

# **EQUALITY, DIVERSITY AND INCLUSION**

## **DONCASTER METROPLITAN BOROUGH COUNCIL**

### **Due Regard Statement**

### **Proposal to Designate Hexthorpe as an area for selective licensing.**

How to show due regard to the equality duty in how we develop our work and in our decision making.

## **Due Regard Statement**

A **Due Regard Statement** (DRS) is the tool for capturing the evidence to demonstrate that due regard has been shown when the council plans and delivers its functions. A Due Regard Statement must be completed for all programmes, projects and changes to service delivery.

- A DRS should be initiated at the beginning of the programme, project or change to inform project planning
- The DRS runs adjacent to the programme, project or change and is reviewed and completed at the relevant points
- Any reports produced needs to reference “Due Regard” in the main body of the report and the DRS should be attached as an appendix
- The DRS cannot be fully completed until the programme, project or change is delivered.

<p><b>1</b></p>	<p><b>Name of the ‘policy’ and briefly describe the activity being considered including aims and expected outcomes. This will help to determine how relevant the ‘policy’ is to equality.</b></p>	<p>Consultation of the proposal to designate Hexthorpe as an area for selective licensing (Housing Act 2004 part 3)</p> <p>Re-designation of the area for selective licensing for a further 5 years (maximum permitted by law) would be expected to contribute to:</p> <ul style="list-style-type: none"> <li>• An improvement in the social and economic conditions in the area;</li> <li>• A reduction in anti-social behaviour;</li> <li>• An improvement in general housing conditions;</li> <li>• A reduction in the level of deprivation; and</li> <li>• A reduction in crime</li> </ul>
<p><b>2</b></p>	<p><b>Service area responsible for completing this statement.</b></p>	<p>Regulation and Enforcement – Enforcement Team</p>
<p><b>3</b></p>	<p><b>Summary of the information considered across the protected groups.</b></p> <p><b>Service users/residents</b></p> <p><b>Doncaster Workforce</b></p>	<p>The Council recognise that the Equality Act 2010 places a legal obligation on public authorities to have regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</p> <p>At Doncaster Council we use a range of data and information when we develop policies, set strategies, design and deliver our services. By using equality information we can make sure we have thought about opportunities to promote equality, eliminate discrimination and foster good relations across all the protected groups when making</p>

		<p>decision. Equality information is used when we develop our corporate plans and it gives us an understanding of what our equality objectives should be.</p> <p>We continuously review and provide equalities information in line with our commitment to the Equality Act and Transparency Code of Practice.</p> <p>Equality data and information is published on the Council website <a href="http://www.doncaster.gov.uk">www.doncaster.gov.uk</a>. The Doncaster Data Observatory aims to provide information and intelligence that:</p> <ul style="list-style-type: none"> <li>• informs the development of policies and plans across Doncaster;</li> <li>• increases understanding to support the main population based needs assessment reports;</li> <li>• improves the sharing of research, best practice, data and intelligence among partners and minimizes duplication;</li> <li>• improves the commissioning of Public Services.</li> </ul>
4	<p><b>Summary of the consultation/engagement activities</b></p>	<p>See relevant sections of the consultative documents and webpages</p>
5	<p><b>Real Consideration:</b></p> <p><b>Summary of what the evidence shows and how has it been used</b></p>	<p><b>Beneficial effects:</b></p> <ul style="list-style-type: none"> <li>• Through the licence conditions which set out to ensure that private rented properties are safe and well managed (building fabric and tenancy), the proposal would be expected to improve the rented homes that people live in and make the locality a better place for everyone and one where people want to live and thrive.</li> <li>• Through a programme of proactive compliance checks and targeted property inspections, property management, housing standards and tenancy management standards will be driven upward.</li> </ul>

	<ul style="list-style-type: none"><li>• Advice and guidance on how to comply will be provided to all landlords and the annual declaration of compliance to be submitted by all licence holders should ensure that those who want to comply are given the tools to do so making them more likely to be compliant or capable of being brought to compliance without the need for legal action or fines.</li><li>• Recognise that most landlords want to comply and that they are not directly responsible for the actions of their tenants. Work with landlords to support them where they have to apply for possession due to the tenant failing to correct some inappropriate behaviour e.g. ASB, overcrowding.</li><li>• Use intelligence to target those landlords who are most likely to be non-compliant and make full use of all the tools available.</li><li>• Continue to work with partners (e.g. Communities, Police, Fire) to address the wider issues affecting the area (ASB, fly-tipping) – a shift to targeting of resources to those most likely to need some form of intervention. Whilst tenants will be supported to ensure their properties and tenancies are well managed, a concerted effort will be made to target issues associated with identified ASB and, in particular, fly-tipping and the arrangements for the disposal of household waste. Where such issues are identified and are attributable to the householder(s), (in addition to bringing this to the attention of the landlord for them to manage through the tenancy) action will be taken against the individuals concerned using existing enforcement tools.</li></ul> <p>Future Actions:</p> <ul style="list-style-type: none"><li>• Strive to develop a coordinated approach with partners to improve the area for everyone.</li><li>• To publish detailed advice and guidance on our webpages explaining how to comply with each licence condition and make template forms available for download.</li></ul>
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		<p><b>Non-beneficial effects:</b></p> <ul style="list-style-type: none"> <li>• Area could be stigmatised by the designation.</li> <li>• Potential investors may be deterred from investing.</li> <li>• Landlords will pass the licence fee onto their tenants.</li> <li>• Landlords may look to avoid licensing by evicting tenants and leaving the property. However, there is no evidence that this occurred under the previous scheme and actually some landlords avoided licensing by opting to have their property managed by the Council's social housing provider.</li> </ul> <p>Future Actions:</p> <ul style="list-style-type: none"> <li>• To target non-compliant landlords at the start of the scheme to make a swift difference to the area.</li> <li>• To monitor the reduced area for licensing for any displacement and manage any issues that arise from it.</li> </ul>
6	<p><b>Impact of the proposal on protected groups of service users and/or staff</b></p>	<p>Legally the scheme can only target privately rented homes that do not already meet the criteria of mandatory licensing. Within the approved designation all groups who own, manage or live in privately rented accommodation are likely to be affected by the introduction of the scheme. People of ethnic minority origin, single parents and young children are key tenant groups in the private rented sector (PRS) and are therefore likely to be affected.</p> <p>This proposal would be applied equally to all private sector landlords irrespective of their personal, and including any protected, characteristics. Similarly, the improved standards of property and tenancy management (with the intention of reducing ASB through compliance with licence conditions), apply to all properties and tenants in the designated area of Hexthorpe irrespective of their personal, and including any protected, characteristics.</p>

**Sex-** The gender ratio in Doncaster is very similar from birth up until 65+. Taken from the 2011 Census, the ratio between the ages 0-17 are Male 50.51% and Female 49.49%. Between the ages of 18-64 the ratio is Male 50.31% and Female 49.69%. However at 65+ the ratio becomes Male 44.37% and Female 55.63%.

We do not have local data regarding the representation of this protected group in the PRS. There is no reason to believe that there will be specific impacts for this protected group and we will aim to ensure that discrimination, harassment and victimisation is tackled based upon this and any other protected group.

**Gender Reassignment-** The council does not have local data regarding this protected characteristic in the PRS. There is no reason to believe that there will be specific impacts for this protected group and we will aim to ensure that discrimination, harassment and victimisation is tackled based upon this and any other protected group.

**Age-** According to the 2011 Census Hexthorpe has a relatively young population with 25% of the population under the age of 20, and 86% of the population aged under 65 (83% England). The PRS is increasingly being used as an alternative to home ownership for young people and families with young children who cannot afford to move on to the property ladder. National research shows that selective licensing schemes are successful at improving housing conditions. It should also lead to greater community stability for groups who are unable or do not wish to access social housing or homeownership.

We do not have data on the age profile of landlords in Hexthorpe. In the operation of this scheme we will take steps to monitor the extent to which affected landlords share the protected characteristics and we will aim to ensure that discrimination, harassment and victimisation is tackled based upon this and any other protected group.

**Disability-** In Doncaster 21.7% (65,535) of people have some form of disability compared to the national average of 17.9%. Doncaster is predicted to have a similar

	<p>proportion of people with learning disabilities as the national average at 1.85% of the population. (JSNA – current demographic profiles and data already available through Public Health intelligence including protected groups- Doncaster Council website).</p> <p>According to the English Housing Survey 2019-20 one quarter of households in the PRS had one or more household members with a long-term illness or disability. The majority of households with long term illness or disability live in the social rented sector.</p> <p>We do not have data on the residents and landlords in Hexthorpe relating to this protected group in the PRS. In the operation of this scheme we will take steps to monitor the extent to which this protected group is affected and we will aim to ensure that discrimination, harassment and victimisation is tackled based upon this and any other protected group.</p> <p><b>Race and Ethnicity-</b> Whilst Doncaster is still predominately White British; it has, over the last twenty years become more ethnically diverse with rising numbers of people identifying themselves with minority ethnic groups in the 2011 Census. At the time, Hexthorpe was identified as an area for housing minority ethnic groups, in particular the Polish community. Hexthorpe has since seen a high influx of EC migration and a more recent community survey completed as part of the Support Engagement &amp; Education Project identified a large number of Romanian, Slovak, Czech and Urdu residents, as well as Polish and UK nationals. It is notable that migrants are more likely than UK nationals to live in the PRS than social rented or owner occupied accommodation. Property licensing schemes are successful at improving housing conditions and a better managed PRS may also assist with community cohesion and tackle exclusion.</p> <p>One potential gap identified in the delivery of this proposal is linked to language barriers during consultation and implementation for those residents and landlords who do not speak English as a first language. This has been considered and guidance in different languages of how to access the information in the consultative document in</p>
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another language is available at the front of the document. The translations provided were based on information gained on the most common languages existing in the area.

We do not have data on the racial profile of landlords in Hexthorpe. In the operation of this scheme we will take steps to monitor the extent to which affected landlords share the protected characteristics, including the extent to which minority ethnic groups are represented among landlords. We will try to ensure that discrimination, harassment and victimisation is tackled based upon this and any other protected group.

**Sexual Orientation-** We do not have local data regarding the representation of this protected group in the PRS. There is no reason to believe that there will be specific impacts for this protected group and we will aim to ensure that discrimination, harassment and victimisation is tackled based upon this and any other protected group.

**Religion or Belief (or no Belief)-** Although the question was not compulsory the 2011 Census reported the majority of residents in Doncaster (66%) were Christian and 24% stated they had no religious affiliations.

We do not have local data regarding the representation of this protected group in the PRS. However, Hexthorpe has a high percentage of migrant communities who are more likely to live in the PRS. It is likely that a significant proportion of these individuals will be members of faith groups and are therefore represented among PRS tenants. There is no reason to believe that there will be specific impacts for this protected group and we will aim to ensure that discrimination, harassment and victimisation is tackled based upon this and any other protected group.

We do not have data on the religious/faith profile of landlords in Hexthorpe. In the operation of this scheme we will take steps to monitor the extent to which affected landlords share the protected characteristics, including the extent to which faith groups are represented among landlords and we will aim to ensure that discrimination,

		<p>harassment and victimisation is tackled based upon this and any other protected group.</p> <p><b>Pregnancy and Maternity-</b> According to the 2019-20 English Housing Survey the household composition has changed over the last 20 years and the proportion of families with dependent children living in the PRS has increased to 36% (approximately 547,000 households).</p> <p>We do not have local data regarding the representation of this protected group in Hexthorpe. There is no reason to believe that there will be specific impacts for this protected group and we will aim to ensure that discrimination, harassment and victimisation is tackled based upon this and any other protected group.</p> <p><b>Marriage and Civil Partnership-</b> According to the 2011 Census 46.91% of people over the age of 16 in Doncaster were married, which is similar to the national average of 46.6%. 32.21% of people were single, 0.2% were in a civil partnership, 13.1% were separated/divorced and 7.7% were widows/surviving member of civil partnership.</p> <p>We do not have local data regarding the representation of this protected group in the PRS. There is no reason to believe that there will be specific impacts for this protected group and we will aim to ensure that discrimination, harassment and victimisation is tackled based upon this and any other protected group.</p>
7	<b>Decision Making</b>	<p>Decision makers must consider the Council’s duties under the Public Sector Equality Duty at s149 of the Equality Act 2010. The duty requires the Council, when exercising its functions, to have ‘due regard’ to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the act, and to advance equality of opportunity and foster good relations between those who share a ‘protected characteristic’ and those who do not share that protected characteristic. There are no specific equality implications arising from this proposal. However, any activities arising from this report will need to be the subject of separate ‘due regard’ assessments.</p>

<b>8</b>	<b>Monitoring and Review</b>	The consultation process is prescribed and there is a duty to consider all representations. If a decision is made to designate, there is a requirement to keep this under review.
<b>9</b>	<b>Sign off and approval for publication</b>	JCD 03/03/21