

SSA EQUALITY IMPACT AND NEEDS ANALYSIS

Directorate	Housing and Regeneration
Service Area	Housing Management
Service/policy/function being assessed	Tenancy and Rent Strategy / Tenancy Policy
Which borough (s) does the service/policy apply to	Wandsworth
Staff involved in developing this EINA	Alex Jones
Date approved by Directorate Equality Group (if applicable)	
Date approved by Policy and Review Manager All EINAs must be signed off by the Policy and Review Manager	23 rd June 2022
Date submitted to Directors' Board	

1. Summary

Please summarise the key findings of the EINA.

Background:

- Flexible fixed term tenancies (FFTTs) were introduced by the Council in March 2013. These are offered to new social housing tenants so that regular tenancy reviews can be undertaken as a way to ensure tenants’ homes remain suitable in accordance to their housing need, with FFTT reviews intended as a mechanism for freeing up larger properties for households who require them.
- FFTTs were not offered to tenants who had been existing social housing tenants as of April 2012, and any tenant who was an existing social housing tenant retained their secure periodic tenancy.
- However, despite the intended purpose of FFTTs as providing an effective stock management tool and, to a lesser extent, to aid tenancy management, in practice the benefits to the Council have been minimal, particularly when weighed against the significant cross-Departmental resource involved in their administration.
- In addition, legislative changes since 2013 have made the FFTT review process increasingly difficult in cases where the Council would like to offer a different property to the tenant or to end a tenancy, and as a result of such difficulties the FFTT review process has often failed to achieve its intended benefits.
- Since FFTTs have been initiated, disparities between tenants who hold either a FFTT or secure tenancy has emerged, with some underrepresented and protected groups receiving a higher percentage of FFTTs compared to their counterparts.

Proposal:

- Any new tenants after the date of change will be offered only a secure periodic tenancy. All existing social housing tenants who have a FFTT will also be offered a secure tenancy however the legal mechanism for doing so is yet to be determined.
- As of the 31st March 2022, of the Council's 15,700+ social housing tenants, approximately 18% have flexible fixed term tenancies:

Tenancy Type	No. of tenants	Percentage of tenants
FFTTs	2791	18%
Introductory	342	2%
Secure	12,604	80%
Grand Total	15,737	100%

- An immediate consequence of the proposal will mean that the current tenants who have a FFTT tenancy will be gradually moved on to a secure periodic tenancy.
- Of the small number of tenants on introductory tenancies, they will be offered a secure periodic tenancy at the end of the introductory tenancy.
- Essentially this will impact just over 3000 of our social housing tenants.
- The change is a positive change for our tenants on FFTT since it means that they will no longer be required to undertake a review of their tenancy and it increase the security of their tenancy.

Impact:

Positive:

- Overall, the impact on the above proposal is positive for all WBC social housing tenants, since all existing tenants on FFTTs will be offered a secure tenancy with no future reviews required, and all new tenants after the change will also be offered an automatic secure tenancy.
- The proposed change will also help resolve current disparities within protected and underrepresented groups. As the analysis shows below, some protected groups (e.g. tenants under the age of 35 and tenants from minority ethnic backgrounds) hold a higher percentage of FFTTs compared to their counterparts. Once this change is implemented, all tenants will have a secure tenancy which will remove any disparity or imbalance that had previously existed.

Negative:

- There is no identifiable negative impact to residents or existing and future WBC social housing tenants based on the data analysed.
- FFTT reviews were initially put in place to ensure that tenants are in a home that is suitable for them, and to make it easier for the Council to take action against tenants who have breached the tenancy conditions (e.g. high rent arrears or anti-social behaviour incidences).

- Historic performance analysis on housing equalities letting data (<https://www.wandsworth.gov.uk/housing/about-the-housing-department/housing-and-equalities/>) suggests that underrepresented groups (e.g. applicants from minority ethnic groups and younger residents) have a greater housing need compared to their counterparts and represent a higher proportion of applicants on the housing queues.
- It is therefore arguable that removing FFTTs could potentially impact applicants on the housing waiting list since applicants may face longer waiting times if the Council can no longer intervene (via a FFTT review) and allocate households (who are under occupying) a smaller property to free up larger properties for households in need of them.
- However, an analysis of the performance data since FFTT reviews started (March 2018) indicates that the FFTT review process has not aided the freeing up larger properties. Since 2018, there have been approximately 1400+ FFTT reviews, and only 7 (0.5%) of the reviews that did take place were made an offer of a different property as a result of a FFTT review.

Decision / Outcome	Original recommendation		Final outcome	
	No. of cases	% of cases	No. of cases	% of cases
Renewal	1388	96.4%	1369	95.1%
Different property	11	0.8%	7	0.5%
No offer / turned secure periodic / eviction	41	2.8%	64	4.4%

- The above table shows the number and percentage breakdown by decision on the FFTT review cases, with the second column representing the original recommendation from the deputy area housing manager and the third column representing the actual outcome at the end of the review process. Under the ‘actual outcome’ column, in the ‘no offer’ row, an estimated 4 to 6 of these were successful evictions, with the remaining cases either intentionally or unintentionally turning secure period.
- It is reasonable to conclude that the potential negative impact of the Council no longer being able to ‘claw back’ larger properties from the FFTT review process is a moot point since the FFTT review process has not proved effective at identifying and clawing back larger properties. For this reason, applicants on the waiting list will not be impacted by a change in policy and strategy of offering only secure tenancies to existing, new and future tenants.

2. Evidence gathering and engagement

a. What evidence has been used for this assessment? For example, national data, local data via DataRich or DataWand

Evidence	Source
Breakdown of projected resident projections based on residents ethnicity, age and gender.	Data Wand for all protected groups: - age, ethnicity and gender data were sourced via the 2020 GLA data

	- disability data was sourced via the ONS 2011 census data.
Data from our internal records on our tenant profile.	Tenant profile (by ethnicity, age, disability and gender) as of 31 st March 2022.
Historic annual equalities reports	A reference is made to previously published equality letting reports

b. Who have you engaged and consulted with as part of your assessment?

Individuals/Groups	Consultation/Engagement results	Date	What changed as a result of the consultation

3. Analysis of need

Potential impact on this group of residents and actions taken to mitigate impact and advance equality, diversity and inclusion

At present, of the Council’s 15,700+ tenants, 18% of them are on flexible fixed term tenancies (FFTTs), which means that these tenants are required to undertake a review of their tenancy to determine whether their tenancy should or should not be renewed, and they have far less security compared to the other 80% of our tenants who undertake no tenancy reviews.

To obtain an accurate breakdown of our tenants by protected characteristics, our end of year tenant profile (as of 31st March 2022) was obtained which provides a reliable update on the makeup of our tenants by some protected characteristics, which was then compared against the data listed on [Data Wand](#) reflecting the 2020 GLA projections. The alternative comparator was to use the 2011 census data, though the 2020 GLA projections are a far superior comparator since they reflect the most recent updates, with the 2011 census data being over 12 years out of date. The 2011 census data was only used to identify residents that have a disability / health condition.

The end of year tenancy profile was broken down by tenancy type to indicate the tenants who will be impacted by the proposed changes i.e. tenants on flexible fixed term tenancies, and it also allows us to explore tenant data by some of the protected characteristics.

Only 4 out of the 9 protected characteristics could be compared as a comparator against the DataWand data since reliable internal data does not exist for all protected characteristics. The protected characteristics where sufficient data allowed for analysis are age, disability, ethnicity and sex.

Details of the analysis are below.

Protected group	Findings																																																																					
<p>Age</p>	<p>Residents under the age of 35 represent a larger proportion of the Wandsworth Borough (52%) when compared to residents aged 35 +, although under 35s have a significantly lower proportion of secure tenancies when compared to over 35s. The proposed changes would therefore positively benefit under 35s who are currently underrepresented in regards to holding secure tenancies, meaning a more equal and fairer balance of all residents having the same security of tenure. Residents and tenants from the age of 65+ would mostly be unimpacted since most tenants in the older age groups already have secure tenancies prior to these proposed changes.</p> <table border="1" data-bbox="392 698 1377 1162"> <thead> <tr> <th rowspan="2">Age Group</th> <th colspan="4">Tenancy types</th> <th colspan="2">Borough population</th> </tr> <tr> <th>FFTS</th> <th>Introductory</th> <th>Secure periodic</th> <th>Total WBC tenants</th> <th>No. of residents</th> <th>% of residents</th> </tr> </thead> <tbody> <tr> <td>Under 25</td> <td>3%</td> <td>13%</td> <td>0%</td> <td>1%</td> <td>90,663</td> <td>27%</td> </tr> <tr> <td>25 to 34</td> <td>31%</td> <td>27%</td> <td>5%</td> <td>10%</td> <td>80,418</td> <td>24%</td> </tr> <tr> <td>35 to 44</td> <td>29%</td> <td>20%</td> <td>15%</td> <td>17%</td> <td>60,355</td> <td>18%</td> </tr> <tr> <td>45 to 54</td> <td>22%</td> <td>15%</td> <td>22%</td> <td>22%</td> <td>39,212</td> <td>12%</td> </tr> <tr> <td>55 to 64</td> <td>10%</td> <td>15%</td> <td>25%</td> <td>22%</td> <td>27,088</td> <td>8%</td> </tr> <tr> <td>65 to 74</td> <td>4%</td> <td>8%</td> <td>17%</td> <td>14%</td> <td>17,627</td> <td>5%</td> </tr> <tr> <td>75+</td> <td>1%</td> <td>2%</td> <td>16%</td> <td>13%</td> <td>14,373</td> <td>4%</td> </tr> <tr> <td>Grand Total</td> <td>18%</td> <td>2%</td> <td>80%</td> <td>100%</td> <td>329,736</td> <td>100%</td> </tr> </tbody> </table>	Age Group	Tenancy types				Borough population		FFTS	Introductory	Secure periodic	Total WBC tenants	No. of residents	% of residents	Under 25	3%	13%	0%	1%	90,663	27%	25 to 34	31%	27%	5%	10%	80,418	24%	35 to 44	29%	20%	15%	17%	60,355	18%	45 to 54	22%	15%	22%	22%	39,212	12%	55 to 64	10%	15%	25%	22%	27,088	8%	65 to 74	4%	8%	17%	14%	17,627	5%	75+	1%	2%	16%	13%	14,373	4%	Grand Total	18%	2%	80%	100%	329,736	100%
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<p>Disability</p>	<p>There are comparative data limitations for this protected group, since the only comparative data available is the ONS Census 2011 data, which Data Wand is also reliant on.</p> <p>To ascertain the likely number of residents in the borough with a disability, it is best to look at whether the resident is classified as being limited to complete activities, with approximately 11.2% of residents in Wandsworth having a health condition which limits their activities on a daily basis.</p> <p>As of the 31st March 2022, the percentage difference of all tenants with a disability that have a FFTT (10%) or secure tenancy (12%) is not significantly different, so the proposed change to move to only secure tenancies will not significantly impact this protected group.</p> <table border="1" data-bbox="392 1783 1377 1968"> <thead> <tr> <th rowspan="2">Disability</th> <th colspan="4">Tenancy types</th> <th colspan="2">Borough population</th> </tr> <tr> <th>FFTS</th> <th>Introductory</th> <th>Secure periodic</th> <th>Total WBC tenants</th> <th>No. of residents</th> <th>% of residents</th> </tr> </thead> <tbody> <tr> <td>No</td> <td>90%</td> <td>83%</td> <td>88%</td> <td>88%</td> <td>272,609</td> <td>89%</td> </tr> <tr> <td>Yes</td> <td>10%</td> <td>17%</td> <td>12%</td> <td>12%</td> <td>34,386</td> <td>11%</td> </tr> </tbody> </table>	Disability	Tenancy types				Borough population		FFTS	Introductory	Secure periodic	Total WBC tenants	No. of residents	% of residents	No	90%	83%	88%	88%	272,609	89%	Yes	10%	17%	12%	12%	34,386	11%																																										
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<p>Sex</p>	<p>There are a far higher number of female tenants (67%) compared to male tenants (33%). The current percentage breakdown between male and female tenants on FFTTs compared to secure tenancies is not significantly different, so there will be no identifiable impact once the change to secure tenancies has been initiated.</p> <table border="1" data-bbox="395 427 1369 622"> <thead> <tr> <th rowspan="2">Sex of the tenant</th> <th colspan="4">Tenancy types</th> <th colspan="2">Borough population</th> </tr> <tr> <th>FFTTs</th> <th>Intro</th> <th>Secure</th> <th>Total</th> <th>No. of residents</th> <th>% of residents</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>70%</td> <td>61%</td> <td>67%</td> <td>67%</td> <td>171,673</td> <td>52%</td> </tr> <tr> <td>Male</td> <td>30%</td> <td>39%</td> <td>33%</td> <td>33%</td> <td>158,062</td> <td>48%</td> </tr> </tbody> </table>	Sex of the tenant	Tenancy types				Borough population		FFTTs	Intro	Secure	Total	No. of residents	% of residents	Female	70%	61%	67%	67%	171,673	52%	Male	30%	39%	33%	33%	158,062	48%
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	<p style="text-align: center;">Tenants by tenure type and ethnic group</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Tenancy types</th> <th>Minority ethnic groups</th> <th>White</th> <th>Unknown</th> </tr> </thead> <tbody> <tr> <td>FFTTS</td> <td>62%</td> <td>31%</td> <td>8%</td> </tr> <tr> <td>Introductory</td> <td>57%</td> <td>27%</td> <td>16%</td> </tr> <tr> <td>Secure periodic</td> <td>44%</td> <td>43%</td> <td>13%</td> </tr> <tr> <td>Total WBC tenants</td> <td>47%</td> <td>40%</td> <td>12%</td> </tr> </tbody> </table> <p>Tenure split is again divided, with White tenants making up 43% of secure tenancies and 31% of FFTTs, while tenants from a minority ethnic background make up 44% of secure tenants and 62% of FFTTs. Therefore, under the current system, underrepresented groups from minority ethnic background have less security of tenure compared to white tenants.</p> <p>The proposed changes will ensure that all existing and new tenants (from all ethnic groups) will be issued with the same level of tenure (e.g. secure) thus removing the current imbalance between white and minority ethnic tenants.</p>	Tenancy types	Minority ethnic groups	White	Unknown	FFTTS	62%	31%	8%	Introductory	57%	27%	16%	Secure periodic	44%	43%	13%	Total WBC tenants	47%	40%	12%
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Religion and belief, including non belief	No comment – the Housing and Regeneration Department (HRD) does not currently hold tenant data on this. However, there would likely be no negative impact on this protected group since the overall change from FFTT to secure is a positive change for existing and new tenants.																				
Sexual orientation	No comment – the Housing and Regeneration Department (HRD) does not currently hold tenant data on this. However, there would likely be no negative impact on this protected group since the overall change from FFTT to secure is a positive change for existing and new tenants.																				
Across groups i.e older LGBT service users or Black, Asian & Minority Ethnic young men.	No comment – the Housing and Regeneration Department (HRD) does not currently hold tenant data on this. However, there would likely be no negative impact on this protected group since the overall change from FFTT to secure is a positive change for existing and new tenants.																				

Data gaps

Data gap(s)	How will this be addressed?
Disability – old data was used	Once the 2021 census data is released there will be more up to date data on number / percentage of residents who have

	a disability / health condition that causes them activity limitations.
As addressed, data on all protected characteristics is not currently collected.	A large proportion of our tenants will have been a tenant of the Council for many years and data is mainly collected once the tenant has signed up to the property. In addition, the Council is mainly collecting data on age, ethnicity, disability and gender, which restricts our ability to provide a richer assessment of other protected groups based on our tenant profile. This is something we can consider changing going forward, however, there will still be limitations since we may only be able to collect data on new tenants rather than existing tenants, since we will need to rely on existing tenants to contact us to provide us with data.

4. Impact

Protected group	Positive	Negative
Age	At present, there are a disproportionate percentage of tenants under 35 holding FFTTs compared to tenants aged 35+, resulting in under 35s having less secure tenure. The proposed changes for all existing, new and future tenants to be issued secure tenancies will ensure consistency and fairness with all age groups having the same level of security.	No negative anticipated.
Disability	The current number of tenants with a disability on a FFFT (including new / future tenants) will be moved to a secure tenancy, offering long term reassurance.	No negative anticipated.
Sex	All tenants (regardless of sex) on FFTTs will be moved to a secure tenancy.	No negative anticipated.
Gender reassignment	Although we were unable to provide comparative analysis on this protected group, there will still be a positive impact since any tenants who have undergone	No negative anticipated.

	gender reassignment and are currently on a FFTT tenancy will be offered a secure tenancy.	
Marriage and civil partnership	Although we were unable to provide comparative analysis on this protected group, there will still be a positive impact since any tenants who are married or in a civil partnership and are currently on a FFTT tenancy will be offered a secure tenancy.	No negative anticipated.
Pregnancy and maternity	Although we were unable to provide comparative analysis on this protected group, there will still be a positive impact since any tenant who is pregnant or has recently given birth and are currently on a FFTT tenancy will be offered a secure tenancy.	No negative anticipated.
Race/ethnicity	At present, there are a greater percentage of white tenants on secure tenancies compared to tenants from minority ethnic groups, who hold a larger and disproportionate number of FFTTs. The proposed change for all existing, new and future tenants to be issued secure tenancies will ensure consistency and fairness across all ethnic groups since all tenants will have the same level of security.	No negative anticipated.
Religion and belief, including non belief	Although we were unable to provide comparative analysis on this protected group, there will still be a positive impact since all tenants (regardless of their beliefs) who are currently on a FFTT tenancy will be offered a secure tenancy.	No negative anticipated.
Sexual orientation	Although we were unable to provide comparative analysis on this protected group, there will still be a positive impact since all tenants (regardless of sexual orientation) who are currently on	No negative anticipated.

	a FTT tenancy will be offered a secure tenancy.	
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5. Actions to advance equality, diversity and inclusion

Action	Lead Officer	Deadline
An annual report analysing equalities data is completed on our tenant profile after the start of a new financial year which is published on the Council website. The annual report provides a breakdown of the tenant profile by age, disability, ethnicity and sex and will be able to identify any negative impact of the proposed change. It is more difficult for the Housing and Regeneration Department to identify a negative impact on the other protected groups due to the reasons as set out above in the Data Gap section, however, going forward the Department can consider how it can best rectify this.	Alex Jones	No deadline – needs further review and consideration

6. Further Consultation (optional section – complete as appropriate)

Consultation planned	Date of consultation
Consultation will take place with residents, registered providers of social housing within Wandsworth and with resident management organisations on the proposed change from FTTs to secure periodic tenancies (including offering secure periodic tenancies to existing tenants on FTTs).	19 th September 2022 to 30 th October 2022