

Equality Impact Assessment (EIA) and our equality duty

The Equality Duty helps public bodies to deliver their overall objectives for public services, and as such should be approached as a positive opportunity to support good decision-making.

It encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve providing a service in a way which is appropriate for people who share a protected characteristic, such as providing computer training to all people to help them access information and services.

Whilst [the Gunning Principles](#) set out the rules for consulting with 'everyone', additional requirements are in place to avoid discrimination and inequality.

Cheshire East Council is required to comply with the Equality Act 2010 and the Public Sector Equality Duty. The Equality Act 2010 simplified previous anti-discrimination laws with a single piece of legislation. Within the Act, the Public Sector Equality Duty (Section 149) has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, by consciously thinking about equality when making decisions (such as in developing policy, delivering services and commissioning from others)
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, by removing disadvantages, meeting their specific needs, and encouraging their participation in public life
- foster good relations between people who share a protected characteristic and people who do not

The Equality Act identifies nine 'protected characteristics' and makes it a legal requirement to make sure that people with these characteristics are protected from discrimination:

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|-----------------------------------|----------------------|
| • Age | • Race |
| • Disability | • Religion or belief |
| • Gender reassignment | • Sex |
| • Marriage and civil partnerships | • Sexual orientation |
| • Pregnancy and maternity | |

Applying the equality duty to engagement

If you are developing a new policy, strategy or programme you may need to carry out an Equality Impact Assessment. You may be able to ascertain the impact of your proposal on different characteristics through desk-based research and learning from similar programmes, but you also need to carry out some primary research and engagement.

People with protected characteristics are often described as ‘hard to reach’ but you will find everyone can be reached – you just need to tailor your approach, so it is accessible for them.

Please feel free to contact the [Equality and Diversity mailbox](#) who will try to help you to assess the impacts of your proposals and will ensure that you help the Council to comply with the Equality Act 2010 and the Public Sector Equality Duty.

Section 1 – Details of the service, service change, decommissioning of a service, strategy, function or procedure

Proposal Title	Amendments to the Home Repairs and Adaptations for Vulnerable People Policy
Date of Assessment	30 September 2024
Assessment Lead Officer Name and other officers involved	Karen Whitehead
Directorate/ Service	Place / Strategic Housing
Details of the service, service change, decommissioning of the service, strategy, function or procedure.	<p>The proposed change is to amend the discretionary grants contained within the Home Repairs and Adaptations for Vulnerable People Policy.</p> <p>The primary responsibility for maintaining and improving housing rests with the homeowner, however there are occasions where it is necessary for a local housing authority to intervene, including where vulnerable people are unable to afford to carry out urgent repairs that are affecting their health and safety, and to support disabled people to overcome functional difficulties created by an unsuitable home environment.</p> <p>The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 removed most of the prescriptive housing grant legislation in the Housing Grants, Construction and Regeneration Act 1996 whilst retaining the mandatory Disabled Facilities Grant and introduced a wide-ranging</p>

	<p>discretionary power for local housing authorities to develop different forms of financial assistance to meet local needs.</p> <p>To provide financial help with housing repairs and improvements, the local housing authority must first adopt and publish a policy setting out how it intends to use this general power to award assistance. The Council has published several iterations of such a policy since its inception in 2009, building on previous policies issued by the former district housing authorities in Congleton, Crewe and Nantwich, and Macclesfield.</p> <p>The Council receives an annual capital grant allocation from central Government for Disabled Facilities Grants. The Funding we receive is insufficient to meet the demand for Disabled Facilities Grants, and the Council has been undertaking prudential borrowing to supplement the grant allocation to meet its statutory duties. The Council does not receive any funding towards other grants and loans. The unprecedented financial pressures that the Council is experiencing has led to a review of all discretionary expenditure, and it is proposed to remove discretionary grants from the capital programme as a way of mitigating the financial pressures. Grants and loans have been retained within the Policy to allow the Council to reintroduce these should funding become available from other sources.</p> <p>The detailed changes to the Policy are as follows:</p> <ol style="list-style-type: none"> 1. Disabled Facilities Grant – <ol style="list-style-type: none"> a. Remove the discretionary £20,000 top-up (or more where financial hardship is demonstrated), thereby capping the maximum grant at the mandatory £30,000 limit set in legislation. 2. Healthy Homes Loan – <ol style="list-style-type: none"> a. Only offering the loan when funding is available. b. Removing the equity share repayment option, to recover loans in a timely manner. c. Stipulating that the loan is not portable to another property. 3. Affordable Warmth Grant –
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	<ul style="list-style-type: none"> a. Only offering the grant when funding is available. b. Restricting access to the grant only to people in receipt of means tested benefits or people who need heating improvements to be able to return home from hospital – removing the higher income threshold of £31,000, and vulnerability to Covid-19 as eligibility criteria. c. Removing insulation as an eligible measure. <p>4. Urgent Adaptations Grant –</p> <ul style="list-style-type: none"> a. Clarifying the definition for eligibility for the grant by way of a life limiting illness, by stating that it is available to those with a life expectancy of 12 months or less. <p>5. Independent Living Loan –</p> <ul style="list-style-type: none"> a. Only offering the loan when funding is available. b. Increasing the maximum amount of the loan from £15,000 to £25,000. c. Removing the use of the loan to assist with a flexible grant option (where a person is carrying out a more extensive scheme of adaptations than has been recommended). d. Removing the use of the loan to assist with the adaptation of a second property. e. Removing the equity share repayment option. f. Stipulating that the loan is not portable to another property. <p>6. Empty Homes Loan –</p> <ul style="list-style-type: none"> a. Only offering the loan when funding is available.
Who is impacted?	<p>The two groups with protected characteristics that will be affected by the proposals are older people, and people with a disability. These are not distinct groups; there is a significant prevalence of disability in older age.</p> <p>People with disabilities will be impacted by the change to the <i>Disabled Facilities Grant</i>. The average new grant awarded to 361 recipients in 2023-24 was £6,189. 7 grants exceeded £30,000; the beneficiaries of these were 6 children, and 1 adult of working age. Of the 7 grants that exceeded £30,000, 4 exceeded £50,000 as the households demonstrated</p>

	<p>financial hardship and no other sources of funding were available.</p> <p>In the first 6 months of 2024-25, the average grant awarded to 151 residents was £8,026. 8 grants exceeded £30,000, including 4 that exceeded £50,000 due to financial hardship. The demographic profile of the grant recipients receiving grants more than £30,000 was 3 children, 4 adults and 1 older person.</p> <p>Children with disabilities are more likely to need adaptations that cost more than £30,000 than other age groups – 15% of children’s grants in the 18-month period were for more than £30,000, compared to 4% for adults and less than 1% for older people.</p> <p><i>Healthy Homes Loan</i> - The principal group with protected characteristics to be affected by withdrawing funding for the capital programme is older people. There has been very little activity on delivering Healthy Homes Loans in the period 1.4.23 to 30.9.24 due to prioritisation of staff resources; where loans have been awarded, 46% of beneficiaries were aged 65 or over.</p> <p><i>Affordable Warmth Grant</i> – the principal group with protected characteristics to be affected by the changes to the policy is older people. The policy proposal is to target grants, subject to available funding, on households on means tested benefits, and people being discharged from hospital. 73 grants were awarded in 2023-24 averaging £1,693, with match funding of £116 per property from other sources. The changes to the policy would mean that 6 people who received the grant in 2023-24 based on their vulnerability to Covid would not qualify under the new proposals, and 21 people (including 17 older people) would not qualify for heating repairs based on their income and savings. 3 adults who received a grant for insulation, based on their income and savings, would not qualify under the new proposals.</p> <p><i>Urgent Adaptations Grant</i> – groups with protected characteristics that benefit from this grant are disabled people and older people. All beneficiaries have a disability, and 71% in 2023-24 were over 65. 12 people received help based on</p>
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	<p>their life limiting illness, 9 of whom were over 65. We do not expect the additional wording for a life expectancy of no more than 12 months will have a significant impact on either group as most if not all recipients have received help in the later stages of their illness. This is consistent with research by the University of West England that found that people can be put off installing adaptations until they reach a point of crisis, in part because they do not wish to change or ‘medicalise’ their home.</p> <p><i>Independent Living Loan</i> – the impact of the policy proposals will be minimal due to the very low uptake of this loan. 5 loans have been made since 2021. No loans have been issued to people adapting a second property or when carrying out adaptations exceeding the Council’s recommendation. The Independent Living loan fits with the purpose for which the grant allocation can be used, and it is very unlikely that the grant funding will be removed in its entirety, making this loan available to eligible disabled people.</p> <p><i>Empty Homes Loan</i> – the impact of the withdrawal of funding will be minimal due to there being no uptake of empty homes loans since 2021. It is possible that groups with protected characteristics could be disadvantaged by the withdrawal of funding, as empty homes owners may have a protected characteristic. There is no data available to quantify the potential impact.</p>
Links and impact on other services, strategies, functions or procedures.	<p>Disabled Facilities Grants are delivered in collaboration with the Occupational Therapy (OT) service. The OT service is part of the Adults directorate and works closely with the Childrens and Families Directorate as they undertake OT assessments for all ages.</p> <p>The proposals could impact on Adults and Childrens Services, as well as Cheshire homechoice (part of the Place directorate) who operate the housing waiting list.</p> <p>Withdrawal of the discretionary top-up to the Disabled Facilities Grant, would mean that there will be disabled people who cannot access the facilities that they require in their own home, in particular access to ground floor living where it isn’t possible to provide that within the footprint of</p>

	<p>the house. The mitigation for this will be rehousing to a larger property or providing additional support as part of a care package to manage their activities for daily living. Where the adaptation is for a child, there is a likely impact on any children in need plans that cannot be adequately addressed in unsuitable housing.</p> <p>Demand for social housing is high and exceeds supply. 1250 social housing properties became available and were allocated in 2023-24, of which only 12 had adaptations already in situ. 162 3-bedroomed properties became available last year, and 9 4-bedroomed properties. The average waiting time for a person in Band B on the housing waiting list (where the need for an adaptation is putting the person at risk of significant harm in their current property) is 8 months, rising to 10 months for wheelchair users to find a suitable property. The longest waiting time last year for a wheelchair to be allocated a suitable property was 6.5 years.</p> <p>The Corporate Plan was refreshed in 2024-25 and outlines how we will deliver the priorities in the context of the Council's current financial position. Relevant priorities in the Plan include increasing reducing health inequalities, opportunities for all children and young adults with additional needs and reducing the reliance on long term care by improving services closer to home. Withdrawal of discretionary grants aligns with the mitigating actions needed to address the Council's financial position.</p>
<p>How does the service, service change, strategy, function or procedure help the Council meet the requirements of the Public Sector Equality Duty?</p>	<p>The most relevant aim to the proposals is 'Advance equality of opportunity between people who share a protected characteristic and those who do not'. The grants and loans within the Council's Home Repairs and Adaptations for Vulnerable People Policy enable disabled people and older people to level up their opportunities for suitable, safe housing with other people who do not have a protected characteristic. Older people are more likely to live in poorer housing conditions due to affordability and capability / trust of organising home repairs. People with disabilities, in particular wheelchair users, have less opportunity to live in a home that is suitable for their needs. Disability and old age are also commonly aligned with an increased risk of poverty.</p>

	The continued delivery of Disabled Facilities Grants in accordance with legislation and other grants and loans where funding is available will provide opportunities for disabled people to advance equality of opportunity.
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Section 2 - Information – What do you know?

What do you know?	<p>The driver for the significant proposed changes to the policy is to achieve savings.</p> <p>54% of people who received help through the Home Repair and Adaptations for Vulnerable People Policy in 2023-24 were agreed 65 or over.</p> <p>39% of people who received help were working age adults, of whom 94% had a disability.</p> <p>7% of people who received help with children. Children are more likely to need expensive adaptations than other age groups – 15% of children need adaptations costing more than £30,000, compared to 4% of adults and less than 1% of older people.</p> <p>A small-scale pilot study by researchers at Leeds University of the economic and well-being impact of building adaptations to family homes to accommodate the needs of young people with Autistic Spectrum Disorders who have behaviours that challenge found:</p> <ul style="list-style-type: none"> • The principal cost impacts were that the adaptations had avoided the need for the young people to be 'accommodated' ie to become 'Looked After Children' (LAC) • The study suggested that possibly 14 years LAC funding had been avoided by the adaptations. The study considered the evidence as to the wide range of costs for accommodating LAC children from which it would appear that the economic cost benefits of adaptations (for the public purse) are considerable • The most commonly mentioned well-being benefit for the disabled young person was that she / he had space to relax and to be safe • The most commonly mentioned well-being benefits for the parents were that they felt under less pressure and healthier, but generally they described their position as 'just coping'
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	<ul style="list-style-type: none"> The most compelling well-being findings concerned the disabled children's siblings who had been enabled to have safe space for themselves, privacy, independence, the ability to invite friends to the home and to study. <p>For older adults with multiple, long-term conditions, accessible housing is key to their independence, safety and wellbeing. However, most of the housing stock in the UK is poorly designed for the rapidly ageing population, with only 7% of homes in England meeting the minimum standard of accessibility.</p> <p>As the Council has had a policy for assisting vulnerable households with home repairs and adaptations since 2009, we do not hold any local evidence what the impact of the proposal will be on people with one or more protected characteristics.</p>
Information you used to arrive at the decision	<p>Quantitative data about service usage is outlined throughout Section 1.</p> <p><u>Disabled Children and the Cost Effectiveness of Home Adaptations & Disabled Facilities Grants: a Small Scale Pilot Study. Luke Clements and Sorcha McCormack, School of Law Leeds University.</u></p> <p><u>The role of home adaptations in improving later life, Centre for Ageing Better, 2017.</u></p> <p><u>Home modifications and disability outcomes: A longitudinal study of older adults living in England. University of Hong Kong and School of Social Sciences, Manchester, 2022.</u></p>
Gaps in your Information	<p>The service user's perspective is not fully known; a period of public consultation will help us to gain a better understanding of how the proposals will impact on them.</p>

Section 3 - Information - What did people tell you?

What did people tell you about your proposals?	<p>The policy proposals will be subject to a period of public consultation before any amendments are made to the policy.</p>
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Details and dates of the consultation/s and/or engagement activities	No consultation has taken place to date. This section will be updated once the period of public consultation has concluded and the feedback is analysed.
Are there any gaps in consultation and engagement feedback?	We need to engage with service users, families of service users, health and social care partners and the VCFSE sector.

Section 4 - Review of information, consultation feedback and equality analysis

Protected characteristics groups from the Equality Act 2010	What do you know? <i>Summary of information used to inform the proposal</i> <u>Refer to Section 2</u>	What did people tell you? <i>Summary of customer and/or staff feedback</i> <u>Refer to section 3</u>	What does this mean? <i>Impacts identified from the information and feedback (actual and potential).</i> <i>These can be either positive, negative or have no impact.</i>
Age	54% of service users are aged 65 or over. The proportion increases for urgent adaptations grants (71%) and affordable warmth grants (78%).	The impact will not be fully understood until consultation is completed.	Potential impacts that have been identified include: <ul style="list-style-type: none"> • People will need additional care and support with activities of daily living • The need to access alternative housing will increase • People will be at risk of injury and hospitalisation as a result of living in unsuitable, unadapted or cold housing • People's dignity will be compromised as they need to receive support to carry out personal tasks • People will need to employ contractors to carry out urgent works in their home, with potential risks from rogue traders

			This will be reviewed and updated following consultation.
Disability	100% of people receiving a grant costing more than £30,000 were disabled people using a wheelchair.	The impact will not be fully understood until consultation is completed.	The potential impacts are the same as for Age. This will be reviewed and updated following consultation.
Gender reassignment	No data		
Pregnancy and maternity	No data		
Race/ethnicity	No data		
Religion or belief	No data		
Sex	No data		
Sexual orientation	No data		
Marriage and civil partnership	No data		

Section 5 - Review of information, consultation feedback and equality analysis

Mitigation	What can you do to mitigate any negative impacts or further enhance positive impacts?
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<p><i>Please summarise the impacts listed in section 4 and what will be done to mitigate these impacts</i></p>	<p>Actions that we can take to mitigate the negative impacts of the proposals include:</p> <ul style="list-style-type: none"> - Provide additional care and support to assist with activities of daily living. - Provide support to apply for and access alternative housing. - Use alternative lower cost solutions to adapt housing to reduce risks to a more acceptable level. - Make referrals to national and local energy efficiency schemes. - Provide information and advice about employing contractors. <p>Continued delivery of the policy in its current format is the only alternative option. This is unaffordable in the context of the Council's financial situation.</p>
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Section 6 – Monitoring and review

Details of monitoring activities	The impact of the proposal will be monitored through performance monitoring, analysis of complaints and budget monitoring.
Date and responsible officer for the review of the EIA	Review to be completed at 6 monthly intervals by the Housing Standards and Adaptations Manager (Strategic Housing service).

Section 7 – Sign off

When you have completed your draft EIA, it should be sent to the [Equality, Diversity and Inclusion Mailbox](#) for review.

If your EIA is approved, it must then be signed off by a senior manager within your Department (Head of Service or above).

Name	
Date	
Signature	

Once the EIA has been signed off, please forward a copy to the [Equality, Diversity and Inclusion mailbox](#) for it to be published on the website.

For Transparency, we are committed to publishing all Equality Impact Assessments relating to public engagement.

Help and support - For support and advice please contact the [Equality, Diversity and Inclusion mailbox](#)