**GUIDANCE TOOL** This Tool assists services in determining whether their plans and decisions will require a full Equalities Analysis. EAs help the Council comply with its duty under s.149 of the Equality Act 2010 to have “due regard” to specified equality matters. They are required in most cases but, in some cases, an EA is not necessary or is only necessary for certain aspects of a decision. Full guidance on the Council’s duties and EAs and the full EA template is available at [http://forestnet.lbwf.gov.uk/index/residents-first/equalities/equality-analysis.htm](http://forestnet.lbwf.gov.uk/index/residents-first/equalities/equality-analysis.htm).

The Council understands that whilst its equalities duty applies to all services, it is going to be more relevant to some decisions than others. We need to be pragmatic and ensure that the detail of Equality Analyses (EAs) are proportionate to the impact of decisions on the equality duty. In some cases a full EA is not necessary and/or the equalities duties do not apply. In other cases, only part of a decision will require an EA to ensure the Council has due regard to its equality duties. The following examples are intended to assist:

### Where might an EA not be required?

- Where it can be proven that the decision has no equalities impact— with particular focus on negative impacts on service users and residents
- Where it can be proven that the decision has a minimal or theoretical equalities impact (and so does not need to be considered)
- Where the decision is mandatory and there is no element of discretion (e.g. to adopt a member’s code of conduct or similar)
- In rare cases, where a previous EA exists and a review shows that it is still relevant at the time of the final decision, i.e. the facts have not changed

### Where will a full EA be required?

In short, wherever a decision has a more than minimal or theoretical adverse or negative impact on those with protected characteristics, for example, if the Council is considering:

- Ceasing a service
- Reducing a service or reducing it in particular areas, e.g. closing an office in Leyton but not Walthamstow
- Changes to the way a service is delivered, e.g. moving to personalisation or moving to online access only
- Changes to eligibility criteria, rules or practices for a service
- Changes to discretionary fees and charges

### Important:

- The EA screening tool should not be used to mask over any equality impacts or as a “get out”.
- There can be a negative equality impact even if you think that overall, you are proposing changes that will make services better. If there is an adverse or negative impact, you must complete a full EA.
- Negative impacts are often indirect, i.e. a rule that is on its face of universal impact but has greater impact on some groups in practice e.g. due to the ethnic makeup of an area.
- In most cases, the screening process requires a degree of collation and analysis of evidence. If this requires a lot of work, consider whether it is actually simpler to omit the screening process and undertake a full EA.
- The equality duty continues up to and after the final decision. If proposals or facts change before the final decision, any screening tool will need to be reviewed and evidenced.
- Any consultation undertaken should also inform the screening process, e.g. issues raised by those affected. Monitoring should take place after a decision as part of service delivery.
- The completed screening template will be attached to Cabinet or other decision making report and so it must include sufficient detail to justify the decision not to carry out a full EA.

### What to do?

The screening process should be used on **ALL** new proposals, policies, projects, functions, saving proposals, major developments or planning applications, or when revising them, if there is no negative equality impact or there is uncertainty about whether there is a negative equality impact. **However,** if your proposal is of a significant nature and it is apparent from the outset that a full EA will be required, then you do not need to complete this screening template and can progress directly to a full EA. If a negative/adverse impact has been identified during completion of the screening tool, a full EA **MUST** be undertaken. If you have not identified any negative/adverse impacts arising from your proposal you do not need to undertake a full EA. However, make sure you have explained clearly why the proposal does not have any negative/adverse impact. If your proposal is going to Cabinet or Committee (e.g. Planning or Licensing) and you are not undertaking a full EA, you must:

- a. share your report and completed screening tool with Shahid Mallam, Performance & Improvement Team, who will check and challenge your findings and
- b. use the following wording under the Equality & Diversity paragraph in the Cabinet report: “An initial screening exercise of the equality impact of this decision was undertaken and determined there was no / minimal impact (delete as appropriate) on the Council’s equality duty.” Attach the completed template as an appendix to your report.
Proposal / Project Title: Housing Scrutiny Report on Affordability and Availability of Housing in Waltham Forest

Main aims
As part of their 2016/17 work programme, the Housing Scrutiny Committee undertook a review of affordability and availability of housing in Waltham Forest. The findings and recommendations of the report were agreed at the 9th March 2017 meeting of the Committee and are set out in full in Appendix 1.

The primary concern of the review was the growing gulf between average incomes of local residents and the spiralling cost of buying or renting homes in the borough, which is making it increasingly difficult for local people to get on the housing ladder.

Proposed outcomes
It is hoped that the adoption of the recommendations will lead to improved services and outcomes for residents.

Recommendations
Recommendation 1: The Council should review its standard design guide to permit greater density, where other design criteria have been met, in new developments in future.

Recommendation 2: The Council should identify sites in the Borough suitable for new development, which are not protected by the Local Plan and have not already been proposed by developers.

Recommendation 3: In the context of promoting the greater affordability and availability of housing in the borough, the Council should review its current planning policies in relation to HMOs. This would maintain the restrictions on converting residential houses into self-contained flats and HMOs. However, the policy could be amended to permit a more liberal approach to allow HMOs in a converted flat, particularly over shops, which could be used to house tenants on a shared basis.

Recommendation 4: The Committee urges the Cabinet Member for Housing to express his support for the new SPG and the GLA’s new housing strategy, and to use the additional powers in the SPG to accelerate house building in Waltham Forest.

Recommendation 5: That officers report back to the Committee in the summer on the outcome of the bids that have been submitted as part of the Affordable Housing Programme and that the Committee considers ways of increasing the allocation of funding to Waltham Forest in the light of this report.

Recommendation 6: The Council should identify key registered providers in the borough who will be potentially interested in bidding into the GLA Affordable Homes Programme, so their bids benefit from Council support.

Recommendation 7: The Council should consider potential joint ventures with interested local registered provider partners to bid for the maximum (40% or more social housing) Affordable Homes Programme funding.

Recommendation 8: The Council should ensure that proposals for new housing are always assessed in advance for their impacts on local infrastructure (especially health and education services).
Recommendation 9: The Council should consider best practice in community engagement when conducting estate regeneration.

Recommendation 10: The Council should work with other London boroughs through the GLA, to establish a London-wide approach to commissioning the purchase of more modular homes.

Recommendation 11: The Council should consider how to make the best use of modular homes and should approach existing suppliers to test what is currently available on the market.

Recommendation 12: The Council should lobby to retain Right to Buy receipts for five years rather than surrender them after three years, as at present.

Recommendation 13: The Council should work with London and national representative bodies (London Councils and the Local Government Association) to lobby government to change the percentage of council house sales receipts that can be used to build new homes, from 30% to a higher percentage, with the intention of moving to 100% over time.

Recommendation 14: The Council should be consistent with the requirements of the Freedom of Information Act 2000 and Environmental Regulations 2004 and make viability more transparent to the public. More guidance will be provided, in the Affordable Housing and Viability SPD, on how the Council will endeavour to do this.

Recommendation 15: The Council should continue to support landlords through the existing licensing scheme, Waltham Forest Lettings, to maximise the supply of good quality private sector rented homes in the borough. The Council should identify relevant performance indicators in areas such as average rent levels, length of tenancies, enforcement activity, etc. to track trends and regularly report their findings to Members.

Decisions sought:
Note the content of this report
That the Cabinet Members and their senior teams consider the recommendations set out in the report and feedback from officers, and that Cabinet note and endorse the response of the Cabinet Member which will be given in the meeting.

3. Considering the equality aims (eliminate unlawful discrimination; advance equality of opportunity; foster good relations) indicate for each protected group whether there may be a positive impact, negative (adverse) impact, or no impact arising from the proposal.

<table>
<thead>
<tr>
<th>Protected Characteristic (Equality Group)</th>
<th>Positive Impact</th>
<th>Negative Impact</th>
<th>No Impact</th>
<th>Briefly explain your answer. Consider evidence, data and any consultation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>X</td>
<td></td>
<td></td>
<td>Improving housing options will be beneficial to all residents in particular to younger residents that are facing challenges with regards to affordability of rent or purchase.</td>
</tr>
<tr>
<td>Disability</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pregnancy and Maternity</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Race</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Religion or Belief
- X

### Sex (Including Gender Re-assignment)
- X

### Sexual Orientation
- X

### Marriage and Civil Partnership
- X

**5. There are no negative/adverse impact(s)**

If you have not identified any negative/adverse impacts please briefly explain your answer, providing evidence to support decision.

These recommendations are designed to improve services for all residents. The recommendations are aimed at improving current provision of services and do not propose new services or fundamental changes to existing services that will alter the way they are delivered of who they are expected to benefit.

These recommendations are likely to be positive across all of the protected characteristics.

**6. Describe how opportunities to advance equality and foster good relations for any of the protected characteristics has been taken up (where relevant).**

N/A

**7. As a result of this screening is a full EA necessary (Please check ☒ appropriate box)**

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Briefly explain your answer.

These recommendations are designed to improve services. The recommendations are aimed at improving current provision of services and do not propose new services or fundamental changes to existing services that will alter the way they are delivered of who they are expected to benefit.

**8. Name of Lead Officer:** James Holden

**Job title:** Policy & Public Affairs Officer

**Date screening tool completed:** 2 October 2017

Signed off by Head of Service:

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Janice Cheddie</td>
<td>2 October 2017</td>
</tr>
</tbody>
</table>