

Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

Completed by: Michelle Aspey **Role:** Housing Strategy Manager

Head of Service: Keir Duffin **Date:** 21/05/2018

I confirm that the above Head of Service has agreed the content of this assessment

Yes / No 

When you complete this FEIA, it is your responsibility to submit it to
impact.assessment@newport.gov.uk

1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.

The policy being assessed is a revised Gypsy and Traveller Site Allocations Policy. The purpose of the policy is to ensure that pitches on the local authority residential site are allocated in a fair and transparent way to people that need them the most.

2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal.

The policy has been drawn up with reference to Welsh Government guidance that was widely consulted on with Gypsies and Travellers and other stakeholders. A review of this policy is planned for once the residential site has been occupied in which residents will be fully consulted.

3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.

There are currently 21 active applications on the overarching housing waiting list from people that identify as a Gypsy or Traveller of which 15 had indicated that they were seeking a pitch on a Gypsy Traveller site. A significant number of applicants reported difficulty with reading and writing. Applicants were also likely to have health problems and live in households with dependent children.

4. Equalities and Welsh language impact

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Gypsy and Traveller households are more likely to contain dependent children. The 2011 Census found that of the 28 households identified in Newport as being headed by a Gypsy or Irish Traveller 6 contained dependent children, around a fifth of households. In Newport as whole only about 15% of households contain dependent children. The true number of Gypsy and Traveller households with dependent children is likely to be much high as we know the census under records the number of Gypsies and Travellers in Newport. The Gypsy Traveller Accommodation Assessment (GTAA) carried out in 2015 interviewed 23 Gypsy and Traveller households of which 17 contained dependent children. Two thirds of Gypsy and Traveller households on the housing waiting list have dependent children, with households containing 3 or more dependent children being common.</p> <p>Of the 85 Gypsies and Irish Travellers recorded in Newport as part of the 2011 Census only 5 were aged 65 plus. The GTAA had no respondents over the age of 60. The housing waiting list contains no applications from Gypsies and Travellers over the age of 60. Gypsies and Irish Travellers have a lower than average expectancy when compared to the general population and old age and ill health are one of the most common reasons for ceasing to travel.</p>





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				<p>The policy sets out how pitches will be allocated, who is able to apply and who is given priority. The highest level of priority is given to applicants who are Gypsies or Irish Travellers have an aversion to living in bricks and mortar and that live in a caravan but do not have a legal pitch on which to place it. Welfare assessments carried out at unauthorised Gypsy and Traveller encampments over the last year have found that the majority had children present. Increased priority is also given to applicants with social care/health/disability problems. Instances of poor health and disability increase significantly as people age.</p> <p>The policy ensures pitches that are allocated to those that need them most – Gypsies and Travellers with a demonstrable aversion to living in bricks and mortar. These households would be unable to live successfully in conventional housing leading to frequent moves, ill health or resorting to living in on unauthorised encampments. This can be extremely disruptive for children and make it difficult for them to access education and health services. There is also evidence of older Gypsies and Travellers moving reluctantly into bricks and mortar in order to access health and social care services. The policy aims to ensure that older Gypsy and Traveller households are able to continue their traditional way of life.</p>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gypsies and Travellers are more likely to report being in poor health than the population as a whole. This policy gives additional priority to applicants where a member of their household has a proven health or welfare need. In addition to providing applicants with an address from which to access health and welfare services the site also has a community facility which could be used by health partners to conduct awareness and outreach work.
Gender reassignment/transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Information on an applicant's gender identity is collected as part of the general application for rehousing people have to complete when seeking a pitch. To date no applicants have indicated that they


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				identify as a gender other than that which they were assigned at birth.
Marriage or civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Applications for pitches are able to be made by single people or those that are married, in a civil partnership or in a relationship. At present the majority of applicants have not included a partner on their application but they are able to update their application at any time.
Pregnancy or maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gypsies and Travellers with an aversion to bricks and mortar but no legal pitch are – under this policy – given the highest priority for a pitch on the local authority owned site. Pregnant women are particularly vulnerable when having to resort to living on unauthorised encampments and Gypsy and Traveller women are significantly more likely to have experienced the loss of a child during pregnancy or whilst an infant. By ensuring pitches are allocated to those that need them most we can help ensure vulnerable pregnant women are able to access maternity and post natal care which can be difficult without an address.
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gypsies and Irish Travellers are both recognised ethnic minorities. The policy will have a differential impact on them as it is limited to people who meet the definition of a Gypsy or Traveller within the Housing (Wales) Act 2014 or any subsequent legal definitions. People who do not meet this definition, or are able to demonstrate an aversion to bricks and mortar will have their applications dealt with under the overarching common allocations policy for Newport. The reason for this is that pitches are in such short supply we need to ensure they are allocated to those that need them most.

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				<p>The policy considers cohesion and compatibility issues on site. The nature of Gypsy and Traveller sites means that compatibility between residents is a paramount. The council will undertake reasonable checks with its partners in order to establish if there are likely to be compatibility issues amongst residents.</p> <p>As priority for pitches is given to Gypsies and Travellers with an aversion to bricks and mortar and not legal pitch it could be expected that the number of unauthorized encampments by Gypsies and Travellers in Newport will decrease once the site is open. Unauthorized encampments are frequently a cause for conflict between Gypsies and Travellers and the settled community.</p>
Religion or Belief or non-belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nearly half of applicants who identified as Gypsy or Traveller gave their religion as Christianity. The remainder either did not answer the question or declared that they had no religion. Irish Travellers most commonly identify as Roman Catholic. In recent years increasing numbers of Gypsies have joined the Pentecostal Gypsy led Light and Life church, bucking the national trend of a decline in religious belief.
Sex/ Gender Identity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Information on an applicant's gender identity is collected as part of the general application for rehousing people have to complete when seeking a pitch. The majority of main applicants have identified as female but this is in line with waiting list as a whole.
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Information on an applicant's gender identity is collected as part of the general application for

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				rehousing people have to complete when seeking a pitch. As numbers are so low the data gathered is likely to be disclosive in this context and have not been considered specifically as part of this policy.
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rates of Welsh speaking amongst the Gypsy and Irish Traveller community are very low but applicants are able to make applications thought the medium of Welsh if they wish. Having a permanent address will make it easier for children to access education and the opportunities that provides for learning Welsh, potentially increasing the rates of Welsh speaking in the future.

How has your proposal embedded and prioritised the sustainable development principle in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p>The policy aims to ensure that people who need them most are able to access sustainable long term accommodation. The policy and subsequent offers of accommodation meet the requirements of the Mobile Homes (Wales) Act 2013 which aimed to improve and protect the rights of residents on mobile home sites.</p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p>The policy sits under the overarching Common Allocations Policy that is a collaboration between the Council and the housing association partners that operate in Newport. It is intended future reviews of this policy will take place once the site is occupied so the views of residents will be key to that process.</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>The policy is based on Welsh Government guidance that involved Gypsy and Traveller communities throughout its development. Once the site is occupied residents will be involved in future reviews of the policy.</p>
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The policy prevents Gypsies and Travellers from having to live in accommodation that is unsuitable. It does this by ensuring that pitches are only allocated to Gypsies and Travellers with an aversion to bricks and mortar and that priority is given to those with no permanent home.</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p data-bbox="220 667 311 689">Integration</p> <p data-bbox="119 705 406 851">Considering impact on all wellbeing goals together and on other bodies</p>	<p data-bbox="443 347 1380 459">Well-being goals – adoption of the policy will meet the of a Wales of cohesive communities as it allows pitches to be allocated in a fair and transparent way to the applicants that need them most.</p> <p data-bbox="443 492 1396 638">Well-being plan interventions – the protocol fits with the strong and resilient communities intervention as it ensures Gypsies and Travellers are able to access safe and secure accommodation that meets their cultural requirements.</p> <p data-bbox="443 672 1380 862">Well-being objectives – the adoption of the policy will make a positive contribution to the objective to build cohesive & safe communities. It ensures that those most in need of them are able to access pitches on an authorised site. The policy also addresses issues about cohesion on site.</p>

5 Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?

Whilst the site is located in the Ringland area of Newport it applies equally to applicants from all parts of the city.

6 How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission

- Equal treatment whilst recognising difference – the policy recognizes that there is a need for Gypsies and Travellers to be able to access affordable, secure accommodation that takes account of their specific cultural needs.
- Mutual obligations between citizens and local government – as well as setting out

the process the local authority and its partners will take in allocating pitches the policy and the overarching Common Allocations Policy for Newport also contains guidance of what is expected of applicants.

- Interdependency and reciprocity within community relations – having a clear policy with help both Gypsies and Travellers and the settled community understand how pitches are allocated and should lead to a greater understanding of the issues each group faces.
- Transparency and accountability in decision-making – the policy is a clear statement of how pitches will be allocated.

7 Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?

Future reviews of this policy will take place once the site is occupied and will actively include residents in order to seek their views on how the allocations policy works in practice.

8 Monitoring, evaluating and reviewing

The policy will be reviewed again once the site is occupied. This will allow us to assess how effective the policy was in meeting its stated aims and objectives for the local authority, residents and the wider community.

9 Involvement

The FEIA will be available on the local authority website.

10 Summary of Impact (for inclusion in any report)

Equality Act 2010 AND Welsh Language

The proposed Gypsy Traveller Site Allocations Policy limits applications to people who meet the definition of a Gypsy or Traveller within the Housing (Wales) Act 2014 sec 108 or any subsequent legal definitions. The policy recognises that the number of pitches available are limited and as such they must be allocated to households in the greatest need of them. Gypsies and Irish Travellers are a recognised ethnic minorities and fall within the protected characteristic of race under the Equality Act 2010.

The proposed policy also gives priority to applicants who have a disability or health problem. Instances of disability and ill-health increase with age and both disability and age are protected characteristics. Additional priority is also given to households that are overcrowded. Families with dependent children are significantly more likely to be overcrowded.

Rates of Welsh use amongst Gypsies and Irish Travellers are very low but applications are able to be made through the medium of Welsh.

Wellbeing of Future Generations (Wales) Act 2015

Well-being goals – the proposed Gypsy Sites Allocations Policy meets the goal of **A Wales of Cohesive Communities** as it allows for pitches to be allocated in a fair and transparent way to the households that need them most.

Well-being plan interventions – the proposed policy fits with the **Strong Resilient Communities** intervention. The aim of the policy is to ensure Gypsy and Travellers are able to access safe and secure accommodation that meets their cultural requirements.

Well-being objectives – the policy supports the well-being objective **to build cohesive and safe communities**. It ensures that those most in need of them are able to access pitches on an authorised site. The policy also addresses issues about cohesion on site.

The policy aims to allocate pitches to those that need them most in order that they are able to access sustainable **long term** accommodation. It **prevents** Gypsies and Travellers from having to live in accommodation that is unsuitable whilst having stable accommodation will assist with community **integration**. Once the site is occupied residents will be **involved** in future reviews of this policy so that it is produced in a **collaborative** manner that reflects the needs of both the local authority and residents.