

Appendix 9: LHS 2023-2028 Equalities Statement

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1. Introduction

Housing issues affect all residents in the Borders. The Local Housing Strategy (LHS) 2023-2028 recognises there are certain groups who:

- are less able to access good quality, appropriate housing that meets their needs
- may struggle to sustain a successful tenancy

The LHS focusses on how to increase the general supply of housing and also how to help those groups unable to meet their needs by targeting resources and services to create more affordable homes, make the best use of the stock available and intervene before crisis.

The LHS aims to have a positive impact on households/individuals from protected characteristic groups, especially those who may have particular issues accessing and maintaining tenancies/homes. The aim of the LHS is to ensure that everyone living in the Borders has access to a warm, safe, affordable and energy efficient home that meets their needs, in a sustainable community. The LHS sets out a five year framework to achieve this vision by delivering the 5 LHS outcomes:

1. Strategic Outcome 1: Deliver more homes in well designed, sustainable communities that increase opportunity for all and support our economy to thrive
2. Strategic Outcome 2: People have access to homes which promote independence, health and wellbeing
3. Strategic Outcome 3: Improved energy efficiency of homes and a reduction in fuel poverty while supporting a Just Transition to Net Zero through decarbonising domestic heating and energy
4. Strategic Outcome 4: Communities are regenerated through improving the quality and condition of housing and the built heritage
5. Strategic Outcome 5: Homelessness is prevented wherever possible and a range of housing options are provided so people can secure a suitable and sustainable housing outcome as quickly as possible

The provision of warm, safe, affordable and accessible housing that meets people's needs helps to tackle inequality and advances equality for those with protected characteristics. In particular, the LHS seeks to understand and respond to the housing experiences and needs of different groups.

Housing has a vital role to play in tackling child and fuel poverty; preventing homelessness; strengthening communities; helping stem rural depopulation; improving health and wellbeing; addressing the climate

emergency; and promoting inclusive growth. Tackling inequality is at the heart of each of the strategic aims. Delivery of the LHS will improve outcomes for those with protected characteristics and in doing so will contribute fully to the Scottish Government's National Performance Framework and National Outcomes and UN Sustainable Development Goals.

The Integrated Impact Assessment (Appendix 5) sets out what we know about equality and inequality in the housing system and has been used to inform the development of the LHS, the strategic outcomes and proposed actions. Individual impact assessments will be progressed for the individual policies or projects set out in the strategy as they are developed and to inform their implementation. In addition to the full Integrated Impact Assessment additional screening on the LHS was undertaken, including:

- A Child Rights and Wellbeing Impact Assessment (Appendix 7)
- Consideration of the Fairer Scotland Duty (outlined in this statement)
- Consideration of Human Rights (outlined in this statement)
- Strategic Environmental Assessment (Appendix 10)
- Rural Proofing Exercise (Appendix 11); and
- Health Inequalities Impact Assessment (Appendix 8)

This Equalities Statement summarises this cumulative activity and explores each in more detail. During the LHS development process it was acknowledge that there were some gaps in evidence relating to housing. To address some of the known evidence gaps SBC carried out consultation and housing needs analysis with the Gypsy and Traveller Community, which has subsequently informed the LHS.

Additionally specific work was undertaken to understand the housing needs and experience of young people, as well as those with physical disabilities, particularly those who may require wheelchair accessible housing. The evidence from this research and bespoke consultation has also informed the development of the LHS.

We have worked, and will continue to work, with key stakeholders across housing and equality to review available evidence. This will help us identify gaps in evidence to prioritise future research on a range of needs and experiences. This will improve our evidence base and support the identification of further policy action to address any findings, and as such the evidence base will continue to be reviewed and monitored as we deliver the LHS.

It should also be noted that, while evidence has been gathered on people with protected characteristics, people who are socio-economically disadvantaged and children and young people, we recognise that people and their experiences do not fit neatly within a single protected characteristic or group. Every adult, child and family across the Borders will be likely to display a combination of different protected characteristics, socio-economic backgrounds, health inequalities and household incomes. There will also be differences across the Borders due to the rural nature of the area. The intersectionality of protected characteristics and the wide range of household circumstances that influence the opportunities and barriers people face in relation to housing, including their lived experience of poverty, inequality and/or discrimination means it is important to review and consider the impact assessment holistically, rather than individually.

2. Integrated Impact Assessment

The Integrated Impact Assessment seeks to address and mitigate any negative which are identified. The IIA sets out the equality evidence which has informed the development of the LHS across the range of protected characteristics as specified in the Equality Act 2010. This evidence gathering exercise brings together what we know about how housing can impact on protected characteristics and identifies any gaps

in our knowledge, providing an important source of material to inform our future policy development and research work. This section therefore concentrates on identifying the particular issues different groups are more likely to experience.

Age

The Borders faces a number of demographic challenges, one of which is an ageing population. This is identified in the Evidence paper (Appendix 2), as well as featuring extensively during early consultation. Strategic Outcome 2: **People have access to homes which promote independence, health and wellbeing** is expected to address these challenges and considers:

- the role of health and social care in relation to housing;
- the importance of involvement of older people at the centre of decision-making;
- Prompt and adequately funded home adaptations;
- use of technology to improve accessibility;
- flexible housing options for older people with varying needs;
- access to advice on housing options for older people;
- shortage of accessible (in particular wheelchair accessible) housing in relation to both old and new housing stock; and
- support for independent living and support for people wishing to downsize.

Older people might be more likely to experience a range of housing disadvantages. A large number of older people and people with disabilities live in mainstream homes and want to continue to do so, but these properties may or may not meet their current needs. Projections for the future suggest the challenge will only increase without action, with projected increases in the number of people aged 75 and over putting much greater demand on housing and health and social care services to help people to live independently at home. In addition the Scottish House Condition Survey highlights that older people are more likely to live in less energy efficient homes and more likely to experience fuel poverty.

Children and young people also face particular housing challenges

Child poverty and housing are inextricably linked and evidence shows there is a relationship between expensive, poor quality housing and offending; mental health issues; educational attainment; excess winter deaths; and child and fuel poverty. Affordability of homes; rising rents; the roll out of Universal Credit resulting in the increase of rent arrears; and access to secure and reliable employment were also highlighted as factors impacting on child poverty levels.

Almost a quarter of households assessed as homeless in the Borders are young adults aged 16-24 (149 households). We are also aware that young people, especially those leaving care, may be more likely to be hidden from services and therefore from official records because they are “sofa surfing” or living in other informal, unstable circumstances.

Drawing on available evidence, young people are also amongst the group of people that are anticipated to be hardest hit financially as a result of the impact of Covid-19. The combination of the insecurity of their employment (as seen during the pandemic) and their financial vulnerability suggest that young people might be limited when it comes to their housing choices and this might also impact on their ability to take on and maintain tenancies.

Care experienced children and young people, and those leaving care, are more likely to face particular challenges. These include mental health issues; poor education outcomes and lower educational attainment; housing and homelessness issues and a lower likelihood of achieving a positive destination when they leave care. [Follow The Money, one of the final reports published by the Independent Care Review in February 2020](#), highlights that care experienced people are likely to have more than double the chance of experiencing homelessness compared to their non-care-experienced peers, mainly before the age of 30. They are also over one and a half times more likely to experience severe multiple disadvantages,

including homelessness, substance use mental health issues and offending. The report also suggests that care experienced people are over three times more likely not to have a job by the age of 26, and when they do, they earn incomes which are 27% lower on average than their non-care experienced peers. Drawing out from the evidence highlighted above, the lower incomes and poorer employment prospects experienced by care experienced people might impact on their ability to access mainstream housing and might also limit their housing choices overall.

The LHS recognises the challenges outlined above for both older and younger generations and the anticipated demographic changes. The strategic outcomes put focus on ensuring that everyone lives in warm, safe, affordable and accessible home that meets people's needs and the role of housing in tackling child poverty. Work to continue to deliver affordable homes and ensure the quality of the housing stock across the Borders are key areas of work which will seek to reduce child poverty levels in Scotland. The LHS sets out specific actions which will help to address the challenges faced by these groups.

Disability

According to the 2018 Equality and Human Rights Commission (EHRC) report on housing issues affecting disabled people, Scotland's disabled population faces considerable housing challenges. Appropriate and accessible housing is the cornerstone of independent living and can transform people's lives for better, yet many disabled people across Scotland live in homes that do not meet their needs. In 2019 Scottish Borders Council commissioned consultations to assess the housing needs of people with a physical disability in the Borders, engage with our Physical Disability Strategy Group and help develop a wheelchair accessible housing target. In January 2020 the finalised report was published "A space to live – Wheelchair accessible housing in the Scottish Borders" The final report identified a wide range of issues and challenges which will need to be addressed at national as well as at a local level by Scottish Borders Council and partner agencies. Stakeholder feedback also focused on the importance of alternative housing models and support to downsize; greater use of technology to support independent living and improved connections for strategic planning across housing, health and social care and transport. Stakeholders also emphasised the importance of independent living and adaptations being a catalyst in enabling people to remain in their own home for longer and maintain their independence.

The costs of inaccessible housing can be far-reaching and inextricably linked and include impacts on independent living, increased need for social care, more reliance on carers and family members, accidents and avoidable hospital admissions. Available evidence however suggests that housing that meets people's requirements will save on health and social care costs in the future, as well as considerably lowering the cost of adaptations when they are needed.

The LHS, as well as the H&SCP Joint Strategic Needs Assessment, seeks to ensure that the housing inequalities affecting disabled people are recognised and mitigated. **Strategic Outcome 2: People have access to homes which promote independence, health and wellbeing** identifies some of the challenges and actions which will be prioritised to help ensure the housing needs of this group are met. Additionally, the total number of potential affordable homes in the SHIP 2023-28 is 1,320, of these 295 are particular needs units and (22%) and 169 (13%) are wheelchair accessible houses.

Gender Reassignment Trans/Transgender Identity

People in the process of gender reassignment can face discrimination in local communities. Providing more, and better quality housing will benefit all communities in the Borders, irrespective of their gender, which will be positive for this group. There is currently limited evidence available on the Gender Reassignment Protected Characteristic in the Borders. While the available evidence is limited various sources and organisations provide insight into the issues people within this group can experience throughout their lives, and depicts the disadvantages they face in relation to both their identity and housing situation.

The focus on equality and human rights in this statement and throughout the LHS will ensure that housing and housing-related policy development over the course of the next 5 years will consider and aim to

understand and tackle any specific disadvantages people with this protected characteristic may experience. Currently no suggestions or views with regards to the Gender Reassignment protected characteristic were raised during the LHS pre-consultation and engagement process. The LHS can work towards linking with community organisations that seek to support people undergoing gender reassignment, and towards reducing prejudice and stigma in the community.

Marriage and Civil Partnership

The evidence available for the Marriage and Civil Partnership Protected Characteristic is relatively limited and no recommendations or views with regards to the Marriage and Civil Partnership protected characteristic were suggested by stakeholders taking part in the consultation process to date. Outcomes will be monitored through the life span of the LHS and through the delivery of specific housing and support services.

Providing more, and better quality housing will benefit all communities in the Borders, irrespective of their relationship status. It's possible that same-sex couples may be discriminated against in the private rented sector and in some local communities, however there is no evidence available to support this and the LHS will work towards supporting all residents regardless of their marital status to access support and services, which can help to reduce discrimination.

Pregnancy and Maternity

The LHS seeks to support families, and this includes support during paternity and maternity and supports this group by seeking to give children the best start in life through a safe, warm and affordable home. The relationship between housing and poor health outcomes, including during pregnancy, is well established, and the birth of a new baby can result in those close to the poverty line falling below it. Pregnancy also brings a period of sudden increased financial pressure, increasing the risk of child poverty.

Young mothers are a specifically vulnerable group within this Protected Characteristic. Risk factors around lower employment and educational levels mean the prevalence of low income can be higher for young mothers, with a high proportion of that income coming from various social security entitlements. This might also impact on housing options for young mothers which, as a result, are likely to be restricted. They may face challenges around housing affordability and sustaining tenancies.

The LHS focuses on ensuring that everyone lives in warm, safe, affordable and accessible housing that meets people's need and is within sustainable communities. As the LHS is taken forward over the next five years SBC will continue to ensure that any disadvantages in relation to housing access and opportunity faced by people during pregnancy and maternity are addressed. The LHS improves the range and supply of affordable housing and access to housing and support services to all and so there is likely to be a positive impact on these groups, and outcomes will be monitored through the life span of the LHS and through the delivery of specific housing and support services. The Homelessness Service, for example, has specific working procedures in place for expectant mothers and those with children.

Race Groups

Race Groups including colour, nationality, ethnic origins, including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers) are another of the protected characteristics. The LHS improves the range and supply of affordable housing and access to housing and support services to all. There is likely to be a positive impact on these groups, and outcomes will be monitored through the life span of the LHS and through the delivery of specific housing and support services.

Access to social housing is recorded by the RSLs and monitored through the Scottish Social Housing Charter. The Homelessness Service records ethnicity through data collection systems. All information and advice is available in alternative formats or translated upon request as is Council policy.

There is limited data available on some ethnic groups and to quantify the level and type of housing required to meet specific housing needs. There needs to be better understanding of these groups and a need to

strengthening the evidence base to measure the housing need and demand of particular groups and/ or for specialist housing provision. This will be monitored through the delivery of the strategy. Early engagement work identified a specific evidence gap in relation to the housing needs and requirements of the Gypsy Traveller community in the Scottish Borders. This was addressed through a specific piece of work and the information has been used to inform the LHS.

Housing to 2040 acknowledges the need to address the particular housing challenges faced by minority ethnic communities. To help address this the Scottish Government committed to include specific consideration of the needs of this group in their review of the adaptations system and to take forward further research work with people from minority ethnic groups to better understand and address the barriers they face to accessing social housing.

The LHS provides information the Resettlement Programme which has led to an increase in the demand for housing in the Scottish Borders and there are narrative and actions outlined in the LHS to support meeting these needs more effectively.

Religion or Belief

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (eg Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

There is relatively limited evidence available for the Religion or Belief Protected Characteristic and stakeholders in the engagement process did not provide any suggestions, views or recommendations on the Religion or Belief Protected Characteristic during the early engagement exercises. The LHS is however fully inclusive to all religions and beliefs (including non-belief). The LHS improves the range and supply of affordable housing and access to housing and support services to all. There is likely to be a positive impact on these groups, and outcomes will be monitored through the life span of the LHS and through the delivery of specific housing and support services.

Sex – Gender Identity: women and men (girls and boys) and those who self-identify their gender

The LHS aims to increase the supply of housing across all tenures which will benefit all genders. Women-headed households are likely to earn less over the duration of their lifetimes and are often the main predominant carers of children and vulnerable adults. The LHS includes measures for the provision of housing for those on a range of incomes and needs.

There is also a difference between men and women in relation to homelessness and domestic abuse, which is often a reason for women applying as homeless. This experience is further exacerbated as the woman experiencing abuse is often forced to leave their home, rather than the male perpetrator. On average 64 women presented as homeless following incidences of domestic abuse each year in the Scottish Borders (over a ten year period). In 2021/2022, 43 women presented as homeless due to domestic abuse within the household.

'Improving housing outcomes for women and children experiencing domestic abuse' is the report of a Scottish Government working group in December 2020 highlighting six areas which, acted on together, could significantly reduce domestic abuse related homelessness.

The BHHSP is committed to carrying out a review to *'Improving the Housing Outcomes for Women and Children Experiencing Domestic Abuse'*, this work was initiated in 2021 and then delayed due to Covid related and other impacts and is currently being rebooted.

Sexual Orientation e.g. Lesbian, Gay, Bisexual, Heterosexual

Providing more and better quality housing will benefit all communities in the Borders, irrespective of their sexual orientation.

The available evidence highlights that people with the Sexual Orientation Protected Characteristic face a range of inequalities across a number of areas and settings including, but not limited to, employment, healthcare, education, housing and homelessness. [Stonewall Scotland's report](#) highlighted that LGBTQIA (lesbian, gay, bisexual, transgender, queer (or questioning), intersex, and asexual (or allies)) people are vulnerable to and at increased risk of homelessness, highlighting that almost one in five LGBTQIA people (18%) have experienced homelessness at some point in their lives. SBC's Homelessness Service does not collect information at this point but it is currently being considered how this can be built into the current system.

As we take forward delivery of the LHS 2023-2028 we will seek to ensure that the housing disadvantages this group faces are acknowledged, recognised and addressed. Housing to 2040 also sets out specific actions which will support this, including:

- Developing homelessness prevention legislation to ensure public bodies across Scotland have responsibilities for preventing homelessness (due in the forthcoming Housing Bill 2023);
- Embedding homelessness prevention pathways for particular groups at risk of homelessness and rough sleeping; and
- A new Housing Bill which strengthens tenants' rights and improve the rights of victims of domestic abuse.

Human Rights

In Scotland, civil and political rights are protected by the [Human Rights Act 1998](#) and provisions in the Scotland Act 1998. These rights come from the [European Convention on Human Rights \(ECHR\)](#).

The Scottish Government has committed to introducing a new Human Rights Bill for Scotland. This Bill will incorporate 4 more major United Nations human rights treaties. These treaties are:

- The International Covenant on Economic, Social and Cultural Rights
- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- The Convention on the Elimination of All Forms of Racial Discrimination (CERD)
- The Convention on the Rights of Persons with Disabilities (CRPD)

The Bill will also include the right to a healthy environment, as well as rights for older people and LGBTQIA people.

In recognition of the right to 'an adequate standard of living, which includes housing' (International Covenant on Economic, Social and Cultural Rights, Article 11), and the right to 'respect for private and family life' (European Convention on Human Rights, Article 8), anyone assessed as being homeless is legally entitled to temporary accommodation.

Anyone assessed by local authorities as being homeless unintentionally is entitled to settled accommodation (and possibly to housing support too). We have developed a person-centred 'housing options' approach, which looks at the range of issues that may help to prevent homelessness. This approach has been promoted through five regional local authority-led hubs across Scotland.

3. Fairer Scotland Duty

This duty places a [legal responsibility on Scottish Borders Council](#) (SBC) to actively consider (give due regard) to how we can reduce inequalities of outcome caused by socioeconomic disadvantage when making strategic decisions.

The Duty seeks to tackle socio-economic disadvantage and reduce the inequalities that are associated with being disadvantaged. This is a complex, multidimensional problem, closely related to poverty. Having less access to resources can mean that individuals fare worse on outcomes including health, housing, education or opportunities to work or train, and these negative outcomes can reinforce each other. Adversity in childhood can have life-long impacts, and growing up in poverty is associated with poorer educational attainment, employment prospects and health inequalities.

Therefore it is crucial that SBC considers the impact that decisions have on socio-economic disadvantage and the inequality of outcome that both adults and children may experience as a result. The duty is set at a strategic level - these are the key, high level decisions that SBC will take. This would normally include strategy documents, decisions about setting priorities, allocating resources and commissioning services. As such, the Fairer Scotland Duty has been fully considered as part of integrated impact assessment undertaken on the LHS 2023-2028.

The outcomes put equality at the heart, seeking to achieve these benefits and outcomes for everyone in the Borders. The LHS will also make an important contribution to other key national and local plans and priorities.

- Affordable housing helps to tackle poverty and inequality. Increasing the supply of affordable and social rented homes and tackling any unreasonably high rents in the private rented sector will continue to make an impact on child poverty levels.
- Safe and warm homes and good neighbourhoods improve physical and mental health and wellbeing and helps build strong communities. Making sure homes add to and create great places will help to improve social cohesion, enable and contribute to community wealth building and unlock social capital across the region.
- High quality homes and neighbourhoods improve children's wellbeing and development. Improving the quality of homes across all tenures will make an important contribution to ensuring people can live well in their homes and children have the space indoors and outdoors that they need to thrive.
- Housing creates and supports jobs and drives inclusive economic growth and social benefits. Housing's unique place at the heart of thriving communities means that investment in housing, and all the indirect effects that flow from that, can contribute to community wealth and social renewal.

The LHS will be delivered over the period 2023-2028 with regular monitoring of progress and assessment of impact, with updates and reviews undertaken as needed.

The Fairer Duty is part of the IIA and can be found as **Appendix 6a and 6b**.

4. A Child Rights' and Wellbeing Impact Assessment

Stage 1 of the Children's Rights and Wellbeing Impact Assessment (CRWIA) Screening was completed for this LHS which indicated that the LHS will have a positive indirect impact on children and young people, specifically those:

- Children and young people living in poverty, including fuel poverty;
- Children and young people with protected characteristics, or living in a household which include adult(s) with protected characteristics;
- Children and young people who live in a household with a survivor of Domestic abuse;
- Children and young people at risk of or experiencing homelessness;
- Care experienced children and young people;
- Households with a disabled parent or child;

- Children in rural areas.

The LHS seeks to have a positive indirect impact on eradicating child poverty, fuel poverty, homelessness (including youth homelessness), and improving children and young people's health and wellbeing. It is recognised that affordable housing helps to tackle child poverty, with cost of living, including housing costs being a key driver of child poverty.

Strategic Outcome 1: Deliver more homes in well designed, sustainable communities that increase opportunity for all and support our economy to thrive; alongside an ambitious housing supply target (including 40% affordable housing); and Strategic Outcome 3: Improved energy efficiency of homes and a reduction in fuel poverty while supporting a Just Transition to Net Zero through decarbonising domestic heating and energy; will, in particular, continue to make an impact on child poverty levels. In addition, warm, healthy, safe and non-overcrowded homes and positive neighbourhoods play an important role in improving children's and young people's health and wellbeing, providing a healthy start and contributing to their social and physical development. Good homes with room for children to play, learn and study can contribute to educational attainment.

While we anticipate positive indirect impacts of the LHS on children and young people, these will be considered in detail as the specific policies within the LHS are developed and implemented and monitored over the next five years.

A full copy of the CRWIA can be found as **Appendix 7**.

5. Rural Proofing Exercise

As part of the LHS development a Rural Proofing exercise was undertaken. The full checklist can be viewed at Appendix 6. This helps us consider any challenges presented by rural circumstances and recognise the distinct needs of rural communities. There is clear recognition in the LHS of the role that housing plays in reversing depopulation and in creating more sustainable communities, and in the need to take a holistic approach including improving accessibility, broadband, infrastructure, renewable energy technology, transport and investment. Some challenges the LHS considers in relation to rurality include:

- Short-term lets, second homes and empty homes contributing to a constrained supply of housing;
- High development costs and lack of skilled labour and local supply chains, and the need to be more energy efficient and sustainable in the way we build;
- Community sustainability; and
- Fuel poverty, poor energy efficiency and housing stock in poorer condition.

Responding to these concerns and issues has been central to the development of the LHS vision and strategic outcomes, ensuring that the LHS and associated action plan takes the needs of rural communities fully into account.

A full copy of the Rural Proofing exercise can be found as Appendix **11**.

6. Health Inequalities Impact Assessment

Housing and health outcomes are inextricably linked. Whilst undertaking a full Health Inequalities Impact Assessment (HIIA) is not a legal requirement, we have engaged with stakeholders, including the Public Health Team in the Borders to help ensure that health and health inequalities dimensions are considered as

part of the development of the LHS and to gather important evidence to support ongoing policy development.

[Public Health Priorities for Scotland](#), jointly published by the Scottish Government and COSLA in 2018, places good quality, accessible and affordable housing as one of the key factors for progressing these priorities. The LHS recognises that good quality affordable homes in sustainable communities leads to reduced poverty and inequality, better health outcomes, improved educational attainment and more cohesive communities. The LHS sets out actions that will benefit people's health and wellbeing, through improving access to affordable housing choices, tackling homelessness, improving housing quality and energy efficiency and supporting independent living.

The First stage of the HIA has been undertaken and can be reviewed at Appendix X. Work to further develop the HIA will be undertaken during the formal LHS consultation period and will be a further opportunity to review the potential health impacts of the LHS 2023-2028 with housing being a key driver of health outcomes. A full report outlining the findings, and any recommendations which have subsequently influenced the finalising of the LHS, will be prepared and published with the final LHS documents.

A full copy of the HIA can found as **Appendix 8**.