

# **EQUALITY, DIVERSITY AND INCLUSION**

## **CITY OF DONCASTER COUNCIL**

### **Due Regard Statement Template**

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 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>Review of Doncaster Council’s Pitch Allocation Policy for Council Owned Gypsy and Traveller Sites. This policy sets out the criteria for access to site pitches. Gypsy and Traveller sites are primarily regulated by the Mobile Homes Act 1983, following amendments made to that Act by the Housing and Regeneration Act 2008.</p> <p>There were 8 suggested changes consulted on within the consultation period from February to May 2023, including a 12 week public consultation with residents and waiting list applicants. Following the consultation there are two additional changes proposed after consideration of all feedback. These are Change 9 and 10.</p> <p>Changes are being made to ensure that the policy is fit for purpose and prioritises those most in need, whilst respecting cultural differences. This policy covers 65 pitches across four Council Owned Gypsy and Traveller Sites.</p> <p>During the consultation, most residents and applicants did not want to fully disclose their status in terms of each protected characteristic ,due to privacy. We respected this and have included the information we have available on our housing management system.</p> <p><b>Change 1: Be clear on who is not eligible to be considered.</b></p> <p>E.g. those under 18 or those subject to immigration control who are not eligible for housing assistance.</p> <p><b>Why?</b> Be explicit in the policy. Be clear on legal requirements. Promote understanding.</p>
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**Change 2: Be clear on who does not qualify to join the waiting list.**

Can include persons:

- Involved in anti-social behaviour which has or is likely to cause serious nuisance to neighbours
- Who have deliberately worsened their circumstances to obtain additional priority
- Rent arrears
- Provided false information or deliberately withheld information
- Those occupying a current site without permission dependent on the circumstances

**Why?** To be fair and prioritise those most in need

**Change 3: Clear definition of maximum pitch occupancy for single and double pitches.**

**Why?** To maintain space standards for fire prevention. Improve understanding of residents. Be explicit in the policy to be upfront about future pitch use and occupancy.

**Change 4: Confirm that permission is required from the landlord for additional caravans/occupancy.**

**Why?** Comply with space standards for fire prevention. Promote understanding. Improvement of ongoing site management.

**Change 5: Information sharing, confidentiality and data protection/GDPR. Include a statement about how we use and retain data.**

**Why?** Comply with legislation. Be explicit on how personal information is used.

**Change 6: Ensure banding priorities for highest band are comprehensive.**

E.g. Add to Platinum Band - you have a caravan or access to a caravan, which is your principal home, but nowhere to locate it (for at least six months). You may need to provide evidence of this and a home visit will be required to verify.

**Why?** To ensure that priorities are comprehensive and applicants who are roadside for 6 months or over are prioritised for a settled pitch and access to facilities where they have a local connection to Doncaster.

**Change 7: Inclusion of exceptional circumstances.**

Be clear on what other circumstances may be taken into account in prioritising applicants in addition to the priority bands where there is supporting information to confirm. Examples such as:

- Support, Caring and access to care
- Medical and Health circumstances
- Needing to be close to specialist education facilities

**Why?** To have a clear rehousing policy in line with best practice.

		<p><b>Change 8: Ensure that the local connection criteria is fair and recognises cultural differences.</b></p> <p>E.g. travelling out of area for part of the year.</p> <p><b>Why?</b> To make sure we take into account culture and lifestyle in assessing proof of local connection to Doncaster and have regard to case law.</p> <p><b>Change 9 (additional proposed change): Fair and proportionate consultation with residents about new allocations to ensure community cohesion.</b></p> <p><b>Why?</b> To recognise that the community is clan and family based and to avoid community tension. The discretion for refusal is already provided for in the policy. Consultation would be in accordance with best practice and an explicit part of the application and allocation process.</p> <p><b>Change 10 (additional proposed change): Restricting anyone pulling onto site without permission, who we do not agree to rehouse from joining the waiting list for a 6 month period or having an existing applications suspended.</b></p> <p><b>Why?</b> To deter people from pulling onto site without permission and restricting their access to a pitch dependent on their circumstances.</p>
2	<b>Service area responsible for completing this statement.</b>	<p>SLHD Housing and Customer Services on behalf of Doncaster Council.</p> <p>Doncaster Council Legal Services</p>

**3 Summary of the information considered across the protected groups.**

*Please document the data and information sources that you have used to understand the needs, participation and experiences of each protected group: Age, Disability, Race, Sex, Sexual Orientation, Religion and Belief, Maternity and Pregnancy, Gender Reassignment, Marriage and Civil Partnership.*

**Service users/residents**

*Doncaster have chosen to add three additional groups, with a fourth, Leaving Care, pending approval, which are not included in the Equalities Act 2010: These are:*

**Doncaster Workforce**

- *Armed Forces and Veterans*
- *Homelessness*
- *Socio-economic*
- *Leaving Care*

Protected characteristic information is limited from those consulted with due to lack of disclosure. We have data on Age, Sex and ethnicity of current site residents which is set out below.

**Age**

57.5% of site tenants are aged 45 and over.

	16 - 24	25 - 34	35 - 44	45 - 54	55 - 64	65+	DNK
White Towers	0	0	2	0	2	5	1
Little Lane	1	1	0	2	2	1	1
Land's End	2	5	6	1	5	2	0
Nursery Lane	0	0	0	0	1	0	0
<b>TOTAL</b>	3	6	8	3	10	8	2
<b>% of all current residents</b>	7.50%	15%	20%	7.50%	25%	20%	5%

**Disability**

We do not have this information due to lack of disclosure.

**Race**

Gypsy and Travellers are classed as their own Ethnic Group.

**Sex**

Existing tenants on site are 75% female and 25% male.

	Male	Female
White Towers	5	5
Little Lane	2	6
Land's End	2	19
Nursery Lane	1	0
TOTAL	10	30
% of all current residents	25%	75%

**Gender Reassignment**

We do not have this information due to lack of disclosure.

**Sexual Orientation**

We do not have this information due to lack of disclosure.

**Religion and Belief**

We do not have this information due to lack of disclosure.

**Armed Forces and Veterans**

We do not have this information due to lack of disclosure.

**Change 1: Be clear on who is not eligible to be considered.**

Protected Characteristic	Impact
Age	Neutral
Disability	Neutral
Race	Neutral
Sex	Neutral
Sexual Orientation	Neutral
Religion and Belief	Neutral



<b>Maternity and Pregnancy</b>	Neutral
<b>Gender Reassignment</b>	Neutral
<b>Marriage and Civil Partnerships</b>	Neutral
<b>Veterans</b>	Neutral
<b>Homelessness</b>	Neutral
<b>Socio-economic</b>	Neutral
<b>Leaving Care</b>	Neutral

**Change 2: Be clear on who does not qualify to join the waiting list.**

<b>Protected Characteristic</b>	<b>Impact</b>
<b>Age</b>	Neutral
<b>Disability</b>	Neutral
<b>Race</b>	Neutral
<b>Sex</b>	Neutral
<b>Sexual Orientation</b>	Neutral
<b>Religion and Belief</b>	Neutral
<b>Maternity and Pregnancy</b>	Neutral
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<b>Marriage and Civil Partnerships</b>	Neutral
<b>Veterans</b>	Neutral
<b>Homelessness</b>	Neutral
<b>Socio-economic</b>	Neutral
<b>Leaving Care</b>	Neutral

**Change 3: Clear definition of maximum pitch occupancy for single and double pitches.**

<b>Protected Characteristic</b>	<b>Impact</b>
<b>Age</b>	Neutral
<b>Disability</b>	Neutral
<b>Race</b>	Neutral
<b>Sex</b>	Neutral
<b>Sexual Orientation</b>	Neutral
<b>Religion and Belief</b>	Neutral
<b>Maternity and Pregnancy</b>	Neutral
<b>Gender Reassignment</b>	Neutral
<b>Marriage and Civil Partnerships</b>	Neutral
<b>Veterans</b>	Neutral
<b>Homelessness</b>	Neutral
<b>Socio-economic</b>	Neutral
<b>Leaving Care</b>	Neutral

**Change 4: Confirm that permission is required from the landlord for additional caravans/occupancy.**

<b>Protected Characteristic</b>	<b>Impact</b>
<b>Age</b>	Neutral
<b>Disability</b>	Neutral
<b>Race</b>	Neutral
<b>Sex</b>	Neutral
<b>Sexual Orientation</b>	Neutral
<b>Religion and Belief</b>	Neutral
<b>Maternity and Pregnancy</b>	Neutral

<b>Gender Reassignment</b>	Neutral
<b>Marriage and Civil Partnerships</b>	Neutral
<b>Veterans</b>	Neutral
<b>Homelessness</b>	Neutral
<b>Socio-economic</b>	Neutral
<b>Leaving Care</b>	Neutral

**Change 5: Information sharing, confidentiality and data protection/GDPR. Include a statement about how we use and retain data.**

<b>Protected Characteristic</b>	<b>Impact</b>
<b>Age</b>	Neutral
<b>Disability</b>	Neutral
<b>Race</b>	Neutral
<b>Sex</b>	Neutral
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<b>Leaving Care</b>	Neutral

**Change 6: Ensure banding priorities for highest band are comprehensive.**

<b>Protected Characteristic</b>	<b>Impact</b>	<b>Further Explanation</b>
<b>Age</b>	Neutral	
<b>Disability</b>	Positive	This change ensures that those with a housing need related to health and care will be included
<b>Race</b>	Neutral	
<b>Sex</b>	Neutral	
<b>Sexual Orientation</b>	Neutral	
<b>Religion and Belief</b>	Neutral	
<b>Maternity and Pregnancy</b>	Neutral	
<b>Gender Reassignment</b>	Neutral	
<b>Marriage and Civil Partnerships</b>	Neutral	
<b>Veterans</b>	Neutral	
<b>Homelessness</b>	Positive	This change ensures that those in high housing need are included in the priority bands as well as statutory homeless households
<b>Socio-economic</b>	Neutral	
<b>Leaving Care</b>	Neutral	

**Change 7: Inclusion of exceptional circumstances.**

<b>Protected Characteristic</b>	<b>Impact</b>	<b>Further Explanation</b>
<b>Age</b>	Positive	As care and access to care is an example, this will support the community, including older residents in this being considered in the process. There is also a culture of extended family living and support in the Gypsy and traveller community.

	<b>Disability</b>	Positive	This change supports consideration of individual circumstances, including disabilities, to determine priorities for allocation	
	<b>Race</b>	Neutral		
	<b>Sex</b>	Neutral		
	<b>Sexual Orientation</b>	Neutral		
	<b>Religion and Belief</b>	Neutral		
	<b>Maternity and Pregnancy</b>	Positive	This change supports consideration of individual circumstances, including maternity and pregnancy, to determine priorities for allocation including where support may be required	
	<b>Gender Reassignment</b>	Neutral		
	<b>Marriage and Civil Partnerships</b>	Neutral		
	<b>Veterans</b>	Neutral		
	<b>Homelessness</b>	Positive	This change enables flexibility in identifying those most in need and homeless prevention	
	<b>Socio-economic</b>	Neutral		
	<b>Leaving Care</b>	Positive	This change enables flexibility in identifying the most in need and vulnerable	
	<b>Change 8: Ensure that the local connection criteria is fair and recognises cultural differences.</b>			
	<b>Protected Characteristic</b>	<b>Impact</b>	<b>Further Explanation</b>	
	<b>Age</b>	Neutral		
<b>Disability</b>	Neutral			
<b>Race</b>	Positive	This ensures we reflect the cultural traditions of Gypsy and Travellers when applying a local connection criteria.		
<b>Sex</b>	Neutral			

<b>Sexual Orientation</b>	Neutral	
<b>Religion and Belief</b>	Neutral	
<b>Maternity and Pregnancy</b>	Neutral	
<b>Gender Reassignment</b>	Neutral	
<b>Marriage and Civil Partnerships</b>	Neutral	
<b>Veterans</b>	Neutral	
<b>Homelessness</b>	Neutral	
<b>Socio-economic</b>	Neutral	
<b>Leaving Care</b>	Neutral	

**Change 9: Fair and proportionate consultation with residents about new allocations to ensure community cohesion**

<b>Protected Characteristic</b>	<b>Impact</b>	<b>Further Explanation</b>
<b>Age</b>	Neutral	
<b>Disability</b>	Neutral	
<b>Race</b>	Positive	This will support sustainable tenancies and mitigate conflict, in recognition of the clan based community
<b>Sex</b>	Neutral	
<b>Sexual Orientation</b>	Neutral	
<b>Religion and Belief</b>	Neutral	
<b>Maternity and Pregnancy</b>	Neutral	
<b>Gender Reassignment</b>	Neutral	
<b>Marriage and Civil Partnerships</b>	Neutral	
<b>Veterans</b>	Neutral	

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<p><b>4 Summary of the consultation/engagement activities</b></p>	<p><b>Advice and Support in developing the consultation</b>          Advice and support was sought from the National Gypsy and Traveller advisory panel with associated Good Practice guides. National Charity, Friends, Families and Travellers. The Oak Project, a 3-year partnership with Gypsies &amp; Travellers, National Policy Advisory Panel on Gypsy and Traveller Housing and the Housing Diversity Network.</p> <p><b>Elected members and Portfolio Holder</b>          The review process began in February 2023 when suggested changes and the scope of the review were discussed with the Housing Portfolio Holder, and focus groups held with eleven elected member representing the relevant wards. These were informed by best practice, feedback from staff, stakeholders, customers and corporate priorities. A presentation and newsletter were used to communicate the review and consultation.</p> <p><b>Employee groups</b>          Two employee groups were consulted with across Access to Homes and Housing and Customer Services whose role in directly/indirectly impacted by the policy. They were also given information to support customers in taking part in the consultation.</p> <p><b>Stakeholders</b>          Stakeholders included Doncaster Council Enforcement Team, Public Health, and Education services, NHS Health Services, South Yorkshire Police and SLHD Housing Management.</p> <p><b>Public Consultation</b>          Public consultation began on Monday 20<sup>th</sup> February 2023 for a period of 12 weeks with a focus on face to face consultation, multiple site visits and personal contact with waiting list applicants to remove barriers relating to literacy.</p> <p><b>Community Engagement</b>          Community Engagement with site residents has been high, with 95% (38) seen in person and also 100% (28) of the waiting list contacted with a 54% (15) response rate.</p>
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		<p><b>Legal Input</b> Advice and support throughout from Doncaster Council Legal Services.</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>There are positive impacts on protected groups in the ten proposed changes, particularly around impact on homeless households, which supports one of the aims of the policy. There are 10 potential positive/negative impacts which will need to be monitored.</p> <p>Staff and stakeholders were empowered to assist and support the public to complete the survey to ensure that no one was excluded for participating.</p> <p>Vulnerability is actively identified throughout the application and offer process and appropriate support given, pro-active work with individuals, advocates and family members to ensure that they are not disadvantaged through this process. Throughout the consultation it was evident that there is a high level of trust between the community and SLHD Housing Management Officer.</p>
6	<p><b>Decision Making</b></p>	<p>A summary of the overall findings of this statement have been included within the relevant reports as well as being attached in full as Background Papers.</p> <p>Cabinet will consider this report on the 16 August 2023 following input from</p> <ul style="list-style-type: none"> <li>• SLHD Executive Management Team (completed)</li> <li>• Doncaster Council Executive Leadership Team (completed)</li> <li>• Feedback from Scrutiny on consultation process (completed)</li> <li>• Doncaster Council Executive Board (completed)</li> <li>• Feedback from Scrutiny on the policy changes</li> </ul>
7	<p><b>Monitoring and Review</b></p>	<p>Activity under this process will be reported to SLHD Director of Housing and Customer Services.</p> <ul style="list-style-type: none"> <li>• The process will be reviewed for its effectiveness after 12 months with agreed performance indicators to identify if the policy is fulfilling its objectives and if there are any unexpected consequences or changes in priority that need to be addressed.</li> </ul>

<b>8</b>	<b>Sign off and approval for publication</b>	<i>*To be completed on approval of the recommended policy changes*</i>
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