

## Appendix 2:

### London Borough of Hackney Equality Impact Assessment Form

*The Equality Impact Assessment Form is a public document which the Council uses to demonstrate that it has complied with Equality Duty when making and implementing decisions which affect the way the Council works.*

**Title of this Equality Impact Assessment:**

Voluntary and Community Sector Property Portfolio - Lettings Policy

**Purpose of this Equality Impact Assessment:**

New Voluntary and Community Sector Lettings Policy

**Officer Responsible:**

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<b>Directorate:</b> Finance and Corporate Resources / Chief Executives	<b>Department/Division:</b> Strategic Property / Policy and Strategic Delivery

**Director:** Chris Pritchard, Director Strategic Property Services

**Date:** 28/02/2022

**Comment :**

## **STEP 1: DEFINING THE ISSUE**

### **1. Summarise why you are having to make a new decision**

- 1.1 The Voluntary and Community Sector (VCS) Property Portfolio and the associated VCS Lettings Policy were established in March 2011. The Lettings Policy shapes and guides the use of our VCS Property Portfolio. In 2011 it helped us to regularise the use of buildings in the portfolio, moving from largely historic arrangements to establishing eligibility criteria, the type and length of lease and the rent levels. It now needs to be updated to ensure that it is up to date and reflects the needs of the borough today. The review of the VCS Lettings Policy was also a commitment set out in the VCS Strategy 2019-2022.
- 1.2 The VCS Property Portfolio comprises a limited number of premises (46 currently). A key aim of the Lettings Policy is to ensure that this portfolio of properties is used to its full potential for the benefit of local communities.
- 1.3 The VCS Lettings Policy is just one component of the Council's wider response to the voluntary and community sector's need for premises and delivery spaces in Hackney. The new Policy is aligned with current strategies and policies including: *The Hackney Community Strategy 2018 – 2028; The Inclusive Economy Strategy 2019-25, and; the VCS Strategy 2019 – 2022.*
- 1.4 The Policy aims to:
  - Provide continuity and ongoing positive use of these assets in venues accessible for local residents.
  - Emphasise partnerships and collaborative approaches in order to facilitate wider access to these premises and the facilities for more community groups and organisations. In turn this should result in a richer and more varied service offer from these premises and help to address the key inequalities in the borough.
  - Ensure that applications and allocations processes are accessible for smaller organisations and groups, including those who support vulnerable communities.
  - Allow flexibility over time in order to vary criteria and emphasis so that the policy can reflect the needs of the borough at a particular moment in time.
  - Enable better communication between tenant and council and clearer way of monitoring and reporting benefits and impacts arising from the use of the buildings

### **2. Who are the main people that will be affected?**

- 2.1 Local communities and residents that use services delivered by VCS organisations occupying premises within the Council's VCS portfolio.
  - 'Community Agreements' that all VCS tenants are required to sign up to will help to ensure organisations make full use of the property and deliver services that address borough priorities and community needs, and achieve positive impacts and benefits for service users.
  - By working closely with organisations through monitoring and continuous learning we will have a better idea of who services are reaching and where there are gaps. Although gaps cannot be addressed through the portfolio alone, this is an opportunity to develop partnerships with other organisations and work with other parts of the Council, such as the grants team and other commissioned services to take a more strategic approach.

- 2.2 Voluntary and Community Sector (VCS) organisations in Hackney who occupy and/or deliver services from premises within the Council's VCS portfolio:
- The new Policy represents an incremental change from the 2011 Policy. This recognises the current challenges facing the voluntary sector and the Council and the consequent need for stability and continuity of arrangements for many of our VCS property tenants. The new policy aims to improve the use and management of the VCS properties by making sure that the VCS Lease terms, and supporting processes such as lease applications and monitoring requirements, all support the effective use of these assets in order to deliver local benefits.
  - The flexibility allowed in the new Policy will facilitate subletting and hiring of spaces which will support the viability and sustainability of those services and the VCS tenants through the opportunities to generate additional income to contribute to running costs.
  - Although many VCS organisations focus on partnership working already, the renewed focus on working across the sector and sharing space where appropriate will allow organisations to better serve diverse communities. It is recognised that this will require a culture change for some organisations and the Council will work collaboratively with organisations to support them.

## STEP 2: ANALYSING THE ISSUES

### 3. What information and consultation have you used to inform your decision making?

- 3.1 The VCS Lettings Policy forms part of the Council's wider strategy to support a strong accommodation offer for VCS organisations in Hackney. The Policy and the way that the property portfolio is managed will align with the Council's aims, priorities, principles, and its Corporate Plan, and with borough-wide strategies including: *The Hackney Community Strategy 2018 – 2028*; *The Inclusive Economy Strategy 2019-25*, and; *the VCS Strategy 2019 – 2022*.
- 3.2 The review of the lettings policy was informed by the local context including the following:
- Inequality is a key issue and therefore the use of VCS premises must address and support equalities, inclusion, and community cohesion objectives. The new lettings policy contains measures which are designed to ensure that groups who are tackling local inequalities are valued and prioritised when opportunities arise to let properties in the VCS portfolio.
  - The pandemic has intensified pressures on the VCS, it has increased demand for services and accelerated the need for organisations to adapt the way they reach and serve residents.
  - Factors such as the development of new technologies and ongoing financial challenges are all impacting on the way that VCS organisations operate.
- 3.3 **Key inequalities-** The following groups have been identified as facing inequalities. these have been exacerbated by the pandemic:
- 3.4 **Age 55+** 15% of people in Hackney are over 55 years old (42,219) and 7.6% of people in Hackney are over 65 years old (21,105). The number and proportion of older people aged 65 and over in Hackney will rise steadily over the coming years reaching 23,426 by 2025 and 32,249 by 2037. Hackney has proportionally more older people of White British and Black Caribbean origin, but fewer from Other White, Asian or Black African communities. Nearly two thirds of older people in Hackney live in social housing, while 7% live in the private rented sector but this is expected to increase in the future. ([Ageing Well Strategy](#) 2020). Unemployment:

the number of unemployed 50-64 year olds doubled to 4055 last year (NOMIS 2021).

- 3.5 **Age:Children and young people in poverty:** An estimated 48% of children under 18 were living in poverty after housing costs (i.e. on household incomes of £14,000) (CPAG). Child poverty is more common in families where children are younger.The Free School Meals register is up from 32.2% to 35.2% - an increase of 777 to 12,064 in total in the October 2020 school census.  
The long term impact of the pandemic on children and young people is not, as yet, fully understood but we know more disadvantaged children likely to be more greatly impacted, and we have seen an increase in referrals to mental wellbeing services, particular tier 3 and crisis support.
- 3.6 **Disability:** 14.5% of Hackney residents have a long-term condition or disability  
Mental health: The prevalence of depression in GP practices in Hackney was 10.25% (20,898 individuals) in 2011-12. Severe mental illness (SMI): Primary care data reports a prevalence of SMI of 1.3%, or 3,597 individuals. Special educational needs: 13.4% of pupils in Hackney in January 2016 received SEN support – this is slightly above the national average of 11.6% .
- 3.7 **Ethnicity:** Black Caribbean (7.8%), Black African (11.4%), Other Black groups (3.9%),Turkish Kurdish (5.6%) and White lower income groups face key inequalities in education, health and employment. (% of population in brackets from Census 2011).
- 3.8 **Religion-** Orthodox Jewish community-In 2011 the Orthodox Jewish community was estimated to comprise 7.4% of the Hackney population or around 17,600 persons. Interlink estimates growth of the Stamford Hill community at between 4% and 5% annually. 44% of the community are under 14 and 46% are in poverty.
- 3.9 **Social landlord/council tenants-**Nearly 45% of all households in Hackney rent from a social landlord. They tend to have higher unemployment and lower average incomes than people living in other tenures.
- 3.10 **Refugees and migrants-** We are responding to a global refugee crisis and London has seen an increase in asylum seekers even before the current refugee crisis.
- 3.11 The Council is aware that not all communities can be served through the VCS property portfolio. A relatively small number of VCS organisations have access to the portfolio and existing properties are not always used in the most effective ways.
- 3.12 The revised Policy cannot address all of these issues and it should be recognised that there is no statutory duty or requirement for the Council to provide or subsidise property for the VCS and that property is provided at a substantial cost to the Council.
- 3.13 The revised Policy does allow through the community agreement and the allocations criteria (which includes a focus on partnership working and using space more flexibly) for this investment to maximise the benefit for those communities that it is reaching. It puts a renewed focus on working with the most vulnerable in our communities and in addition, a focus on the role they play in the community that extends beyond the services they deliver.
- 3.14 Working more closely with the VCS tenant will give a better understanding of who organisations are reaching and identify the gaps. This will give the opportunity to advertise and let new properties in a targeted way.

- 3.15 Extensive engagement informed the VCS Strategy 2019 including a day-long workshop attended by a range of local VCS organisations followed by four open invite focus groups. A series of discussion papers were then developed and a series of five further workshops were held. Five key themes were then incorporated into the strategy, one of which is Property. The property section of the strategy has underpinned and informed this review of the VCS Property Portfolio and Lettings Policy review.
- 3.16 The VCS Strategy highlights the need for change in the way in which local organisations operate and work in partnerships with others. The Lettings Policy aims to encourage more collaborative and shared use of premises through flexible lease terms permitting subletting and hire of space, and by valuing collaborative arrangements when considering lease allocations. This approach, in what is a limited number of properties, will provide greater access to space for more VCS organisations and help enhance the financial sustainability of VCS tenants.
- 3.17 During the course of developing the new Lettings Policy document, consultation meetings have taken place with current tenants occupying VCS properties and with the wider sector via the sector's VCS Leadership Group coordinated by Hackney CVS with membership comprising senior managers of local VCS organisations. Within the Council, consultation has taken place across all council departments involved in asset management and those who commission services from VCS organisations.

#### **4. Equality Impacts**

**What positive and negative impacts could there be overall, on different equality groups, and on cohesion and good relations?**

- 4.1 The portfolio is occupied by VCS organisations that are making a significant contribution within Hackney. Our tenants include organisations such as East End Citizens Advice Bureau, Hackney Foodbank, Age UK East London, Hackney Caribbean Elderly Organisation, Literacy Pirates, Hackney Marsh Partnership, Beis Chana, Day Mer and Hackney and City MIND. Continuity and ongoing positive use of these assets in venues that are accessible for communities - contributes to cohesion and good relations.
- 4.2 **Benefits to the community**-VCS leases are allocated and agreed on the basis that the tenant will deliver services that benefit the local community and address local priorities and needs. This includes:
- Taking preventative and holistic approaches, for example working with families in poverty and affected by inequality, particularly racism
  - Building resilience and developing networks and pathways to support and independence, acknowledging when people need a lot of help as well as when to support them to develop support through their own networks
  - How they work with other community organisations to deliver preventative approaches for vulnerable people within their communities
  - How they play a role in their communities that extends beyond the services they deliver.

- How they address key inequalities, have 'reach', and are trusted by residents and communities and have the expertise to work with them, so that the most vulnerable people in our communities are protected and supported

- 4.3 **Partnership working-** Emphasis on partnerships and collaboration should facilitate wider access to these premises and the facilities for more community groups and organisations. In turn this should result in a richer and more varied service offer from these premises. This will also enable organisations to work together for greater reach and the ability to meet more of a person's need from one premises reducing the need for signposting and referrals.
- 4.4 The policy provides the ability to tailor applications and allocations processes so that they are more accessible for smaller organisations and groups when properties are available to let. This will help in attracting more applications from organisations who serve key vulnerable groups.
- 4.5 Better communication between tenant and Council and clearer way of monitoring and reporting benefits and impacts arising from the use of the buildings will benefit the community. It will support the viability and sustainability of VCS organisations and help them secure funding from other sources.
- 4.6 Policy allows flexibility over time to vary criteria and emphasis so that over time the policy can reflect the needs of the borough at a particular moment in time.
- 4.7 All of this activity will contribute to cohesion and fostering good relations between different groups by understanding and taking action on key inequalities and targeting groups that reach these communities in future lettings. This will help the Council's investment to maximise the benefit for Hackney communities.
- 4.8 The VCS Property Portfolio comprises a limited number of buildings (currently 46) and this therefore limits the space available to VCS organisations within the portfolio. There are a number of factors that limit the availability of space to VCS organisations who do not currently have access to accommodation and delivery space within the portfolio:
- The Council is committed to maintaining a portfolio of properties available to VCS tenants only. But the Council's ability to expand the portfolio is limited by the availability of properties and because this portfolio is maintained at a significant cost to the council.
  - Only 29 of the VCS properties are occupied on the basis of a VCS Lease, which is generally of up to 5 years in length. Others are generally occupied on the basis of a longer lease agreed prior to the introduction of the first VCS lettings policy in 2011. The latter group of properties are therefore unlikely to be available to let to new tenants during the lifetime of the Lettings Policy.
  - Under the new Lettings Policy existing VCS lease tenants, most of whom have been in occupation for over 10 years, will generally be offered a new lease. This reflects the need for stability and continuity of service delivery in a very challenging operating environment for the sector.
- 4.9 The factors in 4.8 above restrict the number of new VCS letting opportunities that might arise for VCS organisations who would like to secure a VCS Lease. However, the new Policy includes provision to widen access to space within the portfolio for more VCS organisations and groups.
- The Policy promotes shared, curated and collaborative use of premises and tenants approach to using the buildings in this way will be addressed in the allocations assessment process.
  - The Policy's allocations criteria and applications processes stress and value equalities impacts and inclusive approaches.

- The approach to marketing vacant premises will target smaller local VCS organisations when suitable properties are available to let.
- New community agreements and monitoring processes will give the Council a better understanding of what services and community impacts or benefits are being delivered from VCS portfolio premises. This Information can also be used to identify gaps in provision which in turn can be used to inform the focus of marketing and new lettings when new opportunities arise, in order to try and address those gaps.

### **STEP 3: REACHING YOUR DECISION**

#### **5. Describe the recommended decision**

- 5.1 The recommended decision is to adopt and implement the new policy from April 2022.
- 5.2 The new Policy represents an incremental change from the 2011 Policy. This recognises the current challenges facing the voluntary sector and the Council and the consequent need for stability and continuity of arrangements for many of our VCS property tenants. The new policy aims to improve the use and management of the VCS properties by making sure that the VCS Lease terms, supporting processes such as lease applications and allocations, monitoring and reporting, all support the effective use of these assets in order to deliver local benefits.
- 5.3 Building upon the previous policy, the proposed new VCS Lettings Policy addresses the following issues:
- The Policy is clearly set within the context of wider strategic work to support VCS accommodation needs in Hackney.
  - The standard VCS Lease terms have been updated and also provide greater clarity regarding landlord and tenant responsibilities, for example in relation to maintenance and health and safety compliance. Lease terms include provision for rent reviews of the standard discounted VCS rent (currently £4 per sq.ft.).
  - The lease allocations processes have been updated and streamlined and the allocations criteria (see below) have been revised to ensure they will reflect the needs and priorities for the borough.
  - The Policy will promote and facilitate collaboration and partnerships and more shared use of our VCS premises. Flexibility will be provided through the lease terms so that tenants are able to sublet and to hire space on a sessional basis.
  - New Community Agreements between the Council and the VCS tenant will be introduced for all VCS Leases. These agreements will set out the purpose for which the building will be used and the community benefits to be delivered, they will form the basis of annual reporting and monitoring arrangements and regular communication between the tenant and landlord (the Council). This will allow us to better understand the impact of this investment on Hackney residents.
  - The Policy provides clarity on exceptional circumstances in which longer leases (over 5 years) may be considered.
- 5.4 All organisations seeking to secure a Standard VCS Lease will be required to demonstrate that they meet the *Lease Allocations Criteria* listed below before a lease is granted.

#### **Lease Allocations Criteria:**

- I. Demonstrate that services address local needs and priorities and align with ways of working as set out in the Council's Corporate Plan and the Voluntary and Community Sector Strategy 2019-2022.

- II. Set out why the building is required and show how it is suitable for the organisation and the delivery of the services described.
- III. Demonstrate a successful track record of managing and delivering services that have impacted positively on your service users and on the local community.
- IV. Show how you proactively promote equality, inclusion and diversity through your approach to governance, management and delivery of services.
- V. Evidence of a strong commitment to partnership working, and show how collaboration and partnerships will enhance the scope and quality of services.
- VI. Show that the organisation operates sound governance and management practices and set out a viable financial plan for the operation of the building and services.



## STEP 4 DELIVERY – MAXIMISING BENEFITS AND MANAGING RISKS

### 6. Equality and Cohesion Action Planning

No	Objective	Actions	Outcomes highlighting how these will be monitored	Timescales / Milestones	Lead Officer
1	Maximising the community impact of what is delivered	Organisations to sign a community agreement which will set out the work they will do and the way of working that will bring benefits to the community	Maximise investment and use of space. Better services to the most vulnerable in Hackney. This will form part of the annual monitoring/continuous learning process.	Annual meetings starting in 2023. The community agreement contains a communications protocol which sets out when communication should happen outside of these meetings.	Joanne Blackwood
2	Improve information and evidence of the communities we serve	Ensure organisations have a good understanding of who they are reaching and how to maximise that, for example through partnership working.	Better understanding of who organisations are reaching and where the gaps are which will enable a targeted approach to future lettings. This will form part of the annual monitoring/continuous learning process.  Closer working with Council and VCS colleagues will enable us to address these gaps as part of other strategic work	Annual meetings starting in 2023.	Joanne Blackwood

3	Targeting underserved communities	<p>Through encouraging partnership working and sharing space.</p> <p>Targeting underserved communities when new lettings arise</p>	<p>VCS portfolio over time will be more representative of Hackney's diverse communities.</p> <p>This will be monitored as part of the annual review process and inform how new lettings are marketed</p>	<p>Start collecting data and dialogue with tenants as part of setting community agreements.</p> <p>20 Community agreements to be concluded in June 2022.</p>	Joanne Blackwood
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