

City of York Council

Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Housing and Communities Directorate
Service Area:	Housing Services
Name of the proposal:	Tenancy Policy and Strategy
Lead officer:	Andrew Bebbington
Date assessment completed:	24/11/2025

Names of those who contributed to the assessment:

Name	Job title	Organisation	Area of expertise
Andrew Bebbington	Housing Strategy Officer	City of York Council	Housing Strategy
Ian Taylor	Assistant Policy Officer	City of York Council	Housing Strategy

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	<p>It is an expectation of the Regulator for Social Housing that social landlords have in place an up to date Tenancy Policy. The role of the Tenancy Policy is to set out what types of tenancy City of York itself will issue alongside related matters around succession, mutual exchange, joint tenancies and similar decisions.</p> <p>It is also an expectation of the Regulator that each local authority will publish a Tenancy Strategy and that we comply with Rent Setting and Service Charges requirements which captures the expectations City of York will have of other social landlords who operate in the city, in relation to tenancies , housing allocations and the related matters as above.</p>

1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	<p>It is a requirement of the 2011 Localism Act on local authorities to have both a Tenancy Policy and Strategy</p> <p>This Tenancy Policy addresses the Regulator's Tenancy Standard¹ expectations as follows:</p> <ul style="list-style-type: none"> [1.3] Tenure [all provisions] [1.4.1] Registered providers must support relevant tenants living in eligible housing to mutually exchange their homes. [2.3.1] Registered providers shall publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions, and tackling tenancy fraud, and set out: <ul style="list-style-type: none"> a) The type of tenancies they will grant. b) Where they grant tenancies for a fixed term, the length of those terms. c) The circumstances in which they will grant tenancies of a particular type. d) Any exceptional circumstances in which they will grant fixed term tenancies for a term of less than five years in general needs housing following any probationary period. e) The circumstances in which they may or may not grant another tenancy on the expiry of the fixed term, in the same property or in a different property. f) The way in which a tenant or prospective tenant may appeal against or complain about the length of fixed term tenancy offered and the type of tenancy offered, and against a decision not to grant another tenancy on the expiry of the fixed term. g) Their policy on taking into account the needs of those households who are vulnerable by reason of age, disability or illness, and households with children, including through the provision of tenancies which provide a reasonable degree of stability.

¹ <https://www.gov.uk/government/publications/tenancy-standard>

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	<p>h) The advice and assistance they will give to tenants on finding alternative accommodation in the event that they decide not to grant another tenancy.</p> <p>i) Their policy on granting discretionary succession rights, taking account of the needs of vulnerable household members.</p> <p>The provisions of 2.3.2 – 2.3.6 will also be embedded in landlord service delivery and 2.4.1 – 2.4.4.</p>
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1.3	Who are the stakeholders and what are their interests?
	<p>Stakeholders:</p> <ul style="list-style-type: none">• Registered Providers (Housing Associations) aim to achieve effective stock management in compliance with regulatory obligations• Social housing tenants and residents in need of social housing have an interest in high quality homes provided with good services at an affordable rent level.

1.4**What results/outcomes do we want to achieve and for whom?**

The proposed updated Tenancy Policy and Strategy offers a number of important outcomes:

- a) Compliance with the council's legal and regulatory expectations in this area
- b) Clear communication and expectations for partnership working with Registered Providers to deliver council priorities in supporting access to housing for all residents
- c) Communication of the council's overall Tenancy Policy approach as landlord in a single accessible document
- d) Implementation of the York Living Rent approach to Affordable Rent, setting Affordable Rents at an evidence-based level below the maximum 80% of market rents that takes into account local incomes, while also building potential financial viability improvements into Housing Delivery Programme development schemes

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Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.
Source of data/supporting evidence	Reason for using
The Council Plan 2023 to 2027, One City, For All https://www.york.gov.uk/council-plan-1/one-city-2023-2027	Contextual
York Living Rent Policy	Affordability thresholds assessed on the basis of the ratio of income to housing cost sets out the CYC approach balancing affordability and investment viability on Affordable Rent setting

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.
Gaps in data or knowledge	Action to deal with this
Flexibilities in CYC policy have been retained to allow the continuation of initiatives like Family Intervention Tenancies and the Prisoner Protocol which seek to prevent homelessness. Data systems for recording these have gaps.	Recognise the overlap between the Homelessness and Rough Sleeping Policy and the Tenancy and Policy and Strategy, to ensure that they complement each other – and include in data system development to enable effective reporting and monitoring of outcomes and associated learning.
Flexibilities are confirmed to allow the continuation of supported housing and homeless prevention work. Data systems for recording these have gaps.	Include in data system development to enable effective reporting and monitoring of outcomes and associated learning.

Step 4 – Analysing the impacts or effects.

4.1	<p>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</p>		
Equality Groups and Human Rights.	<p>Key Findings/Impacts</p> <p>The Tenancy Policy and Strategy is an overarching legal framework document, operational impacts on specific characteristics will sit within the city's allocations policy rather than at this level. For example, there are no tenancy types or tenancy rights that differ by specific characteristic.</p> <p>For all residents , the Tenancy Policy and Strategy seeks to preserve and/or clarify the following</p> <ul style="list-style-type: none"> - Resettlement Activity - Homeless Prevention - Nomination rights for the Housing register for new social housing - Impact of the Renters Rights Bill - The scope of Flexible Tenancies/ Fixed term tenancies - Existing statutory rights - Protection from fraud - Types of tenancy issued in the city - Scope of affordable rent 	Positive (+)	Medium (M)

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Age	<p>Impact identified</p> <p>The Tenancy Policy and Strategy will help to promote the provision of affordable housing to all groups.</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>	Positive (+)	Low (L)
Disability	<p>Impact Identified</p> <p>The Tenancy Policy and Strategy will help to promote the provision of affordable housing to all groups, in particular by making best use of specialist accessibility and adapted homes.</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>	Positive (+)	Medium (M)
Gender	<p>Impact identified:</p>	Positive (+)	Low (L)

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	<p>The Tenancy Policy and Strategy will help to promote the provision of affordable housing to all groups.</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998. Gender Recognition Act 2004.</p>		
Gender Reassignment	<p>Impact identified:</p> <p>The Tenancy Policy and Strategy will help to promote the provision of affordable housing to all groups.</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998. Gender Recognition Act 2004.</p>	Positive (+)	Low (L)
Pregnancy and maternity	<p>Impact identified:</p> <p>The Tenancy Policy and Strategy will help to promote the provision of affordable housing to all groups.</p>	Positive (+)	Low(L)

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	<p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>		
Race	<p>Impact Identified:</p> <p>The Tenancy Policy and Strategy will help to promote the provision of affordable housing to all groups.</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998. Gender Recognition Act 2004.</p>	Positive (+)	Low (L)
Religion and belief	<p>Impact Identified:</p> <p>The Tenancy Policy and Strategy will help to promote the provision of affordable housing to all groups.</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998. Gender Recognition Act 2004.</p>	Positive	Low(L)

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Sexual orientation	Impact Identified: <p>The Tenancy Policy and Strategy will help to promote the provision of affordable housing to all groups.</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998. Gender Recognition Act 2004.</p>	Positive (+)	Low (L)
Children with experience of care	Impact identified: <p>The Tenancy Policy and Strategy will help to promote the provision of affordable housing to all groups.</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998. Gender Recognition Act 2004.</p>	Positive (+), Medium (M)	

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Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	<p>Impact Identified:</p> <p>The Tenancy Policy and Strategy will help to promote the provision of affordable housing to all groups.</p> <p>Positive impact of the prevention pathway on individuals at risk of homelessness or rough sleeping.</p>	Positive	Medium(M)
Low income groups	<p>Positive</p> <p>The Tenancy Policy and Strategy will help to promote the provision of affordable housing to all groups.</p> <p>The scope to use Licences for resettlement and supported housing will help consolidate the city's resettlement work.</p>	Positive	Medium (M)
Veterans, Armed Forces Community	<p>The City of York has signed the Armed Forces veteran's covenant. It is an agreement that no one who has ever served in the Armed Forces, or their families, should be disadvantaged because of their service.</p> <p>In practice, this does not mean that Armed Forces personnel receive preferential treatment compared to other people, but that everyone agrees to work together to ensure that the</p>	Positive	Low (L)

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	<p>Armed Forces community can access the same level of service as non-serving citizens</p> <p>The Tenancy Policy and Strategy does not directly address former services personnel, the approach here is set out in the Allocations Policy, which re-enforces the city's commitment to Armed forces personnel.</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>		
Other	<p>Employee Wellbeing Support</p> <p>To continue to support the wellbeing of our staff during this demanding and difficult time, the Employee Wellbeing Line and email has been setup. The service is for all staff HR related queries, worries or concerns; relating to working hours, pay, health or wellbeing.</p> <p>Email: employeewellbeing@york.gov.uk</p>		

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Impact on human rights:			
List any human rights impacted.	The right to good quality, safe housing.	Positive (+)	Medium

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

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It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

High impact (The proposal or process is very equality relevant)	There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.
Medium impact (The proposal or process is somewhat equality relevant)	There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights
Low impact (The proposal or process might be equality relevant)	There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	<p>Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?</p>
<p>There will be some potential for limited negative impact on the above groups and subsequent customers of the Homeless Services. This is due to the implementation of fixed term tenancies to maximise availability of scarce social housing stock for residents in housing need.</p> <p>This will be mitigated by ensuring a high quality service for tenants offered a fixed term including a presumption that a new fixed term tenancy would be offered for the existing home unless clear criteria apply, and a supportive approach to the process and to moves to a more suitable property where needed.</p>	

Step 6 – Recommendations and conclusions of the assessment

6.1	<p>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:</p>
<ul style="list-style-type: none"> - No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and report 	

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- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
No major change to the proposal	The impacts from the proposals are limited, and expected to be positive with mitigations in place to deliver on these aims.

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
Equality and Human Rights Act	Quality Assurance	Laura Williams	
Data system development to improve outcome monitoring and to use insights in future service development	Data, evidence, continual improvement	Katherine Proctor	Continual improvement process

Step 8 - Monitor, review and improve

8. 1	<p>How will the impact of your proposal be monitored and improved upon going forward?</p> <p>Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?</p>
	<p>The Tenancy Policy and Strategy is designed to meet the council's relevant legal and regulatory obligations: the legal requirement for Local Housing Authorities to publish a Tenancy Strategy under the Localism Act 2011, and the expectation of the Regulator for Social Housing that social landlords have in place an up to date Tenancy Policy (Tenancy Standard 2.3 and 2.4 https://www.gov.uk/government/publications/tenancy-standard).</p> <p>The priorities set out in the document also align with the council's strategic objectives by setting a framework for working with Registered Providers across the City to make the best use of social housing stock. This supports the aims of the Homelessness and Rough Sleeping Strategy 2024-29. The York Living Rent approach to Affordable Housing provides a strategic, evidence based approach to rent setting for the Housing Delivery Programme and is intended to support viability of new build developing in that programme.</p> <p>Housing affordability is a key challenge for the City, with an average cost of homes around 9 times higher than average earnings and rent levels that are amongst the highest in the north of England. The Council Plan demonstrates this administration's commitment to reducing homelessness by including "number of people sleeping rough" as one of its new key performance indicators. In addition, provision of good quality</p>

housing to meet the range of needs across the City's residents is recognised as central to the Council's 2023-27 Plan as part of Core Commitments, Affordability and Health and Wellbeing, and to the vision of "One City, for all".

The council's [Housing Charter](#) vision of One Team, Healthy Homes, Better Lives and principles including We Think Forward, We Think Together and We Think You are embedded within the partnership based and wellbeing focused approach taken in this Strategy.

Impacts will be monitored through Housing and Homelessness Services performance reporting, utilising Housing Registration and homelessness case data alongside other sources such as complaints monitoring.

Impacts will also be monitored through

- Tenant Scrutiny Panel, tenant feedback, tenant and customer satisfaction reporting and other tenant and customer engagement methods
- Partnership work and internal cross-council engagement work, to understand perspectives on policy implementation and impact

These will be incorporated into service review, improvement and policy/procedure development processes.