

Agenda Item No: 6
Report To: Cabinet
Date of Meeting: 8th December 2016
Report Title: Review of Housing Staff Structure
Report Author & Job Title: Sharon Williams
Head of Housing
Portfolio Holder Cllr. Clokie
Portfolio Holder for: Housing and Home Ownership



Summary: The Housing Revenue Account (HRA) Business Plan submitted to members in November last year identified that the 1% reduction in social rents announced in the July 2015 Budget would result in an anticipated loss of income of £10million (across four years from April 2016). Members agreed to implement a significant cost reduction programme, including salary savings, in order to recover the HRA's financial position.

A comprehensive review of the HRA services has been conducted and this paper sets out the recommendations and impacts for staff arising from the review including improved working practices, an organisational restructure and a reduction in headcount from April 2017 (and in the 2017/18 budget) of 9.12 FTE posts.

Key Decision: NO

Significantly Affected Wards: N/A

Recommendations: **The Cabinet is recommended to:-**

- I. Endorse the findings of the review of housing**
- II. Approve the new staff structure for Housing shown at Appendix 3.**
- III. Recommend to Council that the redundancy costs and pension costs set out at Appendix 4 are approved and that the pension monies are released in the event that those staff at risk cannot be re-deployed, or if there are pension implications or redundancy costs in relation to voluntary redundancy applications that they may be granted.**

Policy Overview: The Council is required to have a 30 year business plan for the HRA. The business plan provides a financial model

which is a tool for testing existing priorities, the impact of changes in Government policies and changes in key business sensitivities such as inflation to ensure that Ashford's plans remain affordable. It also ensures that the HRA does not exceed its debt cap with its expenditure plans in line with Government rules.

Financial Implications:

The 2015 Budget Announcement by the Government imposed a 1% rent reduction to be applied to all social housing rents each year for a period of four years with effect from 2016/17, resulting in a potential loss of income to the HRA of £10m. A report to Cabinet in November 2015 reported the position and recommended a cost reduction exercise which included recommendations to consider staff reductions in order to regularise the financial position for 2017/18.

The proposed new structure for housing represents a salary saving of approximately £198,000 in the HRA for 2017/18 and a further saving of £68,000 for the general fund for 2017/18. The proposed savings regularise the financial position for the HRA and enables scope within the HRA Business Plan to continue to achieve the HRA priorities. A separate report on this Cabinet Agenda sets out the position for the HRA Business Plan in more detail as well as the amended priorities for the HRA moving forward.

A schedule of proposed redundancy and pension costs is shown at the exempt appendix at Appendix 4.

Legal Implications

The Council is required to have a HRA Business Plan setting out the financial position for a period of 30 years. During the review due regard has been taken to the Council's policies in managing redundancy.

Equalities Impact Assessment

An Equalities Impact Assessment is attached at Appendix 1.

Other Material Implications:

None

Exempt from Publication:

YES – Appendix 4 Only

[Not For Publication by virtue of Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972.] and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

Background Papers:

None

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Introduction and Background

1. Following the government's decision to impose a national 1% rent reduction on rents within the Council stock, announced in the July 2015 Budget, it was identified that this equated to a loss in revenue to the Housing Revenue Account (HRA) of £10m over four years with effect from 2016/17
2. The HRA is a ring fenced financial account which is self financing, funded from the rental income from Council tenants. The income covers the management, maintenance and repair of approximately 5,000 properties. The general fund is a separate account which cannot contribute to the HRA costs.
3. A report to Cabinet on 12th November 2015 updating the Business Plan for the HRA identified the need to deliver savings and a substantial cost reduction programme was approved. The report identified areas for savings: including significant cuts to the planned maintenance budgets and the shelving of the refurbishment / rebuild programme to sheltered housing stock, as well as a reduction in salary costs as part of the cost reduction plans to recover the HRA's financial position.
4. The measures identified in the report at that time were implemented to regularise the budget position for 2016/17 but it was identified that further salary savings would be required to be implemented with effect from 2017/18.
5. A comprehensive review of the HRA service was launched in May 2016 to take forward the cost reduction programme previously agreed by members and as an integral part of this, to consider the staffing structure required to deliver the HRA core activities.
6. This report sets out the recommendations arising from the review including a change to the staff structure, together with some recommendations for further work to streamline work flows.

Summary of the Approach to the Review

7. The scope of the review was agreed by Management Team, the Portfolio Holder for Housing and Home Ownership and the Lead Member for Housing and is set out below:
 - Review the asset management strategy and the approach to planned maintenance
 - Re-affirm the priorities for the HRA and set relevant standards such as the void property standard and response times for dealing with customer enquiries.
 - Identify core activities for the HRA
 - Identify income generators for the HRA

- Review structures, processes and structures to eliminate waste, streamline work flows and ensure resilience in front line services.
8. External scrutiny and challenge were key components of the review and have been at the forefront of our approach and a range of methods were utilised to achieve this as follows:
- Officers from outside Housing were identified to lead on desk top reviews within the Housing Services Team and the Resources Team.
 - A Scrutiny Group was formed representing Finance, Corporate Customer Services, Corporate Policy and Performance and Personnel to act as challenge agents to the review both in terms of process but also to ensure that the review was fair and robust. The Scrutiny Group met together to consider the scope of the review and also to consider the full reports and recommendations arising from the review. In addition members of the group met individually with the Head of Housing and John Young throughout the review period.
 - Internal Audit was asked to review the processes and key controls which were necessary to be maintained within Planned Maintenance and Responsive Repairs
 - External consultancy advice was provided in relation to Asset Management of the rented housing stock
 - The Corporate Procurement and Support Manager and the Head of Corporate Property are acting as a critical friend in relation to our Procurement Practice.
9. The Lead Officers carried out a desk top review of each service area within the HRA which focussed on the following:
- What we do now and how we do it
 - What we could do differently or stop doing
 - Channel shift and better use of technology
 - Performance measures
 - Good practice recommendations
 - Comparisons and reviews of other examples from other organisations
10. Whilst the main focus of the review was to identify ways to meet the savings targets previously identified, the Portfolio Holder and Lead Member for Housing and Home Ownership were keen that the review also identified the core activities essential for delivering the HRA priorities.
11. The desk top survey work undertaken has been used to inform the recommendations of this report both in terms of the proposed staff structure and in addition to further ongoing operational or procedural changes moving forward. These will form part of a programme of work once the proposed new structure is in place designed to make better use of technology, opportunities to introduce self help services for our tenants and to streamline work flow.
12. The Housing staff were formally notified about the review in May 2016 and were encouraged to feed in their thoughts and ideas throughout the process. Early work was undertaken with the key teams to identify what staff considered to be the core activities for the service and this information was

used to look at work activities and where they could be aligned to create a streamlined workflow.

13. A copy of both the existing staff structure and the proposed structure is set out in **Appendix 2 and 3**. Specific findings arising from the review work are set out below.

Housing Services Team

14. Due to budgetary requirements since 2011, there has been a 15% staff reductions within the Housing services Team (HST) which now operates with 7.9 FTE's. This has reduced the operational resilience within the team to deliver; call handling for housing enquiries, account, tenancy, lettings and housing administrative services, repairs call handling, contractor liaison and repair invoicing.
15. The HST had previously been able to balance the demands of the various work streams but have found that if one of more work streams generates additional volumes of work, all the services they provide degrade having the consequence of causing pressure in all areas of their responsibility.
16. The review identified that call handling for housing enquiries was a reactive work stream that significantly impacted the ability of the team to schedule and undertake administrative processes. Accordingly, the decision was made to evaluate moving call handling for housing enquiries and responsive repairs to the Council's Customer Services Team. It is suggested that this will provide a more consistent channel of communication for customers in terms of their access and it will remove the reactive component of the HST work.
17. It is proposed to remove this team from the establishment and therefore the posts of the Housing Services Team Leader and 6.9FTE Housing Services Assistants. The administration work associated with this team and the individual posts will continue, although it is proposed to complete this work in a more focused manner and in focused teams. Previously this work was completed generically. Should the proposal be accepted it is anticipated that the 7.9FTE members of the Housing Services Team will be positively redeployed across the service into reasonable, suitable alternative posts, according to their preferences and skill areas.
18. It is proposed that two new posts are created within the Customer Services team and that two FTEs from the HST team are redeployed to these roles.
19. The anticipated redeployment of these posts is referred to throughout this consultation document but in the interest of clarity they are defined as posts within;
 - Corporate Customer Services (not in Housing Service) x 2 FTE
 - Finance Pilot role focused on FPM in Exchequer x 1 FTE
 - Lettings Assistant x 1 FTE
 - Housing Management Support Officers x 4 FTE
 - Repairs Assistants x 3 FTE

Asset Management

20. The Housing Service currently manages the HRA's assets using an asset data set to plan the maintenance programme over the lifetime of the component parts of the asset.
21. During the scoping of this review, the requirement for an Asset Management Strategy was identified. A draft strategy setting out the Council's priorities and approach to maintaining and managing its HRA assets has been produced.
22. To provide an external and non-partisan view, we sought the assistance of an independent global property and construction consultancy called Gleeds, with over 1600 staff, across 59 offices and 6 continents.
23. Gleeds has undertaken a high level assessment of the current HRA arrangements within the Council. This review was intended to identify how, accounting for the issues specifically relating to the Council's own HRA, the Council may benefit from the strategies and structures developed by other Council's. Specifically the review has considered:
 - A high level assessment of the current HRA Business Plan.
 - A high level benchmarking exercise on key asset lines.
 - An assessment of wider housing development activity (whether within or outside of the HRA).
24. Gleeds also provided an overview of options for consideration which included:
 - Review of building condition information and lifecycle replacement programme.
 - Perform an area / estate review of key areas to establish relative need and potential efficiencies
 - Consider wider "commercialisation" opportunities through planned sales / development opportunities
 - Consider the potential betterment through creation of a Joint Venture for the development of new housing (social, affordable and market)
 - Consider the potential betterment through creation of a property company for non-social housing accommodation (affordable and market as well as other mixed uses as appropriate)
 - Explore the use of innovative financing solutions for the provision of specialist accommodation
25. We are continuing to work with Gleeds and plan to evaluate these options alongside the Asset undertaking leaseholder management Strategy and the 2017/18 responsive repair procurement process as part of an ongoing work programme following the review and implementation of the proposed new structure.
26. The current contracts for responsive repairs, void work and PVCu windows & door repairs are currently due to be retendered by 1st October 2018. Although only preliminary discussions have taken place and no firm decisions made regarding the above contracts, it is likely that the scope will combine responsive and void works and extend the contracts remit to include kitchen replacements, bathroom replacements and minor disabled adaptations.

27. Additionally, to improve the efficiency of the repair process contracts based on Price per Property (PPP) and Price per Void (PPV) will have serious consideration as they share the repair risk with the Contractor and allow for a more cohesive repairs reporting process directly with the Contractor and a significantly smaller administrative and invoice processing overhead.
28. Concern has previously been raised that the current method of delivering kitchen and bathroom refurbishments could result in perfectly acceptable components being replaced unnecessarily.
29. A number of options to address these concerns were considered and the recommended approach to address potential wastage is that pre-inspections prior to commencement of work should be undertaken to identify those that require work and those that can be deferred to a later date. This approach was also confirmed as a recommended key control in the internal audit that was undertaken.
30. Moving repair call handling to the Customer Services and RTB from the Resources Team has been considered with our existing responsive repair contracts in mind. The current repair budget is £2.1M and we typically issue around 12,500 orders per year to our main contractor and other specialist contractors. The existing contracts require the Council to specify and calculate the cost of each repair order and process an invoice for each repair.
31. Gleeds commented in their report that the Council has an average cost per property of £308 per annum for reactive repairs. This rate would appear to be very competitive, as Gleeds benchmark range is between £330 and £440 per annum, depending on the different contracting models (reimbursable, fixed price per property per annum, etc.) Gleeds identified this as further evidence the benefits of the Council's drive towards Decent Homes Plus over recent years and the one-off investments made having a positive impact on reactive spend. However, they consider that, current decisions to reduce and pushback planned maintenance spend will reverse this and believe this will lead to an increase in reactive spend per property.
32. With such high volumes of repairs requests budgetary control is challenging and accurately identifying who is responsible for the works, what work is required and which contractor to use requires experience and teamwork. If work is over specified by as little as 5% this could result in an annual overspend in excess of £100k.
33. In view of the above it is felt important to create a stronger synergy between the planned maintenance and reactive repairs teams and it is therefore proposed that both teams are aligned together within the structure.
34. When considering the likely operational changes that would be introduced with a new responsive repairs contract e.g. calls being handled directly by the Contractor, the operational and financial risk of moving repairs into a call centre dealing with generic enquiries and the resources required to move repairs call handling to the Customer Services Team for what would be an interim measure, appears to have the potential to deliver very little benefits. However, should the new responsive repairs contract retain repair call

handling within the Council, then this matter should be reconsidered at that time.

35. Currently the posts responsible for processing right to buy applications and dealing with Lease holder issues sit within the resources team, however the review identified that they would be better aligned with the property focussed functions and therefore it is proposed that they be moved to sit under the Asset Management Team, reporting into the Housing Performance Manager.

Income and Tenancy Management

36. Arrears management was subject to a review 18 months ago which resulted in the adoption of new IT processes to streamline arrears action processing. Following that review the Area Managers were split into two focus areas – the Income Management team and the Estates team. Accordingly, arrears processes are not being considered as part of this review as it remains a high performing function within the service and has shown performance improvements upon implementing the earlier reviews findings.
37. Universal Credit (UC) continues to represent a significant risk to our income stream as Tenants will receive their housing costs as part of their UC payment instead of the Council receiving a direct payment through the current Housing Benefit system. Although this is likely to put downward pressure on our collection rates and require additional officer time to offset this pressure, our current staffing levels are considered sufficient to maintain our collection performance within the current benefit framework subject to the creation of the Housing Support Officer posts referred to above.
38. Anti-social behaviour (ASB) incidents currently require significant staff time that creates a resourcing problem for the Estates team. Policy & Performance have researched how other Local Authorities and Housing Associations are planning to provide provisions to deal with ASB in the light of the 1% rent reduction.
39. It is proposed that the job description for the Senior Area Manager post is amended for the post holder to take a lead role in serious anti social behaviour cases as well as continue to provide day to day line management to the area managers. It is also intended that this officer will work closely with the CSU. A new team leader level post of Neighbourhood Services Manager has been introduced to strengthen operational day to day management support for the Income and Management Team. This post will take a lead in service planning and ensuring that we are placing our tenants at the heart of service delivery within the resources available. In order to facilitate this, the number of Area Manager posts in the structure will be reduced from 7 posts to 6 posts.
40. The government have identified further 1% rent reductions for supported housing which in Ashford BC relates to Sheltered Housing Schemes for older people. In addition there have been recent challenges to the levels of service charges to tenants. Although Ashford has tried to prepare for withdrawal of funding to provide support in the sheltered schemes by introducing service charges, it is important that we keep our service charges affordable and reasonable. In view of this the review looked at the structure for the supported

housing team. It is proposed to increase the Supported Housing Manager post to 1 FTE from 0.8 FTE and to delete the Senior Scheme Manager post. However, there is one vacant scheme manager post which has been held pending work to review service charge levels. It is proposed that the vacant scheme manager post is filled, which may offer a redeployment opportunity.

41. Tenant Participation (TP) has been identified as a problematic area that has proved challenging to achieve sustainable benefits to the Service and our tenants. The review looked at how Tenant Participation could be delivered more effectively.
42. Housing E–Newsletter and Tell Us can be organised by the Communications Team with the Senior Area Manager acting as the key point of contact for collating the relevant news items for publishing.
43. Moving forward, there is an opportunity to publish Housing news items on a daily or weekly basis via social media and either discontinue the Housing E-Newsletter or publish previously published news items as a compendium or, as a small number of news items considered in greater detail.
44. Although Housing no longer undertake Community days the Area Management team continue a schedule of ‘Chips & Chats’ events throughout the borough to make sure that there is a regular TP across a wide spectrum of ABC tenants.
45. The review considered the effectiveness of the Tenants Scrutiny Panel and concluded that it represents poor value for money due to the cost of providing staff resources required to organise, and host meetings.
46. The tenant scrutiny process has resulted in few new or impactful recommendations. Both tenants on the panel and officers have voiced their frustration of the scrutiny process.
47. The current TP delivery model relies heavily upon a designated Tenant Participation Officer. We have seen this model result in a tendency for staff to pass TP matters to this officer and fail to accept their responsibilities to engage with tenants.
48. The review concluded that TP is not best served by the current model. It is proposed that an integral part of the Area Managers role should include responsibility for TP and that we should move towards a position where involvement and empowerment is ingrained within the culture of the organisation and sits at the heart of the business. It is therefore suggested that the current Tenant Participation post is deleted.

Resources Team

49. This element of the review incorporated a comprehensive look at quantifying the capacity issues facing the Resources team with a focus on ways to reduce time spent on tasks resulting in a reduced workload for the team overall, and enable work to be appropriately delegated from the Accounts Manager to other members of the team.

50. Following the review work a range of recommendations were identified that will need further consideration to streamline workflows and reduce wastage, which will form part of an ongoing work programme following the review and implementation of the proposed new structure.
51. The report identified that corporately the areas of raising orders and FPM payments are particularly weak which makes it difficult finding cover when lead Officers are absent.
52. It is recommended that Finance operate a pilot to centralise order processing and FPM payments, which would include transferring one member of the Housing Administration Team to the Finance (Exchequer) team on a secondment for up to 6 months.
53. The review work identified that the Accounts Manager was routinely working longer hours than contracted for. Due to this and to align functions to the either the property or customer based divisions it was decided that the Leaseholder Officer and newly created Leaseholder Assistant post and the Right to Buy Administrative Assistant be realigned to report into the Performance Manager.

Chilmington Gypsy Site

54. The management of Chilmington Gypsy Site currently sits within the Housing Options Team and there is currently a 0.6 FTE Management Officer post who is responsible for this role, with other officers assisting the post holder as necessary. This post holder also provides a management function for 2 days per week in relation to Garages under the Corporate Property Team, making her post a full time post. It is proposed that the post holder reports into the Senior Area Manager post and that her role is amended so that she continues to be responsible for the management of Chilmington Gypsy Site but no longer provides the garage management and instead provides a visiting function to undertake viewings, sign ups and other low level management functions for the HRA. The Head of Property has confirmed that a review of the management of garages is due for completion and that he will be re-designing the staffing requirements for garages.

Proposed Revised Structure

55. Since the appointment of the Housing Operations Manager (Housing Options and Private Rented Sector) to the Head of Housing post in February 2016, the post had remained vacant. With this opportunity, it was decided to reconsider the management structure and align the functions to a customer facing or property focused organisational structure.
56. It was determined the revised structure would ensure reporting lines and functional responsibilities are aligned within the team to meet the relevant service objectives. The proposed new structure therefore reduces the number of senior managers from 6 managers to 2 Housing Operations Managers with one responsible for all of the 'Income and customer' facing functions and the other manager responsible for the property based or 'Asset Management' functions. This effectively creates two broad teams - **The Asset Management Team** and the **Income and Customer Team**.

57. To support the reduction in senior manager posts a series of Team Leader posts are identified in the structure. These posts will take responsibility for the day to day management of the functions which sit beneath them.

Other relevant Changes to the Structure

58. It is proposed to delete the post of Housing Resources Manager from the establishment following the post holders resignation earlier in the year. However, in order to ensure that there is sufficient resilience and focus on the HRA Accountancy and Business Planning process, it is proposed to create a new post of Trainee Accountant within the Accountancy Team and allow the HRA Accountant to cover the functions previously provided by the deleted Housing Resources Manager post.
59. With a significantly reduced management team within the Housing Service it is proposed to appoint a Business Support Officer who can provide specialised administration and co-ordination support to the newly created Housing Operations Manager posts and the Head Of Service.
60. It is proposed that the post of Housing Strategy Manager is moved to the Policy Team. Therefore, it is additionally proposed that the post of Housing Enabling Officer is moved to report to the Senior Property Manager.

Implications and Risk Assessment

61. The recommendations arising from the review will result in a reduction of 9.12 FTE posts from the structure. However, a number of these posts are already vacant and were not filled in anticipation of the review and the need to deliver savings. The proposals will however require that 5 additional posts are made redundant.
62. The Council's policies regarding minimising the need for compulsory redundancies have been adhered to and efforts will be made to redeploy staff to alternative posts. Whilst the new proposed structure does delete posts, there are also some new opportunities within the structure for those at risk to consider.
63. Any reduction in resources may be considered a significant risk, however the structure has been developed in order to try to ensure that front line staff have been provided with the resources they need to deliver the core functions of the role.

Equalities Impact Assessment

64. Members are referred to the attached Assessment. There are no specific impacts on those with protected characteristics as a result of the proposed new structure.

Consultation Planned or Undertaken

65. An extensive consultation exercise was undertaken with the staff primarily affected. This included the development of a consultation paper setting out the proposals and identifying how staff were likely to be affected. A series of meetings were held with staff in groups and individually and feedback was collated and fed into the JCC. The JCC met to consider the proposals on 3rd November and 22nd November 2016.
66. Further consultation is ongoing with staff regarding the implementation of these proposals should they be approved by members.

Other Options Considered

67. The review considered and implemented a range of cost reduction measures. These included reductions in budgets for planned and responsive repairs and the shelving of some planned capital projects, however despite these actions savings in ongoing revenue costs were required.

Reasons for Supporting Option Recommended

68. The proposed new structure for Housing represents a significant saving. The savings which can be achieved from the proposals have been incorporated into the review of the HRA Business Plan and would enable the Council to regain control of the financial position in the HRA and move forward with the delivery of the HRA priorities. A report regarding the HRA Business Plan appears as a later agenda item.

Next Steps in Process

69. Should the proposals be approved the position would be confirmed to those staff affected and consultation will continue regarding the implementation of the new structure. This may include the redeployment of staff into alternative posts within the structure. Where no suitable alternative post can be found for those at risk they will be consulted about the potential for compulsory redundancy.

Conclusion

70. The proposals set out in this report follow a comprehensive review of Housing, and if agreed will provide the potential for a strong financial position within the HRA Business Plan.

Portfolio Holder's Views

71. I am satisfied that the approach set out above has provided a thorough review of Housing, focussing on delivering a good quality landlord function.

Contact and Email

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Equality Impact Assessment

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:

- (a) Eliminate discrimination, harassment and victimisation;
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.

6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:

- removing or minimising disadvantages suffered by people due to their protected characteristics.
- taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
- encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.

7. How much regard is 'due' will depend on the circumstances. The greater the potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.
 8. In terms of timing:
 - Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
 - Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
 - The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
 - The duty is a continuing one so that it needs to be considered not only when a policy, for example, is being developed and agreed but also when it is implemented.
 - It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
 - A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
 - A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

Case law principles

9. A number of principles have been established by the courts in relation to the equality duty and due regard:
 - Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
 - Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

Lead officer:	Sharon Williams
Decision maker:	Cabinet/ Full Council
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	Review of Housing Staffing Structure
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	8 th December 2016
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>The review was identified as necessary following the governments' decision to introduce a 1% saving on social housing rents each year for a period of 4 years, resulting in a projected loss of potential income of £10m over the 4 years.</p> <p>The proposals set out in the Cabinet report for 8th December regarding the outcome of the review will regularise the financial position for the Housing Revenue Account.</p> <p>The review represents an overall reduction of 9.12 FTE's, however is likely to result in making 5 post holders redundant. The remainder of staff are affected to varying levels with some having their posts deleted but with the options of positive re-deployment, some affected because of changes to their job and some affected due to a change in who they report to.</p>
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	<p>The scope for the review was agreed by the Council's Corporate Management Team and endorsed by the Portfolio Holder and Lead member for Housing.</p> <p>A scrutiny group was formed comprising of officers from outside of the service who acted as challenge agents for the review. A series of desk top surveys, statistical analysis and reviews were undertaken and in some instances external advice was sought as well as two internal audit reviews. The findings from this range of work underpins the review findings.</p>
Consultation: <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect people with different 	<p>There has been a large consultation exercise with staff, including informal consultation and formal consultation. A consultation paper was produced and discussed with affected individuals. Formal one to one consultation meetings were also held with staff primarily affected in the review. Staff who were considered to be additionally affected were also consulted with.</p> <p>The results of the consultation were submitted to JCC on 3rd November and again on 22nd November 2016.</p> <p>One member of staff raised a point about a person in the structure with a protected characteristic who under the proposals is additionally affected in that their line manager will change. A number of staff who are primarily affected are on</p>

protected characteristics?	<p>maternity leave.</p> <p>Although the proposals will affect staff who may be considered to have a protected characteristic, steps have been taken to ensure that all staff have the relevant support and advice including representation from unions or Staff Side Representatives, access to information about the support line available for all staff. Anyone affected by the proposals was advised of their right to have representation throughout the process.</p> <p>Staff on maternity leave were communicated with and asked how they would like to be consulted.</p> <p>Personnel have advised staff about the approach to providing support to avoid redundancy where possible by identifying re-deployment opportunities.</p> <p>Our Managing Redundancy and Organisational Change policy has been followed and adhered to.</p> <p>Unison and JCC staff side have been involved and consulted with throughout the process.</p> <p>Staff have been provided with information regarding additional sources of support including ACAS, Unison, Staff side and our Employee Assistance Helpline.</p> <p>Staff have also been consulted with regarding the potential selection process which could be used in the event of a compulsory selection process enabling them to comments on any methodology that could adversely affect them on the grounds of a protected characteristic.</p>
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Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u> Elderly	None	Neutral
Middle age	None	Neutral
Young adult	None	Neutral
Children	none	Neutral
<u>DISABILITY</u> Physical	none	Negative - minor
Mental	none	Neutral

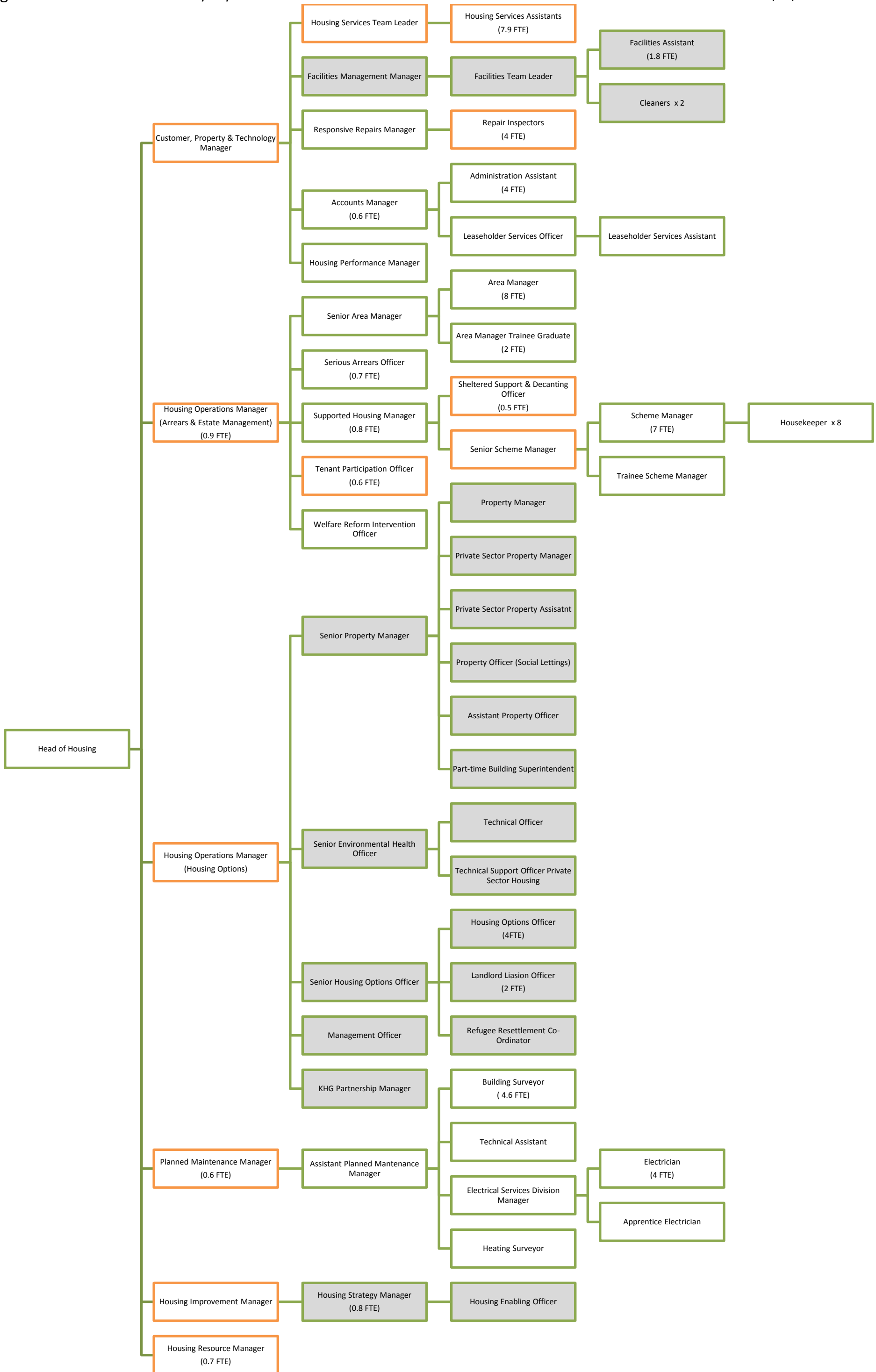
Sensory	None	Neutral
<u>GENDER RE-ASSIGNMENT</u>	None	Neutral
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	None	Neutral
<u>PREGNANCY/MATERNITY</u>	None	Negative - minor
<u>RACE</u>	none	Neutral
<u>RELIGION OR BELIEF</u>	none	Neutral
<u>SEX</u>		
Men	none	Neutral
Women	none	Neutral
<u>SEXUAL ORIENTATION</u>	none	Neutral

<p>Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.</p>	<p>Consideration has been given to mitigating any negative impact via the following measures; (1) consultation has taken place with affected employees via one to one consultation meetings, (2) additional time frames have been built into the process with regard to meeting lengths, preparation time and response times (3) members of staff have been able to complete KIT days to attend consultation meetings and one employee with a young baby was able to bring her baby with her to a consultation meeting, at her request.</p>
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<p>Is the decision relevant to the aims of the equality duty? Guidance on the aims can be found in the EHRC's Essential Guide, alongside fuller PSED Technical Guidance.</p>	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	yes
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	N/A

<p>Conclusion:</p> <ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to 	<p>There is no unlawful discrimination arising as a result of the Housing Review Proposals. Whilst there are individuals with protected characteristics affected by the review, every staff member was given the opportunity for representation throughout</p>
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<p>finish.</p> <ul style="list-style-type: none"> • There should be no unlawful discrimination arising from the decision (see guidance above). • Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. • How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<p>the process. Decisions taken were not specifically directed towards those with protected characteristics.</p> <p>Relevant support networks were recommended to individuals throughout the process to ensure that they had access to independent advice and support.</p> <p>Adjustments have been made to the consultation process as detailed above.</p> <p>Our current Managing Redundancy and Organisational Change policy has been adhered to.</p> <p>A voluntary redundancy option has also been extended to all at risk staff.</p>
<p>EIA completion date:</p>	<p>22nd November 2016</p>



Key:
 Grey Box = Predominately funded by the General Fund
 White Box = Predominately funded by the HRA
 Orange Border = Redeployed HST
 Blue Shading = New post or contains a new post

Note:
 5.9 HST FTE's deployed within structure.
 2 HST FTE's deployed within Customer Services Team
 Housing Strategy Manager moves to Policy & Performance

