

The **Public Sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with Section 17 of the Crime and Disorder Act and will enable the council to better understand the potential impact of proposals and consider mitigating action.

<b>Name or Brief Description of Proposal</b>	Private Rented Sector Offer Policy
<b>Brief Service Profile (including number of customers)</b>	
<p>The council will use the powers granted to local authorities by the Localism Act 2011 (sections 148 and 149) and Homelessness Reduction Act 2017, to provide private rented accommodation to fulfil homelessness duties and prevent or relieve homelessness.</p> <p>Under Housing Act 1996 (HA96) and as amended (section 193), the council may owe a “main duty” to an eligible individual who is homeless. The Localism Act 2011 (sections 148 and 149) introduced provisions which enable the council to provide a suitable offer of a private rented sector tenancy to an individual experiencing homelessness, rather than a social housing tenancy. This offer of accommodation in the private rented sector will bring the council's statutory main housing duty to an end.</p> <p>Amendments under the Homelessness Reduction Act 2017 extend the powers in the HA96 to enable local authorities to use private sector accommodation to discharge its prevention stage and relief stage duties to homeless households and households threatened by homelessness. An offer of accommodation in the private rented sector to discharge homelessness duties is known as a Private Rented Sector Offer (PRSO). Southampton City Council will consider PRSOs to prevent or relieve homelessness in all cases.</p> <p>Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012 details the suitability of privately rented accommodation offered to certain applicants who are homeless or threatened with homelessness. Private rented sector accommodation must meet the requirements of Article 3 if it is to be considered suitable when offered to end homelessness duties.</p>	

### **Summary of Impact and Issues**

The policy will affect all households in Southampton City Council that are owed either a prevention duty, relief duty or a main housing duty (Section 193(2)).

In the year 2021/2022, 542 households were owed a prevention duty, 1,062 households were owed a relief duty and 92 households were owed the main housing duty.

There are some challenges with providing a PRSO. For example, it is becoming increasingly difficult to find a suitable and affordable option in the private rented sector. This is mostly due to the gap between rents and the local housing allowance rates in Southampton. Private rented accommodation is also more expensive than social housing, and social housing is typically seen as more secure and longer term.

However, the demand of social housing outweighs the supply. In March 2022, there were 7,379 households on the social housing waiting list which far exceeds the supply in the city. Therefore, this policy will enable the council to provide an alternative housing option for people who are homeless.

All eligible households who are owed a homelessness duty may be offered accommodation in the private rented sector. The PRSO does not discriminate against people with protected characteristics. Under Article 3 of the Homelessness Order (Suitability of Accommodation) (England) Order 2012, the council must ensure that the private sector accommodation meets the suitability needs of each household. The policy does not exclude any groups from being offered a PRSO. However, there may be limited accommodation which meets the suitability needs of people with a disability. Therefore, people with a disability may be negatively impacted by this challenge to find suitable accommodation. The council will work to find suitable accommodation and if reasonable work with landlords to adapt properties to ensure that the needs of eligible households with a disability are met.

The council will aim to ensure that the household being offered a PRSO is clear about the offer and the consequences of accepting and rejecting the offer. This includes ensuring that there are a variety of accessible formats and languages of the PRSO if necessary.

The information below outlines the anticipated impacts of the policy on people with protected characteristics.

### **Potential Positive Impacts**

There are some positive impacts which this policy anticipates, including an increase in health and wellbeing of the applicant and improved community safety. This is because this policy aims to reduce homelessness and rough sleeping and provide households with suitable stable accommodation.

<b>Responsible Service Manager</b>	Maria Byrne, Service Lead Housing Needs and Welfare
<b>Date</b>	28/11/2023
<b>Approved by Senior Manager</b>	Jamie Brenchley, Director of Housing
<b>Date</b>	28/11/2023

### Potential Impact

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Age</b>	No negative impact of the policy is identified.	<p>The policy does not discriminate or disadvantage anyone due to their age.</p> <p>A household/person can approach homelessness services for help and guidance.</p> <p>Under Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012, the private sector accommodation used by the local authority to discharge homelessness duties is subject to an enhanced standard of suitability which will ensure that any offer made meets the needs of the household.</p>
<b>Disability</b>	There may be limited accommodation in the private rented sector which meets the suitability needs of people with disabilities.	<p>This policy does not exclude any groups from being offered a Private Rented Sector Offer. However, it is accepted that for some cases it is more challenging to find suitable accommodation for people with a disability within the social housing sector. For example, there are some situations</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
		<p>where the physical characteristics of a potential home are not suitable for somebody with a particular disability. Major adaptations may be required to make the potential offer of accommodation suitable and may delay the offer. It is more likely that major adaptations can be completed on a social rented property than on a privately rented property as any adaptations require permission from the landlord.</p> <p>The existing Homelessness legislation would prevent the council from making an unsuitable accommodation offer (Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p> <p>The council will work to find suitable accommodation and if reasonable work with landlords to adapt properties to ensure that the needs of eligible households with a disability are met.</p>
<b>Gender Reassignment</b>	No negative impact identified.	<p>This policy does not exclude any groups from being offered a Private Rented Sector Offer.</p> <p>The existing Homelessness legislation would prevent the council</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
		<p>from making an unsuitable accommodation offer (Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p>
<b>Marriage and Civil Partnership</b>	No negative impact identified.	<p>This policy does not exclude any groups from being offered a Private Rented Sector Offer.</p> <p>The existing Homelessness legislation would prevent the council from making an unsuitable accommodation offer (Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p>
<b>Pregnancy and Maternity</b>	No negative impact was identified.	<p>This policy does not exclude any groups from being offered a Private Rented Sector Offer.</p> <p>The existing Homelessness legislation would prevent the council from making an unsuitable accommodation offer (Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p>
<b>Race</b>	No negative impact was identified.	<p>This policy does not exclude any groups from being offered a Private Rented Sector Offer.</p> <p>The existing Homelessness legislation would prevent the council from making an unsuitable accommodation offer</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
		<p>(Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p>
<b>Religion or Belief</b>	No negative impact identified.	<p>This policy does not exclude any groups from being offered a Private Rented Sector Offer.</p> <p>However, the existing Homelessness legislation would prevent the council from making an unsuitable accommodation offer (Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p>
<b>Sex</b>	No negative impact was identified.	<p>This policy does not exclude any groups from being offered a Private Rented Sector Offer.</p> <p>However, the existing Homelessness legislation would prevent the council from making an unsuitable accommodation offer (Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p>
<b>Sexual Orientation</b>	No negative impact was identified.	<p>This policy does not exclude any groups from being offered a Private Rented Sector Offer.</p> <p>However, the existing Homelessness legislation would prevent the council from making an unsuitable</p>

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		<p>accommodation offer (Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p>
<b>Community Safety</b>	<p>We anticipate a positive impact as this policy aims to reduce homelessness and rough sleeping.</p>	<p>This policy does not exclude any groups from being offered a Private Rented Sector Offer.</p> <p>However, the existing Homelessness legislation would prevent the council from making an unsuitable accommodation offer (Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p>
<b>Poverty</b>	<p>No negative impact identified.</p>	<p>All households approaching the council with a housing issue are given advice and information and according to their situation and the legislative framework may be assisted into accommodation.</p> <p>This policy does not exclude any groups from being offered a Private Rented Sector Offer.</p> <p>However, the existing Homelessness legislation would prevent the council from making an unsuitable accommodation offer (Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p>
<b>Health &amp;</b>	<p>We anticipate a positive</p>	<p>This policy does not</p>

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Wellbeing</b>	impact as this policy aims to reduce homelessness and rough sleeping.	<p>exclude any groups from being offered a Private Rented Sector Offer.</p> <p>The existing Homelessness legislation would prevent the council from making an unsuitable accommodation offer (Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012).</p>
<b>Other Significant Impacts</b>	Where applicants do not have English as a first language.	<p>Where applicants do not have English as a first language, it is important that decision notifications are offered in a variety of accessible formats and languages. This will be especially important where a Private Rented Sector Offer is being made and the applicant needs to carefully weigh up the consequences of accepting or refusing such an offer.</p> <p>The council will aim to provide a variety of accessible formats and languages of the Private Rented Sector Offer.</p>