific data regarding care leavers, but it is not anticipated that the proposed increase to rents will adversely affect these individuals.

Highlight any positive benefits the proposal will have on people who are Care Leavers.

The Council promotes the uptake of benefits by those tenants who qualify.

Other structurally disadvantaged groups

The [State of the Borough report](#) identifies a number of groups that might suffer from structural disadvantage in Waltham Forest. These groups should also be taken in account when assessing proposal or policies and include:

- People experiencing socio-economic inequality or geographic deprivation
- People with caring responsibilities
- Survivors of domestic violence
- Migrants, including refugees and asylum seekers
- Homeless people and people at risk of homelessness
- People who are experiencing long-term unemployment

There might be other structurally disadvantaged groups that you know from your service data might experience a differential impact based on your proposal or policy. This may include how your work impacts on the social, economic, and environmental conditions in which people live, work and age that influence health outcomes. Please consider these groups in this section as part of your equalities impact assessment.

Will the proposed change to service/policy have a differential impact [negative] on other structurally disadvantaged groups?

It is not envisaged that the increase in rents and service charges will have a differential impact on structurally disadvantaged groups.

Highlight any positive benefits the proposal will have on groups experiencing structural disadvantage.

The Council promotes the uptake of benefits by those tenants who qualify.

Section 4: Monitoring and reviewing

Use this section to say:

- How you intend to monitor and review the effects of this proposal or policy
- Who will be responsible for assessing its effects

Rental income and cash collection are regularly monitored and reconciled by the Rent and Service charge accountant to ensure that the expected amounts are being received and that there is no adverse effect for the Council.

The Housing rents team monitor tenants ability to pay their rent by tracking the tenants arrears. Tenants are encouraged to contact the Council if they are in financial difficulty, where the debt team can assist with Debt and money advice, Help with maximising your income, Support with benefits and Advice finding work Help moving to a smaller property.

Section 5: Conclusion

Set out your conclusions from the analysis of the proposal or policy.

If there are negative equalities impacts, but you think that the proposal or policies should still proceed in the current or amended form, please provide evidence and an objective explanation as appropriate.

If it is helpful, refer to other documents e.g. a Cabinet report. You may find it helpful to identify one of the four outcomes below as being closest to your current proposal or policies. (Use your conclusions as a basis for the “Equalities Implications” in the Cabinet report.)

This analysis has not identified any additional equality impact due to the annual increase in tenants rents and service charges. The decision to increase tenants rents and service charges will assist the Council in continuing to provide services to tenants and maintain it’s housing stock. The outcome following analysis of the impact indicates the impact to be outcome 1.

Outcome of Equality Impact Assessment *check one that applies*

- **Outcome 1:** No major change required when the assessment has not identified any potential for discrimination or adverse impact and all opportunities to advance equality have been taken.
- **Outcome 2:** Adjustments to remove barriers identified by the assessment or to better advance equality. Are you satisfied that the proposed adjustments would remove the barriers identified?
- **Outcome 3:** Continue despite having identified some potential for adverse impacts or missed opportunities to advance equality. In this case, the justification should be included in the assessment and should be in line with the duty to have ‘due regard’. For the most important relevant policies, compelling reasons will be needed. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.

- **Outcome 4:** Stop and rethink when an assessment shows actual or potential unlawful discrimination.

Section 6: Signatures

Signed off by Corporate Director for the proposal or policy/project:

Name:

Jane Martin

Date:

20th November 2024

Section 7: Version control

Status	Version	Author	Date	Changes made
Draft	1.1	Steve Connolly	19/11/24	Added text