



## Equality Impact Assessment

**Carrying out an Equality Impact Assessment (EIA) will help the Council to meet its Public Sector Equality Duties (Equality Act 2010).**

The duties which need to be considered when making decisions are to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

Failure to assess the equality impact may increase the risk of making an unfair decision which could potentially be discriminatory. It also prevents us from identifying opportunities to promote equality and therefore leaves the Council open to potential legal challenge.

Using this EIA template will help to ensure that a decision is made in a fair way, based on evidence. It provides a clear and structured method to assess the potential impact on protected groups.

For more information how to complete this form please refer to the Guidance which can be found at [HERE](#)

<b>Title of policy or proposal</b>	Tenancy Policy
<b>Briefly describe the aims of the policy change, decision or proposal, the likely outcomes, and the rationale for it</b>	<p>The Localism Act 2011 placed a new duty on local housing authorities to prepare and publish a Tenancy Policy. These provisions came into force on 15 January 2012. The Tenancy Policy has been reviewed since implementation with the latest being November 2025.</p> <p>The aim of the Tenancy Policy is to set out the types of tenancies used by the Council and matters to which Registered Providers of social housing in the district are to have regard in formulating their tenancy policies when using their flexibilities as social landlords.</p>


**Consider the potential impact on any member of staff or member of the public with the following protected characteristics:**

Age, Disability, Gender identity/Gender reassignment, Race, Religion or belief, Sex, Sexual orientation, Women who are pregnant or have recently had a baby.

Also, for issues affecting staff, consider employees who are married or in a civil partnership.

<p><b>What information is already held, or have you obtained through consultation or engagement activity?</b> (For each protected characteristic: What do you know about our employees, service users or anyone else who potentially could be affected by the proposal? Who has been consulted? If you have gaps in your evidence or data, you may need to carry out targeted engagement activity and/ or consider information from local or national research.)</p>	<p>This policy originally has been developed through consultation with Elected Members, Registered Providers and partner local authorities. This has included a scoping questionnaire to all Registered Providers, face to face consultation at the sub-regional Registered Provider Forum, and through circulation of the Policy for comment.</p> <p>The recent update is to remove Flexible Tenancies, consultation has been carried out in line with the Choice Based Lettings and Allocations Policy key amendment to no longer implement Flexible Tenancies.</p>
<p><b>After considering the information, which protected groups may potentially be affected?</b> (Delete those not likely to be affected)</p>	<p><b>Age</b></p>
	<p><b>Disability</b></p> <ul style="list-style-type: none"> <li>• Physical/mobility impairment</li> <li>• Sensory: hearing/visual or speech</li> <li>• Mental health</li> <li>• Learning disabilities</li> <li>• Non-visible conditions such as epilepsy/diabetes</li> </ul>
	<p><b>Sex</b></p>
	<p><b>Race including gypsies and travellers</b></p>
	<p><b>Sexual Orientation</b></p>
	<p><b>Religion/Belief</b></p>
	<p><b>Gender Reassignment</b></p>
	<p><b>Pregnancy &amp; Maternity</b></p>

<p><b>Using the information you have, give details of any potential positive and negative impacts on protected groups likely to be affected by the policy change, decision, or proposal</b></p> <p>(For each protected characteristic where there could be a potential impact, consider the following: Could people from any protected groups be positively or negatively affected? Could anyone's ability to take part in public life be affected? Could this policy change, decision or proposal affect public attitudes towards any protected group? Could any groups become more or less likely to be at risk of harassment or victimisation because of this policy change, decision, or proposal? Are there opportunities to create positive impacts?) <i>(remember that the law permits disabled people to be treated equally or better than other groups to enable reasonable adjustments to be made).</i></p>	<p>The Tenancy Policy is aimed at Registered Providers and Housing Associations to take into consideration the Council's preferred option on the types of tenancy they offer in our district.</p> <p>The Policy does not affect any of the protected characteristics adversely.</p> <p>The Council has removed Flexible Fixed Term tenancies therefore any tenancy offered through Choice Move will be a secure lifetime tenancy which gives more security and stability to all our tenants, including all applicants with a protected characteristic.</p> <p>We have tried to protect all the vulnerable groups by highlighting in the policy if Flexible Fixed Term tenancy are to be used by Registered Providers they should have regard to the following:</p> <ul style="list-style-type: none"> <li>• Tenancies of five years (or more) should be awarded and 2 years in exceptional circumstances</li> <li>• Vulnerable people in need of settled or stable accommodation, where their situation is unlikely to change, should be granted permanent tenancies.</li> <li>• Fixed term tenancies should not generally be used to control rent arrears or anti-social behaviour; the normal possession grounds should be used to tackle these issues</li> </ul> <p>Flexible Fixed Term tenancies are no longer an option for applicants fleeing Domestic Abuse due to the new legislative changes.</p> <p>Gypsies and Travellers on permanent or transit sites would not be covered by the Tenancy Policy as they would have a different form of tenancy.</p>
<p><b>Give details of any actions that can be taken to promote equality or to lessen any potential adverse impact on protected groups.</b></p>	<p>None, by removing Flexible Fixed Term tenancies this has lessened any potential adverse impact on protected groups. We cannot fully control Register Provider tenancy types they wish to use, however they do have to have due regard to this Policy.</p>
<p><b>What plans are there to monitor and review the actual impact of the policy change, decision, or proposal on equality of opportunity?</b></p>	<p>The policy will be reviewed and amended accordingly in line with the Allocations Policy where necessary. Although, unless there is a change in legislation the Council will only offer lifetime tenancies.</p>
<p><b>When will follow up review be done?</b></p>	<p>5 years in line with legislation, unless amendments are required prior to this date.</p>

<b>Based on a consideration of all the potential impacts, mark one of the following as an overall summary of the outcome of this assessment:</b>	
<b>X</b>	The equality analysis has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.
	The equality analysis has identified risks or opportunities to promote better equality; the change, decision or proposal will be adjusted to avoid risks and ensure that opportunities are taken.
	The equality analysis has identified risks to equality which will not be eliminated, and/or opportunities to promote better equality which will not be taken. Acceptance of these is reasonable and proportionate, given the objectives of the change, decision or proposal, and its overall financial and policy context.
	The equality analysis shows that the change, decision, or proposal would lead to actual or potential unlawful discrimination or would conflict with the Council's positive duties to an extent which is disproportionate to its objectives. It should not be adopted in its current form.
<b>Explain how the judgement above was reached and action plan what will be taken to reduce any negative or to enhance any positive impacts on equality</b>	The removal of the Flexible Tenancies reduced any negative impacts of the Policy. The amendments to Policy will give a positive affect, especially to housing applicants who was originally eligible for a Flexible Fixed Term tenancy, they will now receive a secure lifetime tenancy from the Council.
<b>Name(s) and job title(s) of person (people involved in) carrying out this assessment</b>	Diane Parker – Housing Intelligence and Assurance Officer Gary Smithurst – Housing Options Manager Amar Bashir - Improvement Officer
<b>Authorising Director or Assistant Director</b>	 Lee Pepper – Assistant Director Communities
<b>Date authorised</b>	5 <sup>th</sup> November 2025
<b>The completed equality impact assessment <u>must</u> be attached to the report that will be considered by the decision maker or decision makers to enable them to give due regard to the impact of the policy, decision, or proposal on protected groups. Also send a copy to <a href="mailto:Amar.Bashir@ne-derbyshire.gov.uk">Amar.Bashir@ne-derbyshire.gov.uk</a></b>	