

Please reply to:

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 Date: 6 April 2021

Notice of meeting

Cabinet

Date: Wednesday, 14 April 2021

Time: 6.00 pm

Place: Teams meeting

The members of the Cabinet	Cabinet member areas of responsibility
J.R. Boughtflower	Leader
J. McIlroy	Deputy Leader
M.M. Attewell	Deputy Leader and Portfolio Holder for Community Wellbeing and Housing
R.O. Barratt	Portfolio Holder for Compliance, Waste and Risk
S. Buttar	Portfolio Holder for Finance
R. Chandler	Portfolio Holder for Leisure Services and New Leisure Centre Development
A.J. Mitchell	Portfolio Holder for Planning and Economic Development
R.J. Noble	Portfolio Holder for Environment, Communications and Corporate Management

Councillors are reminded to notify Committee Services of any Gifts and Hospitality offered to you since the last Council meeting so that these may be entered in the Gifts and Hospitality Declaration book.

Spelthorne Borough Council, Council Offices, Knowle Green

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AGENDA

Page nos.

- 1. Apologies for absence**
To receive any apologies for non-attendance.
- 2. Disclosures of Interest**
To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.
- 3. Recommendations from the Extraordinary Overview and Scrutiny Committee** **To Follow**
To consider the recommendations of the Overview and Scrutiny Committee from the Extraordinary meeting held on 7 April 2021 to review the following decision taken by Cabinet on 24 March 2021:

Transfer of properties from Spelthorne Borough Council to Knowle Green Estates Ltd.
- 4. Key Worker Housing Policy** **3 - 28**
Councillor M.M. Attewell.

To consider the Key Worker Housing Policy for adoption.

Cabinet



Wednesday 14 April 2021

	Key Worker Housing Policy
Purpose of the report	To make a Key Decision
Report Author	David Birley
Cabinet Member	Councillor Maureen Attewell
Confidential	No
Corporate Priority	Housing
Recommendations	<p>Cabinet is asked to:</p> <ol style="list-style-type: none"> 1. Approve the Key Worker Housing Policy for use with immediate effect. 2. Note that a comprehensive review of the policy will take place within 12 months of being in operation, to inform a more established policy going forward.
Reason for Recommendation	The Council is committed to providing affordable homes for local key workers. The proposed policy will ensure that these homes are let in a fair and transparent way. A review of the implementation of the policy in 12 months will inform a more established policy position.

1. Key issues

- 1.1 Following the Extraordinary Council Meeting on 25 January 2021, the Cabinet set out their broad policy objective of providing at least 50% of homes on all its residential developments as affordable housing (defined as up to 80% of market rent), including an element of homes prioritised for local key workers.
- 1.2 The first key worker homes to be delivered by the Council was originally scheduled to be Victory Place which, subject to planning permission, is not due for completion until 2023.
- 1.3 At its meeting on 24 March 2021, Cabinet agreed to transfer Benwell House Phase 1 to the Council's wholly owned company Knowle Green Estates Ltd. (KGE). As part of this transfer approval, KGE must deliver an agreed tenure mix, which Cabinet confirmed as including 20% for local key workers.

The current position of key worker housing

- 1.4 Affordable housing is usually allocated through the Council's Housing Allocations Policy which was last written in 2017. This policy is due for renewal, and this is scheduled for Q3 2021/22. The existing policy does not

cater for key workers as a priority group, and as the homes will be offered at sub-market rents, the Council must ensure that the homes are let in an equal, transparent and accountable manner in line with public law principles. As a result, Officers consider it necessary to implement an interim policy.

- 1.5 A Key Worker Policy has been drafted and appended to this report at Appendix 1. This policy will initially only apply to the lettings to Benwell House (Phase 1). After twelve months this policy will be comprehensively reviewed, with a view to the creation of a more embedded policy to take effect for future schemes, including Victory Place (which is still subject to planning permission).

Drafting of the proposed policy

- 1.6 The proposed policy has been drafted based on input from a cross-section of Officers who are part of the Council's Strategic Housing Group, as well as the Portfolio Holder for Housing & Community Wellbeing. It draws on the fundamental principles of the existing Housing Allocations Policy, including on Local Connection and allocation procedure.
- 1.7 As a result of the short timescale to let Benwell House Phase 1, there is very limited scope to deviate from existing policy, due to the technical limitations of the system, without significantly increasing the administrative and staffing burden on the Housing Options team. When the scheduled review of this policy takes place, there will be sufficient time allowed for system changes to take place to enable the implementation of whatever policy the Council wished to implement, regardless of the existing rules within the Housing Allocations Policy.
- 1.8 Some aspects of the policy are very focussed, such as the proposed local definition of 'key worker'. Cabinet will note that the proposed definition is not as broad as the Government's recent definition. Officers have spent some time exploring the application of the Government's definition, and concluded that it was too broad to implement at a local level, at least on the proposed initial basis at Benwell House Phase 1, and with the system limitations as described in paragraph 1.7. The focussed nature of the policy is to ensure that its operation can be easily understood by applicants, KGE tenants and staff, leaving little room for ambiguity whilst allowing exceptional circumstances to be considered.

2. Options analysis and proposal

Option 1: Do nothing

- 2.1 Cabinet, parallel to the KGE Board, has already decided to include an element of key worker housing at Benwell Phase 1. Based on the reasons provided in section 1, Officers strongly believe that a policy is required to safeguard the Council from the risk of legal challenge, fuelled by the significant shortage of affordable homes locally.
- 2.2 Whilst this option is not considered to be viable, if Cabinet choose this option, then its decision of 24 March 2021, as well as the KGE Board decision of 17 March 2021 will need reviewing, with a view to removing the key worker homes from the tenure mix in favour of additional general needs affordable housing.

Option 2: Adopt the proposed Key Worker Housing Policy (recommended)

- 2.3 The adoption of the proposed policy would allow lettings at Benwell House Phase 1 to be offered to local key workers in a way in which is fair and transparent.
- 2.4 This option also allows the trial operation of a key worker housing scheme on a relatively small scale, in advance of larger schemes completing, such as Victory Place (subject to planning permission).
- 2.5 If chosen, a parallel report will need to be presented to KGE Board on 21 April 2021, for them to also adopt the policy.

Option 3: Adopt an alternative Key Worker Housing Policy

- 2.6 There is the possibility of adopting an alternative Key Worker Housing Policy, should Cabinet consider it appropriate. As discussed at paragraph 1.8, there are some limitations on the scope of any policy. Cabinet is aware that the completion date for Benwell House (Phase 1) is 16 April 2021, and Officers consider there to be insufficient time to be able to create and implement an alternative policy in the time available. As explained at paragraph 1.6, the proposed policy has been drafted based on feedback from across the organisation as well as the Portfolio Holder for Housing & Community Wellbeing, and is considered to be the most appropriate and viable in the circumstances. Whilst this option is not considered to be viable, if Cabinet choose this option, then the occupation of Benwell House (Phase 1) will need to be delayed. This will have knock-on financial implications, as described at paragraph 3.5.

3. Financial implications

- 3.1 There are currently no financial implications in the adoption and initial implementation of the proposed policy as it has been based around existing resources and technical capabilities. Should Cabinet wish to make any changes to the proposals, then there may be a financial implication in relation to resourcing or upgrading existing systems to cope with the changes. As a guide, daily rates for our Housing Register software providers are £700 per day, and there is a small budget available for ad-hoc upgrades.
- 3.2 In operation, should a key worker no longer qualify to remain in their home, meaning that KGE has to commence repossession proceedings, there may be a financial impact on the Council should it have a duty to provide emergency accommodation under the Housing Act 1996 (as amended). The policy makes clear, however, that KGE and the Council will work together to support tenants affected, to minimise the risk of them requiring this.
- 3.3 When a more established policy is put to what will be the Housing & Community Wellbeing Committee, following the 12-month review of this policy, there will likely be a financial implications for software changes. However, as a wider review of the Council's Housing Allocations Policy will be required later in 2021, there is the possibility of making all changes in one go, which may provide efficiencies.
- 3.4 The delivery of key worker homes has a financial implication for both the Council and KGE. The implications of this have been previously communicated to Cabinet, but are also specified in the KGE Ltd Business Plan, Corporate Plan and the Capital Strategy.

- 3.5 Failure to adopt the proposed policy will result in delays in letting Benwell House Phase 1, leading to rent losses and indirect costs relating to longer stays of residents in emergency accommodation.

4. Other considerations

- 4.1 An Equalities Impact Screening has been carried out and provided at Appendix 2. This screening has not identified any significant impact on equalities, although Cabinet should note that the Council's Public Sector Equality Duty (PSED) is an ongoing duty and not simply discharged through the completion of a screening. The Housing Strategy & Policy team keep policies and procedures under constant review, including monitoring of their application. The team will consider any further actions that could be taken to minimise any potential disproportionate impact. This is done through regular data monitoring, government returns and ongoing strategy development and review.

5. Sustainability/Climate Change Implications

- 5.1 The proposed policy itself does not have any impact on the Council's sustainability / climate change position.
- 5.2 The operation of the Council's Housing Register is managed online, with email used as primary contact methods, reducing the use of paper and printing. The sign-up process for new tenants will shortly move to a fully digital service, and for many housing providers, online viewings have replaced viewings in person, reducing travel requirements for all concerned.
- 5.3 The property itself benefits from features which promote sustainability; however, these will have been addressed in other reports presented to Cabinet.

6. Timetable for implementation

- 6.1 Once adopted, the policy will be put into effect immediately and the key worker homes can be advertised to residents on the Council's Housing Register.
- 6.2 Provided that adoption is approved by Cabinet, it is estimated that the first key workers are likely to move into their new homes from mid-May 2021.
- 6.3 After twelve months this policy will be comprehensively reviewed, with a view to the creation of a more embedded policy to take effect for future schemes, including Victory Place (which is still subject to planning permission).

Background papers:

Appendices:

Appendix 1: Proposed Key Worker Housing Policy

Appendix 2: Equalities Impact Screening for the proposed policy

Key Worker Housing Policy

1. Introduction

- 1.1 Spelthorne Borough Council is dedicated to providing affordable housing locally to key workers who are critical in keeping local public services going. As such, a proportion of lettings at upcoming Council developments, through its wholly owned housing company Knowle Green Estates Ltd. will be prioritised for key workers.
- 1.2 The definition of 'key worker' has varied significantly since the concept was developed in the early 2000s. No formal definition exists in relation to affordable housing, although several definitions exist for other reasons, such as the Government's criteria for critical workers to access school placements during the Coronavirus pandemic.
- 1.3 It is in the Council's gift to define key worker locally, based on local requirements and the local housing context. In preparation for these lettings, the Council commissioned a piece of research regarding the likely demand for accommodation amongst key workers, and the sectors in which those key workers are employed. This research provided valuable insight into the demand particularly for key workers in education, health and social care, and public safety and national security. As a result, these sectors will initially be prioritised as part of this.

2. Policy scope

- 2.1 A number of properties at Benwell House, Sunbury have been identified as being suitable for an initial key worker housing scheme.
 - (a) 9 x one bed two person flats
 - (b) 2 x two bed four person flats
- 2.2 This policy is initially intended to support the initial and any subsequent re-letting of that development. The operation of this policy will be reviewed after twelve months, the results of which will inform a more embedded key worker housing policy.

3. Policy objectives

- 3.1 The Council has not had a standalone key worker policy in operation before. Although lettings to Knowle Green Estates Ltd. developments fall outside of Part VI Housing Act 1996, as they are not defined as social housing, in its early stages, any key worker policy will need to be delivered through existing 'infrastructure' in terms of IT and staffing structures. As such, the eligibility for a key worker home is in line with the broad eligibility requirements of The Borough of Spelthorne Housing Allocations Policy (2018) ('the Housing Allocations Policy').
- 3.2 This policy has been designed to ensure that affordable housing, designated as priority for key workers, is allocated fairly and transparently.

4. Definition of a Key Worker

- 4.1 Based on the research undertaken in 2020, to qualify as a key worker under this policy, an individual must be in one of the following roles:

- (a) **Health and social care:** Doctors, nurses, midwives, paramedics, social workers, care workers employed by a public sector organisation.
- (b) **Education and childcare:** Childcare, teaching staff, specialist education professionals [including FE teachers and Early Years/nursery teachers; Local Authority Therapists, including Occupational Therapists and Speech and Language Therapists; and Local Authority Educational Psychologists] employed by a public sector organisation.
- (c) **Public safety and national security:** Police Officers; Armed forces personnel; Fire and rescue service employees; Prison and probation staff.

5. Eligibility criteria for a Key Worker home

5.1 A key worker as defined by this policy will qualify for a key worker home in Spelthorne provided they meet the following criteria:

- (a) Must have the Right to Rent as defined by the Immigration Act 2014
- (b) Must have a Local Connection to Spelthorne as defined by the Housing Allocations Policy.
- (c) Annual household income of less than £50,000
- (d) Savings of less than £30,000
- (e) Do not own or part own a property
- (f) Be employed as a key worker on:
 - i) a permanent contract of at least 18 hours per week, or
 - ii) an existing fixed term contract of 12 months or more of at least 18 hours per week, or
 - iii) a zero hours contract, where the applicant can demonstrate that they have worked more than 18 hours per week on average over 12 months. This will be considered on a case by case basis.
- (g) The contracted place of employment must be in Spelthorne, except in the specific exceptions listed below.

5.2 Exceptions to the requirement for employment to be based in Spelthorne include:

- (a) Key workers based in St Peter's Hospital, Chertsey
- (b) Key workers employed by the South East Coast Ambulance Service NHS Foundation Trust based at the Chertsey Ambulance Station
- (c) Key workers employed by Surrey County Council in education and childcare to provide therapy or psychology services to children across Surrey, where their work provides significant services to the residents of Spelthorne.
- (d) Officers of Surrey Police who are redeployed / seconded to the Metropolitan Police or other areas of Surrey Police will remain eligible provided their substantive role remains with Surrey Police based in Spelthorne.

(e) Armed forces personnel do not need to be based in Spelthorne

5.3 Key workers will be eligible for a home which meets their household needs, as defined by the Housing Allocations Policy. For clarification, property sizes are defined as follows:

Household	Bedroom Need
Adult person – single	Bedsit / One Bedroom
Adult couple	One bedroom
An overnight carer	One bedroom
Two persons / children of the same sex with less than a ten year age gap	One bedroom
Two persons / children of different sex both under 10 years of age	One bedroom
Two persons / children of the same sex with more than a ten year age gap where both are under 16	One bedroom
Two persons / children of different sex, of whom at least one is over 10 years of age	Two bedrooms
Two persons of the same sex with more than a ten year age gap and where at least one is 16 or over	Two bedrooms

6. Application process

6.1 All applications must be made and kept updated through Search Moves (www.searchmoves.org.uk).

6.2 Applications will be assessed as per Spelthorne Borough Council's Housing Allocations Policy in use at the time, and prioritised based upon housing need.

7. How accommodation will be allocated and offered

7.1 Accommodation will be advertised on Search Moves clearly identified as a key worker home. The advert will include details of the location of the property, the rent level, and any other criteria or special features. Adverts are usually open for six days, but this can vary depending on operational requirements.

7.2 Key workers will need to express an interest in the advert ('bid') whilst the advert is open.

7.3 Once the advert closes, Housing staff will create shortlists of key workers, prioritised by housing need and registration date. There may be some reasons why an eligible key worker may be 'bypassed' for consideration. These are set out below:

(a) Applicant is ineligible or unsuitable for the property

Applicants may be bypassed where their household does not meet the criteria for the property set out in the advert e.g. due to age restriction requirement, due to the household size not matching the property size, due to ages of household members or because any property adaptations in the vacant property are either not required or not matched to the household who has bid.

(b) Change in applicant's circumstances

Applicants may be bypassed where there has been a change in their circumstances which makes them unsuitable or ineligible e.g. change in medical requirements, change in financial situation

(c) **History of anti-social behaviour**

Applicants may be bypassed where they or their family members have a recent history of significant antisocial behaviour which would make them unsuitable for the property.

(d) **Community safety concerns**

Applicants may be bypassed where there are community safety concerns / risks which relate to the applicant being placed in a particular property or area.

(e) **Rent arrears / debt**

Applicants may be bypassed where they have current or recoverable former rent arrears with any landlord or other debts with the Council and which are not being satisfactorily repaid. Statutory homeless applicants will generally not be bypassed for this reason but individual circumstances will be assessed the Council and the relevant landlord.

(f) **Fraudulent application has been made**

An applicant will be bypassed where there are reasonable grounds for believing that false information has been given.

(g) **Circumstances not confirmed**

Applicants may be bypassed where the required verification process has not been completed.

(h) **No response from applicant**

Applicants may be bypassed where they have been contacted for information relating to their application and / or a potential offer of accommodation and the applicant has not responded to that contact within a reasonable period of time.

(i) **Local Letting Plans**

Applicants may be bypassed where they do not match specific criteria set out in Local Lettings Plans which will be adopted for specific areas / schemes to ensure communities are as balanced as possible. Properties subject to local letting plans will be clearly advertised and priority will be given to those that meet the criteria.

(j) **Sensitive letting**

In exceptional circumstances, an applicant may be bypassed for a property where they are not considered suitable due to housing management reasons. For example, an applicant who has a history of drug dependency may be bypassed for a property in an area where the landlord is aware there are a number of other residents with drug problems. Any final decision about whether to bypass an application based on sensitive letting will be made by the Council rather than the landlord.

(k) **Property not suitable for adaptation**

Applicants requiring property adaptations to meet their mobility needs may need to be bypassed if the property they have bid for cannot be adapted to meet their needs.

(l) **Property advert withdrawn**

Some properties advertised for letting may need to be withdrawn either because it is urgently needed for a direct letting or because it was being advertised before the previous tenant had left and they have rescinded their notice. This could result in those who have bid being treated as having been 'bypassed'.

(m) **Special requirement of landlord**

Some Housing Association landlords have very specific applicant criteria built into their Allocations policies or charitable rules relating to ages of applicants or area of residence for example. These requirements will usually be set out in the adverts but applicants who bid may need to bypass if the requirements are not met.

(n) **Applicant has alternative property offer outstanding**

An applicant will be by passed if there is an outstanding offer of accommodation available to them which has not been resolved.

7.4 Housing staff will notify the top applicant(s) and carry out a 'verification check'. This is a process of checking documents, identity documents and employment status, to ensure that the key worker's circumstances are as stated on their application form. An enhanced identity check may also be carried out using credit reference agencies. Usually, the key worker will need to complete this process within 48 hours, or else their bid may be bypassed.

7.5 The key worker who is the highest on the shortlist, who has successfully passed a verification check, will be referred to Knowle Green Estates Ltd. who will make the final decision on who is granted the tenancy, in line with the Nominations Agreement between the Council and Knowle Green Estates Ltd.

7.6 Key workers are expected to accept their offer of accommodation. Unreasonable refusals create unnecessary delays for other applicants in need and for landlords to relet much needed affordable homes. If the key worker has bid on and been offered two or more properties within a 12-month period and unreasonably refused, then in line with the Allocations Policy, the Council will downgrade the applicant's banding.

8. Applicant reviews of decisions

8.1 Applicants can request a review of the following decisions:

- (a) A decision that an applicant is not a keyworker or is not eligible for keyworker housing.
- (b) Any decision relating to the facts of their case which have been taken into account in considering whether to make any offer of key worker housing to them.
- (c) A decision to bypass an application - Applicants will not be advised that their case has been bypassed but can establish this by specific enquiry

if they have bid for a property but find out in the lettings outcome list that the property was offered to someone with a lower banding or later registration than the applicants within the same banding.

- 8.2 The applicant's review request should be made in writing to the Council within 21 days of the original decision being made. Details of why they are requesting a review of the decision and any information they wish to be considered should be provided.
- 8.3 An independent senior officer who was not involved in the original decision will consider the review and they will decide whether to overturn or support the original decision. The applicant will be informed in writing of the decision within 21 days of receipt of the review request. The reply will contain the decision made, the reasons for the decision and the facts taken into account when making the decision.
- 8.4 If an applicant is still not satisfied with the decision that has been made they have a right to make a formal complaint which will be considered under the Council's Complaints Procedure.

9. Tenancy type and management

- 9.1 It is a requirement of the scheme that at least one eligible key worker must remain on the tenancy at all times.
- 9.2 Tenancies will be offered by Knowle Green Estates Ltd. which is Spelthorne Borough Council's wholly owned housing delivery company.
- 9.3 The tenancy offered to key workers will be an Assured Shorthold Tenancy with a fixed term of 12 months. This is the same as is usually offered by private landlords.
- 9.4 It is important to note that the tenancy offered to key workers is not a Council tenancy, and no secure rights of tenure are offered.
- 9.5 Key workers will not be allowed to sub-let any part of their home, including to lodgers.

Tenancy review

- 9.6 Two months prior to the end of the 12-month fixed term, tenancies will be reviewed, primarily to ensure that at least one tenant remains eligible under this policy. At this stage consideration will also be had to the conduct of the tenant and their household. Provided at least one tenant continues to be eligible under this policy, and that no steps to commence legal action have been taken in relation to non-payment of rent or other tenancy breach, then the tenancy will ordinarily be renewed.
- 9.7 If nobody in the household is eligible as a key worker at the point of review then possession action will commence in line with the established legislative framework for recovering possession. This will either be through:
 - (a) Section 21 Housing Act 1988, otherwise known as 'no fault eviction'. Provided the notice is served correctly, then a Court has no discretion to not agree to the eviction.

(b) Ground 12, Schedule 2 Housing Act 1988 (“a breach of tenancy condition”). This ground requires that a Court is satisfied that the ground is made out and reasonable in all of the circumstances of the case.

9.8 Knowle Green Estates Ltd. and the Council’s Housing Options service will work together to prevent and relieve homelessness amongst households whose tenancies are not being renewed.

9.9 If the key worker’s household composition has changed since the last review which would otherwise make the household ineligible for the size of home they occupy, then they may be required to transfer to a smaller or larger property.

10. Rent levels

10.1 Key worker housing in Spelthorne is offered at up to 80% of the market rent for an equivalent property, capped at the relevant Local Housing Allowance for the relevant size of property. The key worker will be charged the lower of either the 80% of market rent, or the relevant Local Housing Allowance.

10.2 Rents must be paid to Knowle Green Estates Ltd. in line with the tenancy agreement.

10.3 Rent reviews will be carried out annually, and increases will be limited to fall in line with the Government’s Rent Standard. Currently, this is capped at Consumer Prices Index (CPI) + 1%.

10.4 When properties are vacant, the rents will be ‘rebased’ in line with the above criteria.

11. Void management

11.1 Where an empty key worker home is not let within 28 days of notification that a vacancy is due, then Spelthorne Borough Council and Knowle Green Estates Ltd. will work together to fill the vacancy with an applicant from the Housing Register who is in employment as defined by the Housing Allocations Policy.

12. Equality and diversity implications

12.1 An Equalities Impact Screening has been completed which has not identified any negative impact which needs addressing. This will be reviewed once this policy is reviewed at the end of the first twelve months.

13. Monitoring and reviewing

13.1 This policy is owned by the Strategic Lead, Housing, who is responsible for its monitoring and review.

13.2 At the end of the first year of operation, a comprehensive review will be carried out by Spelthorne Borough Council in partnership with Knowle Green Estates Ltd., to report on the following:

- (a) Current residents still meeting the criteria
- (b) Demand for the key worker homes, including unit size
- (c) Void performance and management
- (d) Affordability of key worker homes

(e) Review of key worker definition based on implementation and priority groups

13.3 This review will inform a more embedded policy position on key worker housing in Spelthorne.

Equality Analysis

Directorate: Community Wellbeing	Lead Officer: David Birley
Service Area: Housing Strategy & Policy	Date completed: 31 March 2020
Service / Function / Policy / Procedure to be assessed: Key Worker Housing Policy	
Is this: New / Proposed <input checked="" type="checkbox"/> Existing/Review <input type="checkbox"/> Changing <input type="checkbox"/>	Review date: 12 months when a review of the policy is carried out in advance of a more established policy being put together.

Part A – Initial Equality Analysis to determine if a full Equality Analysis is required.

What are the aims and objectives/purpose of this service, function, policy or procedure?

The Housing Strategy 2020-25 sets the strategic direction for the Council in its ambition that local residents have access to suitable and affordable housing options locally.

The final strategy contains three strategic priorities, and an associated Action Plan:

1. Enabling the delivery of more affordable homes across a range of tenures.
2. Promote independence and wellbeing to enable residents to remain living independently.
3. Prevent homelessness and rough sleeping.

Within the Housing Strategy, there is an action under priority 1 that specifically focuses on key worker accommodation. This action indicates that Spelthorne Borough Council will work with Knowle Green Estates to establish the demand for key worker accommodation locally, to address both current and future needs. This policy is to ensure that key workers are prioritised for good quality, affordable, local housing. It is framed around the broad principles of what Spelthorne Borough Council wants to deliver as part of a key worker housing scheme and forms an initial policy that will be reviewed and improved as Knowle Green Estates homes are delivered. This initial policy is designed initially for Benwell Phase 1 with a period of reflection and learning after 12 months in preparation for the Victory Place Scheme (subject to planning).

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Please indicate its relevance to any of the equality duties (below) by selecting Yes or No?

	Yes	No
Eliminating unlawful discrimination, victimisation and harassment	✓	
Advancing equality of opportunity	✓	
Fostering good community relations	✓	

If not relevant to any of the three equality duties and this is agreed by your Head of Service, the Equality Analysis is now complete - please send a copy to **NAMED OFFICER**. **If relevant**, a Full Equality Analysis will need to be undertaken (PART B below).

PART B: Full Equality Analysis.

Step 1 – Identifying outcomes and delivery mechanisms (in relation to what you are assessing)

<p>What outcomes are sought and for whom?</p>	<p>The main outcome of the policy is to ensure key workers who live or work in the borough have access to good quality, affordable, local homes.</p> <p>Affected groups will include (not exhaustive):</p> <ul style="list-style-type: none"> • All adults (and associated dependants) who are defined as a Key Worker within Spelthorne Borough Councils definition (outlined in detail in the proposed policy); • Those who are unable to access the housing market locally due to high property prices and increasing rents; • Partners involved in the delivery of affordable key worker housing, such as Registered Providers, property developers, private landlords, health and social care providers; • Housing Options Staff at Spelthorne Borough Council.
<p>Are there any associated policies, functions, services or procedures?</p>	<p>Corporate Plan Capital Strategy Health & Wellbeing Strategy Local Plan Economic Development Strategy Asset Management Plan Housing Act 1996 (as amended by various) Housing Strategy Homelessness Strategy</p>
<p>If partners (including external partners) are involved in delivering the service, who are they?</p>	<p>Whilst Knowle Green Estates and potential other partners have a role in delivering key worker housing, the overall policy is the responsibility of Spelthorne Borough Council.</p>

Step 2 – What does the information you have collected, or that you have available, tell you?

What evidence/data already exists about the service and its users? (in terms of its impact on the ‘equality strands’, i.e. race, disability, gender, gender identity, age, religion or belief, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups) and **what does the data tell you?** e.g. are there any significant gaps?

General Spelthorne context

Almost half of Surrey’s 20 most deprived super output areas are in Spelthorne. Three are in the ward of Stanwell North, two in Ashford North and Stanwell South and one in each of Ashford East and Sunbury Common. Spelthorne has the highest number of lone parent families and the highest level of child poverty in Surrey; it also has the highest under-18 conception rate in the county. That said, residents are largely healthy, with life expectancy for both males and females slightly above the national average.

Although the number of VAT and/or PAYE-registered business has fallen slightly over the past four years, Spelthorne has a low rate of unemployment: 1.4% of those economically active aged 16 to 64, compared to the South East (2.2%) and UK as a whole (3.5%). Heathrow Airport is a significant local employer, with 8.3% of Spelthorne’s working population employed there. Significantly, 21.5% of those in work in Stanwell North are in low level employment compared to an average of 11.6% in Surrey. Average wages are slightly above regional averages at £630 per week for full-time employees.

Whilst house prices remain well above the national average, most residents are owner-occupiers (73%), followed by private rented (13%) and social rented (12%).

Gender / gender identity

Census data from 2011 shows that 50.5% of residents in Spelthorne were female, with the remaining 49.5% being male. There is no data known to be held in relation of other gender identities.

Source: ONS Census, 2011 - neighbourhood statistics for residents aged 16 to 74

A White Paper published in December 2018 (Help shape our future: the 2021 Census of population and housing in England and Wales) sets out the Office for National Statistics’ (ONS) recommendations for what the census should contain and how it should operate. The White Paper recommends that the census in 2021 includes a question about gender identity, asking respondents whether their gender is the same as the sex they were registered as at birth. The question will be separate from the question about sex (i.e., whether the respondent is male or female), which will be phrased in the same way as previous years. There is currently no official data about the size of the transgender population (the word ‘transgender’ is used here to describe people whose gender identity does not match the sex they were assigned at birth). The Government Equalities Office (GEO) has said that there may be 200,000 to 500,000 transgender people in the UK, but stresses that we don’t know the true population because of the lack of robust data. The ONS has identified user need for official estimates in order to support policy-making and monitor equality duties.

Source: <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-8531>

Age

Spelthorne has a slightly lower population of under-30s (34%) compared to the rest of the country (37%), and a slightly higher population of 30-69 year olds (42%) compared with the UK average of (40%), The number of 70+ is 23%, which is broadly in line with the rest of the UK (24%).

Source: <https://commonslibrary.parliament.uk/local-data/constituency-statistics-population-by-age/>

Ethnicity

The ethnic make-up of Spelthorne is largely in line with the UK average, although we have more residents who identify as Asian and fewer residents who identify as Black than the national average.

Ethnic group	Spelthorne		Region	UK
	Number	%	%	%
White	83,455	87.3%	90.7%	87.2%
Mixed	2,382	2.5%	1.9%	2.0%
Asian	7,295	7.6%	5.2%	6.9%
Black	1,545	1.6%	1.6%	3.0%
Other	921	1.0%	0.6%	0.9%
Total	95,598	100.0%	100.0%	100.0%

Source: <https://commonslibrary.parliament.uk/home-affairs/communities/demography/constituency-statistics-ethnicity/>

Disability

As of July 2019 there were around 2,020 PIP claimants in Spelthorne constituency. In comparison, there was an average of 2,500 claimants per constituency across the South East. Within Spelthorne, psychiatric disorders were the most common reason for claiming PIP. They accounted for 37% of awards, compared to 36% in Great Britain. 'Psychiatric disorders' include anxiety and depression, learning disabilities and autism. The second most common reason for awards was musculoskeletal disease (general), which accounted for 17% of awards within the constituency and 21% in Great Britain. Musculoskeletal disease (general) includes osteoarthritis, inflammatory arthritis and chronic pain syndromes.

Source: <http://data.parliament.uk/resources/constituencystatistics/personal%20independence%20payment/PIP%20claimants%20in%20Spelthorne.pdf>

Religion

Residents of Spelthorne predominately identify themselves as either Christian or having no religion. There is a smaller Muslim population compared with the national average, but a larger Hindu and Sikh population.

	Constituency		Region	UK
	Number	%	%	%
Has religion	67,392	70.5%	65.0%	66.7%
of which				
Christian	60,954	63.8%	59.8%	58.8%
Muslim	1,808	1.9%	2.3%	4.5%
Hindu	2,332	2.4%	1.1%	1.4%
Buddhist	420	0.4%	0.5%	0.4%

Jewish	206	0.2%	0.2%	0.4%
Sikh	1,325	1.4%	0.6%	0.7%
Other	347	0.4%	0.5%	0.4%
No religion	21,511	22.5%	27.7%	26.1%
Not stated	6,695	7.0%	7.4%	7.2%

Source: <https://commonslibrary.parliament.uk/home-affairs/communities/constituency-data-religion/>

Sexual orientation

There is no accurate dataset which can be used to reflect solely Spelthorne. The White Paper recommends asking a new question about sexual orientation. The ONS has identified a user need for better data on sexual orientation – particularly for small areas – to inform policy-making and service provision, as well as monitoring equality duties. The ONS has previously used the Annual Population Survey (APS) to estimate the size of the lesbian, gay and bisexual (LGB) population in the UK. According to these estimates, just over 1 million people identified as LGB in 2016 (around 2% of the population). However, the sample population used in the APS isn't big enough to provide robust estimates of the LGB population in smaller areas.

Source: <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-8531>

Marriage / Civil Partnership

More people in Spelthorne are married compared to the rest of England and Wales, and fewer people identify as single.

Marital Status	Spelthorne		England and Wales	
All usual residents aged 16+	78,089		45,496,780	
Single (never married or never registered a same-sex civil partnership)	24,562	31%	15,730,275	35%
Married	38,984	50%	21,196,684	47%
In a registered same-sex civil partnership	153	0%	104,942	0%
Separated (but still legally married or still legally in a same-sex civil partnership)	2,042	3%	1,195,882	3%
Divorced or formerly in a same-sex civil partnership which is now legally dissolved	6,870	9%	4,099,330	9%
Widowed or surviving partner from a same-sex civil partnership	5,478	7%	3,169,667	7%

Key Workers

The Council commissioned a piece of research regarding the likely demand for accommodation amongst key workers, and the sectors in which those key workers are employed. This research provided valuable insight into the demand particularly for key workers in education, health and social care, and public safety and national security.

Based on the Council's definition, 24% of employed Spelthorne residents aged 16-64 are key workers (12,000 people).

Approximate key worker figures in Spelthorne:	Health	Education	Social Care	Public Order
	3,480	4,800	1,920	1,440

Estimated age distribution of key workers in Spelthorne	Aged 20-29	Aged 30-39	Aged 40-49	Aged 50-64
	19%	24%	25%	27%

The majority (71%) of key worker housing need in Spelthorne relates to women.

Married / Civil Partnership status of key workers in Spelthorne	Single, never married	Married, living with spouse	Other
	32%	56%	12%

Household make-up of key workers in Spelthorne	No Children	1 Child	2 Children	3 Children	4+ Children
	51%	21%	22%	4%	1%

Housing status of key workers in Spelthorne	Owner occupier	Local Authority	Registered Provider	Private rental sector	Employer and other
	73%	4%	4%	16%	3%

Overall, 2,100 (17.5%) is an estimate of the volume of key workers in Spelthorne that likely have some propensity to consider rental accommodation. The propensity to take up renting is particularly high in Health and Social care.

As a result of Covid-19, demand for key worker roles may increase in the future due to reduction in employment elsewhere in Spelthorne, for example, BP and Heathrow airport redundancies. The potential impact of Brexit and the need to make key worker jobs attractive (particularly health and social care) will also have an effect. The short property market boom is also likely to drop when stamp duty exemption is lifted. There has been a rise in the proportion of those looking for accommodation with a garden, close access to green spaces and with space for homeworking. Many key workers have roles that are 'frontline' and therefore do not work from home, but consideration must be given to those in couples. Gross median annual earnings within Spelthorne are approximately £30,000 p.a. Taking this in to consideration, 50% of those in Health; 100% in Social Care; 80% in Education; approximately 80% across Public Services and Transport; and 30% in Public Order are potentially

needing of support (i.e. they are in key worker posts and earning below the median wage for the area). Two- bedroom units seem a relatively central offer (Spelthorne has significant proportions of young couples with and without children) and multiple occupancy involving 3 or 4 adults. The research does not detail analysis of the commuting patterns of key workers into and out of Spelthorne. However, the 2020 survey of Surrey and Sussex Police suggests that, of those who do not live in the County in which they work, around 45% would prefer to do so.

Based on all data, the research arrived at an estimated key worker housing need figure of 1,400 in Spelthorne. The figure of 1,400 is partly based on need, in terms of identifying early career key workers with lower earnings. Demand will partly reflect awareness of opportunities, and across respondents to the Surrey and Sussex Police study, less than 50% were aware of key worker housing.

Has there been any consultation with, or input from, customers / service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please list which specific groups or communities you are going to consult with and when.

A public and stakeholder consultation has not been carried out on the policy. The current policy is an interim one with a narrow focus on one development. After 12 months, a more established longer term policy will be compiled based on a review of the interim policy. At this stage a public and stakeholder consultation will be held.

It was intended for a key worker focus group to be arranged early 2020 but due to the impact of Covid-19 and the pressures faced by key workers, it wasn't possible to commence. Instead, Spelthorne Borough Council commissioned an independent researcher to carry out an in-depth analysis of key worker demand in Spelthorne.

The draft policy itself has also been presented to Knowle Green Estates Board members for input and approval.

Are there any complaints, compliments, satisfaction surveys or customer feedback that could help inform this assessment? If yes, what do these tell you?

None

Step 3 – Identifying the negative impact.

a. Is there any negative impact on individuals or groups in the community?

Barriers:

What are the potential or known barriers/impacts for the different 'equality strands' set out below? Consider:

- **Where** you provide your service, e.g. the facilities/premises;
- **Who** provides it, e.g. are staff trained and representative of the local population/users?
- **How** it is provided, e.g. do people come to you or do you go to them? Do any rules or requirements prevent certain people accessing the service?
- **When** it is provided, e.g. opening hours?
- **What** is provided, e.g. does the service meet everyone's needs? How do you know?

* Some barriers are justified, e.g. for health or safety reasons, or might actually be designed to promote equality, e.g. single sex swimming/exercise sessions, or cannot be removed without excessive cost. If you believe any of the barriers identified to be justified then please indicate which they are and why.

Solutions:

What can be done to minimise or remove these barriers to make sure everyone has equal access to the service or to reduce adverse impact? Consider:

- Other arrangements that can be made to ensure people's diverse needs are met;
- How your actions might help to promote good relations between communities;
- How you might prevent any unintentional future discrimination.

Equality Themes	Barriers/Impacts identified	Solutions (ways in which you could mitigate the impact)
Age (including children, young people and older people)	Young people aged 16-17 cannot hold tenancies and so housing options are severely limited. Older people may be less likely to access our	Young people aged 16-17 receive enhanced services via the Surrey Joint Protocol. They have access to specialist young peoples homelessness accommodation. Older people have greater access to social housing

	<p>services when needed. This includes those that are retired from employment and will be excluded from key worker accommodation.</p> <p>Those aged 18-39 may have reduced access to social housing as a result of welfare policies as well as local landlord policies (age restrictions)</p>	<p>via age restrictions across the A2Dominion stock. This includes sheltered and extra care homes.</p> <p>Spelthorne Borough Council has a Discretionary Housing Payment pot which this group can access in case of hardship. Under the Spelthorne Borough Council Housing Strategy 2020-25, A2Dominion have agreed to a comprehensive review of age restrictions in Spelthorne.</p>
Disability (including carers)	<p>Anecdotally we know that physically disabled people accessing settled accommodation in Spelthorne have much more limited options available to them due to property adaptation requirements.</p>	<p>See action 1.3 of the Homelessness and Rough Sleeping Strategy action plan – we will review the availability of accessible accommodation options for this affected group. Spelthorne Borough Council also offers Disabled Facilities Grants and handy person services to help residents live independently in their current home.</p>
Gender (men and women)	<p>As noted above from the independent research, the majority (71%) of key worker housing need in Spelthorne relates to women which may consequently see the housing of more female key workers than males.</p>	<p>Male key workers will still have the same access opportunities as female key workers but due to less male uptake in these roles, females will most likely make-up the majority of key worker nominations.</p>
Race (including Gypsies & Travellers and Asylum Seekers)	<p>Accommodation for people seeking asylum is the responsibility of the Home Office. Provision for pitches for gypsies and travelling showpeople are dealt with under the Local Plan.</p>	<p>n/a</p>
Religion or belief (including people of no religion or belief)	<p>No negative impacts have been identified.</p>	<p>n/a</p>
Gender Re-assignment (those that are going through transition: male to female or female to male)	<p>Where individuals are transitioning, they may be impacted if they are placed into accommodation with shared facilities.</p>	<p>As part of standard assessments, we would consider this issue before offering accommodation with shared facilities. It is intended for key worker accommodation to be self-contained units.</p>
Pregnancy and Maternity	<p>Under homelessness legislation, pregnant women are recognised as being in ‘priority need’ and so arguably receive preferential treatment when compared with women who aren’t pregnant, or men.</p>	<p>Those who aren’t in priority need receive a comprehensive housing needs assessment and support to access their own accommodation solutions.</p> <p>After a period of maternity leave, if a resident does</p>

	<p>As part of the key worker policy, it is a requirement for residents to have at least one tenant in the household who remains eligible under the policy. If nobody is eligible as a key worker at the point of the 12-month tenancy review, possession action will commence. This group may be impacted if a tenant decides not to return to their key worker employment after a period of maternity leave.</p> <p>Furthermore, depending on the family make-up, the tenants may also become overcrowded depending on the size of the property.</p>	<p>not return to their key worker employment (or similar under the policies eligibility criteria) and becomes ineligible for key worker housing, Knowle Green Estates Ltd. and the Council's Housing Options service will work together to prevent and relieve homelessness amongst households whose tenancies are not being renewed.</p> <p>If the keyworker's household composition has changed since the last review which would otherwise make the household ineligible for the size of home they occupy, then they may be required to transfer to a larger property. Furthermore, tenants may make an application to the Council's housing register where there housing need will be assessed for overcrowding as outlined in Part 10 of the Housing Act 1985 and in line with the Council's Housing Allocation's Policy.</p>
<p>Sexual orientation (including gay, lesbian, bisexual and heterosexual)</p>	<p>No negative impacts have been identified.</p>	<p>n/a</p>

Step 4 – Changes or mitigating actions proposed or adopted

Having undertaken the assessment are there any changes necessary to the existing service, policy, function or procedure? What changes or mitigating actions are proposed?

No changes required.

Step 5 – Monitoring

How are you going to monitor the existing service, function, policy or procedure ?

The Housing Strategy 2020-25 including the action plan and tasks within it will be monitored by the Council's Strategic Housing Group who meet monthly.

This initial policy is designed initially for Benwell Phase 1 with a period of reflection and learning after 12 months in preparation for the Victory Place Scheme (subject to planning). Any required changes to the policy will be recommended to elected members (where required) as a result.

Part C - Action Plan

Barrier/s or improvement/s identified	Action Required	Lead Officer	Timescale
n/a	n/a	n/a	n/a
n/a	n/a	n/a	n/a
n/a	n/a	n/a	n/a
n/a	n/a	n/a	n/a

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Equality Analysis approved by:

Group Head: Karen Sinclair	Date: 1 April 2021
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Please send an electronic copy of the Equality Analysis to the Equality & Diversity Team and ensure the document is uploaded to the EA Register which will be available to the public:

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