

Rent Arrears Policy Housing Service Equality Impact Assessment

1	Executive Summary
1.1	The aim of the policy is to prevent rent arrears arising and dealing with arrears effectively if they do arise. The Housing Service is funded mainly by rents and it is essential the service collects as much of this income as possible. This includes early contact with all tenants in arrears and the provision of information and advice about benefits, and the services offered by Money Advice and CAB's.
1.2	The policy details the legal process open to us as landlords in enforcing the collection of arrears. We aim to use all legal options open to us, up to and including eviction. Currently arrears stand at 6.3% of net rent due and 4.3% of tenants have arrears over £250 or more than 13 weeks rent). The policy conforms to legislation and recent Good Practice. Arrears figures have reduced since 2003/4 but we are still not hitting the national arrears target of 3% of net rent due.
1.3	The policy will affect all employees of the council who deal with managing arrears – housing staff, finance staff, legal staff, service point staff, social work etc. It affects the community in that the more effective we are in preventing arrears (and ultimately evictions), the more financially secure a large section of the community will be.
2	Findings
2.1	<i>Race</i> No evidence that the policy has any adverse effect but some concerns especially around communication methods and access to outside services if English not 1 st language. Early contact made by letters, also legal process generates written info – issues if English not first language / literacy in own language also issues about English speakers' literacy. Also possible difficulties in people being able to understand leaflets and access support such as CAB / Benefits and Money Advice. Communication methods may not be suitable – High priority level.
2.2	<i>Disability</i> No evidence that the policy has any adverse effect but some concerns around disabled people being treated differently around communication methods and access to services (especially around the legal processes and benefits/money). Also physical access (ie. CAB in Inverness upstairs) Could also be issues around paying rent (payment methods).
2.3	Similar issues as above around communication if tenant deaf, blind or has learning difficulties. Communication and / or payment methods may not be suitable for disabled tenants. High priority level.
2.4	<i>Gender</i> No evidence that the policy has any adverse effect but concerns around people being treated differently because of their gender when carrying out evictions. Women tend to have dependent children living with them more than men. Are men without children more likely to be evicted? Are staff perhaps not so hard on women? Possible training issue. Women tend to be in lower paid jobs and can

	face falling into arrears / accessing benefit. Low priority level.
2.5	<i>Sexual orientation</i> No evidence or concerns. Low priority level.
2.6	<i>Religion or belief</i> No evidence or concerns. Low priority level.
2.7	<i>Age</i> No evidence that the policy has any adverse effect but potential for varying age groups to be treated differently around communication methods, access to external services such as CAB and evictions. Are younger tenants treated differently when it comes to the legal options in pursuing rent (more likely to be evicted). Also, there may be potential issues around communication for both young and elderly tenants around type of communication, working etc. Possible issues about young carers and minors paying rent. Individual officer discretion may lead to differing treatment – training issue. Medium priority level.
3	Data
3.1	At this time, we have no data or other information to prove or disprove that any of our tenants are being disadvantaged by the Rent Arrears Policy. It would be useful to know the racial, gender and age profile of our tenants to analyse if any particular group is more likely to be in arrears and if they have different outcomes when in arrears. We can look at starting to gather relevant information about tenants at the start of tenancy interview – however, this will take a long time to build up and allow us to make any meaningful analysis.
3.2	Our Housing Management Officers have the most detailed knowledge about our tenants, as they are dealing with them on a daily basis. An initial exercise could be carried out to ask them to identify any equalities issues among the tenants in their patch (will need to check the Data Protection issues on such an exercise).
3.3	The policy itself does not have an adverse impact so far as we can tell at this stage, without clear data – however some procedures and practices may have, as detailed above.
3.4	The policy itself does not have an adverse impact so far as we can tell at this stage, without clear data – however some procedures and practices may have, as detailed above.
4	Consultation
4.1	Our Tenant Participation Strategy lays out the arrangements Housing makes in obtaining and taking account of the views of registered tenants groups and tenants on proposals relating to the management of housing likely to affect tenants.
4.2	We will consult the Tenant Consultative Group (TCG) about any changes in the Rent Arrears Policy and tenants will be informed of any changes through the tenant newsletter. However, as we have limited equalities data on our tenants, we cannot say for certain that individual equalities groups have been properly consulted. The membership of the TCG may not be representative of the equalities groups among

	our tenants.
4.3	The whole issue of consultation as a result of these Impact Assessments will need to be looked at further on a corporate basis, structured and managed, otherwise stakeholders will possibly be at risk of “consultation fatigue.” We have a Tenant Participation Strategy which details a consultative framework. However, this needs to be meshed with the wider consultative needs generated by this exercise. Possible barriers which may need to be considered include Highland geography, scattered communities, low numbers of representatives from particular groups.
4.4	The corporate Community Involvement Guide gives some advice on consultation techniques etc, but this still needs to be managed in the wider sense to allow us to maximise any resources available for consultation.
5	Monitoring Implementation
5.1	We need to find a way of profiling our tenants by race, age, gender and disability. Only then can we measure the full impact of the policy on the different groups – i.e. how many older people in arrears, evicted etc. also results of referrals to CAB etc – are any group not accessing the service, what are outcomes? Ultimately, this may not be possible in the short term.
5.2	A report will be published in 2010 when the policy is reviewed.
6	Summary of Actions
6.1	The differences identified will be dealt with by reviewing our communication methods such as letters (ensuring they include wording in community languages re translation and interpretation as well as contact details, having letters written in appropriate languages)
6.2	Personal contact (ensuring staff relevant have all attended Equality and Diversity Training and are contacting tenants appropriately)
6.3	Reviewing the wording of information leaflets (ensuring translation/interpretation details included)
6.4	Translating documents into community languages
6.5	Raising staff awareness of equalities issues in written procedures and training.
6.6	Protocols with Finance Services, Social Work Services, the Service Point Network (especially around the signing up” process) and Legal Services are currently being reviewed, and impact will be considered.
6.7	Looking at how we record relevant information about tenants on the Housing System may allow us to better analyse in the future if any group is being affected adversely.

**Appendix
Data: Race**

2001 Census Data on the Highland Population:

2001	Highland Population by Ethnic Group			Scotland Figures for Comparison		
	% of Total Population	% of Minority Ethnic Population	Base	% of Total Population	% of Minority Ethnic Population	Base
White Scottish	84.54	n/a	176,611	88.09	n/a	4,459,071
Other white British	12.67	n/a	26,477	7.38	n/a	373,685
White Irish	0.56	n/a	1,176	0.98	n/a	49,428
Other White	1.43	n/a	2,979	1.54	n/a	78,150
Indian	0.08	9.87	165	0.30	14.79	15,037
Pakistani	0.06	7.96	133	0.63	31.27	31,793
Bangladeshi	0.06	7.66	128	0.04	1.95	1,981
Other South Asian	0.06	7.60	127	0.12	6.09	6,196
Chinese	0.13	16.22	271	0.32	16.04	16,310
Caribbean	0.04	5.39	90	0.04	1.75	1,778
African	0.04	4.79	80	0.10	5.03	5,118
Black Scottish or other Black	0.02	1.97	33	0.02	1.11	1,129
Any Mixed Background	0.21	25.85	432	0.25	12.55	12,764
Other Ethnic Group	0.10	12.69	212	0.19	9.41	9,571
All Minority Ethnic Population	0.80	100	1,671	2.01	100	101,677
Whole Population	100	n/a	208,914	100	n/a	5,062,011

Source: General Register Office for Scotland (GROS) - 2001 Census

The above data tells us the racial breakdown of residents in Highland, but does not tell us the racial breakdown of those living in Council housing. This information is held for some tenants, if the information was given on their housing application form and they have subsequently become tenants.

2001 Census Data on Religion:

Population by Religion	Numbers	%
Church of Scotland	100585	48.10%
Roman Catholic	14113	6.80%
Other Christian	25127	12.00%
Buddhist	262	0.10%
Hindu	63	0.03%
Jewish	81	0.04%
Muslim	392	0.18%
Sikh	37	0.10%
Another Religion	1159	0.55%
No Religion	56841	27.20%
Not Answered	10254	4.90%
(Highland Pop)	208914	100.00%

Data re Rent Arrears:

Court Process Stats 2006				
All Eviction Cases:	Q1	Q2	Q3	Q4
Proceeded to Court	159	144	127	N/A
Resulted in an Eviction Order	62	71	38	N/A
Resulted in an abandonment	1	1	3	N/A
Eviction carried out	15	6	0	N/A
ASB Cases				
Proceeded to Court	0	0	0	N/A
Resulted in an Eviction Order	0	0	0	N/A
Resulted in an abandonment	0	0	0	N/A
Eviction carried out	0	0	0	N/A

To allow us to look at whether the Rent Arrears Policy has different impacts on different groups, we need to know certain things about our tenants – their ethnicity, age, gender, any disabilities they may have, and their sexual orientation and religious belief.

Ethnicity

While the above information gives us information on the ethnicity and religious belief of the Highland population as a whole, it does not give us information on the ethnicity and religious belief of Highland Council tenants.

The only information we currently hold in the Housing Information System about the ethnicity of our tenants is the information given on housing application forms. This information has only been collected since 1999 and currently only 53% of housing applicants (as at April 2006) complete the form. We will not hold any information on ethnicity for any tenant who has held their tenancy since before 1999.

The completion of ethnic monitoring information is not mandatory. A Race Equality Impact Assessment was carried out on the Allocation Policy in 2005. At April 2005, 55% of applicants completed the ethnic monitoring page. One of the actions arising from this assessment was to encourage more housing applicants to complete the ethnic monitoring page on the housing application. The page was re-positioned in the form and the wording changed to encourage applicants to complete it. Housing and Service Point staff were reminded to encourage applicants to complete this page when assisting them to fill in application forms. The categories were brought into line with the census to allow meaningful comparison. However, the % of applicants who gave us information on their ethnicity had actually decreased by April 2006 – down to 53%. As can also be seen from this, the numbers of applicants housed from ethnic minority backgrounds is very low, which makes it difficult to make any meaningful analysis.

Number of Applicants on Live List and Housed by Ethnic Origin

WHITE	Live Applicants	Lets
British	5188	748
Irish	24	*
Other European	75	5
Other	59	*
NON-WHITE		
Black	17	-
Asian	7	*
Other	20	*
Total	5390	759

* Where there is data of less than 5, information will not be published in order to protect the identity of individuals.

Housing and Social Work Business Support are currently looking at ways of assessing for how many of our current tenants we hold ethnicity information.

Age

We currently do not hold 100% information on tenants' ages. If a tenant has been housed since the introduction of the Housing Information System in 1999, then dates of birth are available, carried through from the information given on the housing application form. However, if a tenant has held the tenancy since before 1999, this information is not 100% accurate – some dates of birth are available if they have been in-put independently for various reasons by area officers, but the information is not there for all of our tenants. HSWBS are currently working on reporting exactly how many of our tenants we do not hold this information for. We will then look at how we fill the gaps in our knowledge.

Disability

We currently hold no information on the Housing Information System on tenant disability.

Gender

We are able to identify tenants by gender (male/female) but not marital status

Sexual Orientation/Religion or Belief

We hold no information on this