

Equality and Human Right Impact Assessment: The Form



EHR/IA

Please use this form to any new or revised policy, strategy, plan, procedure, report or business case – referred to as “proposal”.

If No impact assessment is required, please complete section 7&8 of the form providing the evidence to support your decision.

Aberdeen City Council

1: Equality and Human Rights Impact Assessment- Essential Information

Name of Proposal:	Date of Assessment:
Houses in Multiple Occupation Overprovision Policy	3 rd October 2016
Service:	Directorate:
Communities, Housing & Infrastructure	Communities & Housing
Committee Name or delegated power reference (Where appropriate):	Date of Committee (Where appropriate):
Communities, Housing & Infrastructure	1 st November 2016
Who does this proposal affect?	<input type="checkbox"/> Employees <input type="checkbox"/> Job Applicants <input checked="" type="checkbox"/> Service Users <input checked="" type="checkbox"/> Members of the Public <input type="checkbox"/> Other (List below)
Please Tick ✓	

2: Equality and Human Rights Impact Assessment- Pre-screening

If NO impact assessment is required, please complete section 7&8 of the form providing the evidence to support this decision

3: Equality and Human Rights Impact Assessment

<p>a- What are the aims and intended effects of this proposal?</p>	<p>The aim of this proposal is to determine whether there is a need for an HMO Overprovision policy and, if so, within which localities and at what level. If a policy is to be implemented it would control the number of HMOs at a locality level.</p>
<p>b- What equality data is available in relation to this proposal? (Please see guidance notes)</p>	<p>Although no equalities data exists to demonstrate how this proposal would impact on the groups with the 8 protected characteristics, it is considered that the greatest impact will be on younger individuals, either students or low income workers. The demand for single person accommodation (Appendix 10) highlights the lack of housing provision by ACC for this group and the potential impact any restriction in HMO availability may have</p>
<p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</p>	<p>No equalities and human rights issues have been highlighted from previous consultations.</p>
<p>d- Financial Assessment If applicable, state any relevant cost implications or savings</p>	<p>Costs (£) Implementation cost £ unknown</p>

expected from the proposal.	<div style="display: flex; justify-content: space-between; align-items: center;"> Projected Savings £ <div style="border: 1px solid black; padding: 2px 10px;">unknown</div> </div>
e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?	
<p>This proposal may affect equality of opportunity for younger age groups who may rely on HMO type accommodation to live affordably in Aberdeen City whilst studying or whilst in low income employment.</p> <p>Conversely, a community council states “that the non-implementation of this policy currently discriminates against longer term residents and families by permitting the unconstrained creation of high density HMO Localities that, as has already been recorded by many residents, can result in excessive noise, visual deterioration of the locality and confrontation, the sum of which forces most families to move out of the locality.” This proposal may have the potential to discriminate against people with a disability if non mainstream, ie amenity/adapted accommodation is not exempted from overprovision</p>	
f- How does this proposal link to the Council's Equality Outcomes?	
<p>There are 2 key Equality Outcomes which link to this proposal.</p> <ul style="list-style-type: none"> i) Outcome 6 states that the Council must seek to provide Housing and infrastructure which takes into account the different needs of different communities. In relation to age, there is a requirement to ensure that the needs of the younger, single demographic are addressed to ensure they have an opportunity to thrive and participate in education or work to benefit their future success. Implementation of the policy may impact on their ability to secure accommodation in a locality which meets their needs. ii) Outcome 7 states that the Council must provide a safe community where people feel safe in their homes and a city that is family friendly by night. There is a requirement to ensure that older people and families are not intimidated by noise/lifestyle of others which may impact on their ability to live comfortably and move around safely. If a policy is not introduced it may be that some localities do not have a balanced community of varying ages and households. 	

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4: Equality Impact Assessment – Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a 'Genuine Determining Reason**' exists *(see completion terminology)
Age (People of all ages)			✓	This policy may discriminate against students and young working populations who are the main demographic for HMO type accommodation.
Disability (Mental, Physical, Sensory and Carers of Disabled people)			✓	This policy may have the potential to discriminate against people with a disability if non mainstream, amenity/adapted accommodation is not exempted from overprovision.
Gender Reassignment	✓			
Marital Status (Marriage and Civil Partnerships)	✓			
Pregnancy and Maternity	✓			
Race (All Racial Groups including	✓			

Gypsy/Travellers)						
Religion or Belief or Non-belief	✓					
Sex (Women and men)	✓					
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)	✓					
Other (e.g: Poverty)						HMO type accommodation is primarily used by younger age groups and those on a lower income. Limiting the amount of HMOs in defined localities may impact on their ability to live affordably in areas of their choice.

5: Human Rights Impact Assessment Test	
Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate	
Article	Evidence
Article 2 of protocol 1: Right to education	

No	
Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment	
No	
Article 6: Right to a fair and public hearing	
No	
Article 8: Right to respect for private and family life, home and correspondence	
No	
Article 10: Freedom of expression	
No	
Article 14: Right not to be subject to discrimination	
Yes No	Policy may inadvertently and disproportionately discriminate against student-age and young worker populations
Other article not listed above, please state:	

7- EHRIA Summary and Action Planning

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Report Title	HMO Overprovision Report								
Assessment not required	Evidence								
Assessment completed	<p>As a result of completing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes which were identified.</p> <p>If a HMO Overprovision Policy is introduced monitoring mechanism will need to be considered to identify any adverse outcomes which may arise.</p>								
Identified Risk and to whom:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Recommended Actions:</th> <th style="width: 33%;">Responsible Lead:</th> <th style="width: 33%;">Completion Date:</th> <th style="width: 33%;">Review Date:</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:				
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8: Sign off

Completed by (Names and Services) :

Wespeie, Communities and Housing

Signed off by (Head of Service) :

Wespeie

Only sections 7 and 8 will be attached to the committee report

The full EHRIA will be published on Aberdeen City Council's website under http://www.aberdeencity.gov.uk/xeq_EHRIA_Search.asp

Please send an electronic format of the full EHRIA without signature to showard@aberdeencity.gov.uk