

Colchester Borough Council

Equality Impact Assessment Form - An Analysis of the Effects on Equality

Section 1: Initial Equality Impact Assessment

Name of policy to be assessed:

- Access licence review and setting of the fees and charges

NB: 'Policy' is meant broadly to mean policy, strategy, service, function, activity or decision.

1. What is the main purpose of the policy?

- To clarify how fees and charges for access licences are going to be set from October 2016 onwards

2. What main areas or activities does it cover?

- The current method of administering the access license scheme is difficult to manage both on the ground and in the office. A review of the system will make the scheme easier to manage and fairer to the access license holder.
- The fees and charges are currently set up to and including the payment period 1 October 2015 until 30 September 2016. Colchester Borough Council is required by the access license agreement to give licensees 1 month notice of revised fees. However it is preferable to give licensees as much notice as possible in this economic climate.
- To agree new access licence fees and charges from 1 October 2016
- To regularise the start date and invoice date of access licences so that all annual payments of agreements are invoiced and become due at the same time

3. Are there changes to an existing policy being considered in this assessment? If so what are they?

- To enable the April – March payment period, it is proposed that the above fees set for October – September are used until the end of March 2017 at which point new fees and charges for access licences will be set as part of the Councils Fees and Charges process and will be uplifted by RPI.

4. Who are the main audience, users or customers who will be affected by the policy?

- There are currently approximately 40 licence agreements spread over 11 sites.

5. What outcomes do you want to achieve from the policy?

- To continue ensuring that the Colchester Borough Council and Colchester Borough Homes licences are managed in the same way
- To move the payment period from October – September, to April – March so that future licence fees can be set with the Council's other fees and charges
- To uplift future fees and charges by RPI in line with other fees and charges set by the Council

6. Are other service areas or partner agencies involved in delivery? If so, please give details below:

- Yes. Colchester Borough Homes manage some access licences

7. Are you aware of any relevant information, data, surveys or consultations¹ which help us to assess the likely or actual impact of the policy upon customers or staff?

- No

If so provide details and include a link to the document or source where available.

8. The 'general duty' states that we must have "due regard" to the need to:

¹Click on [surveys or consultations](#) for more information. The Council's surveys and consultations include 'equality monitoring information' to help us identify any particular concerns or views expressed by any particular group or 'protected characteristic'. It can also help us to assess how representative of our customers the respondent group is. Local Data on the Protected Characteristics is available [on this page](#) of the Hub.

- (a) eliminate unlawful discrimination, harassment and victimisation
- (b) advance equality of opportunity between people who share a 'protected characteristic'² and those who do not³
- (c) foster good relations between people who share a protected characteristic and those who do not⁴

Not all policies help us to meet the 'general duty', but most do.

Where applicable, explain how this policy helps us to meet the 'general duty':

It is not believed that this policy specifically helps us to meet the aims of the general duty although it is held to be consistent with it.

9. This section helps us to identify any disproportionate impacts. Please indicate in the table below whether the policy is likely to particularly benefit or disadvantage any of the 'protected characteristics'.

Remember to include reference to any relevant consultation, data or information.

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
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² The Equality Act's 'protected characteristics' include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sex and sexual orientation. It also covers marriage and civil partnerships, but not for all aspects of the duty.

³ This involves having due regard, in particular, to the need to: (a) remove or minimise disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

⁴ This involves having due regard, in particular, to the need to (a) tackle prejudice, and (b) promote understanding.

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Age	Older people (60+)	Positive	Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of age.	None	
	Younger people (17-25) and children (0-16)	Positive	Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of age.	None	

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Disability	Physical	Positive	Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of disability. Disabled drivers will be able to seek parking space designation in front of their property which is likely to be more convenient than access from adjacent Council land.	None	
	Sensory	Positive	As above	None	
	Learning	Positive	As above	None	
	Mental health issues	Positive	As above	None	
	Other – <i>specify</i>	Positive	As above	None	
Ethnicity ⁵	White	Positive	Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of race	None	

⁵ National Census 2011 categories are: Bangladeshi, Indian, Pakistani, Other Asian (Asian or Asian British), African, Caribbean, Other Black (Black or Black British), White and Black African, White and Asian, White and Black Caribbean (Mixed), British, Irish, Other White (White), Chinese, Other (Other Ethnic Group).

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
	Black	Positive	As above	None	
	Chinese	Positive	As above	None	
	Mixed Ethnic Origin	Positive	As above	None	
	Gypsies/ Travellers	Positive	As above	None	
	Other – <i>please state</i>				
Language	English not first language	Positive	<p>Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of language. Access licences are not advertised or promoted as they are limited to the locations for which licences currently exist and there are no proposals to increase the number of locations. An incoming resident would obtain information from the vendor or their agents regarding Access License which is not transferable. Information would be made available in alternative formats upon request.</p>	None	

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	Positive	Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of Pregnancy and Maternity.	None	
Religion or Belief	People with a religious belief (or none)	Positive	Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of belief or religion.	None	

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Sex	Men	Positive	Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of gender	None	

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
	Women	Positive	Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of gender	None	
Gender Reassignment ⁶	Transgender/ Transsexual	Positive	Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of gender	None	
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian	Positive	Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their	None	

⁶ The protected characteristic of gender reassignment is defined by the Equality Act 2010 as “a person proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.” This is a personal process that may involve medical interventions such as counselling, psychotherapy, hormone therapy or surgery, but does not have to. NB: It is generally held that transgender people disguise their features or clothing to resemble their preferred sex, whereas transsexual people wish to change their body to completely resemble their preferred sex.

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
			property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of sexual orientation.		
Marriage and Civil Partnership	People who are married or in a civil partnership	Positive	Access licences give residents the opportunity to access their property on foot or, where appropriate, by vehicle over land adjacent to their property that is owned by CBC. Those eligible for a licence have a choice whether to apply and will do so if such an arrangement is beneficial to them. Licences are not considered on the basis of Marriage and Civil Partnership.	None	

10. If you have identified any negative impacts (above) how can they be minimised or removed?

(This is a key section: Please deal with each negative impact noted above in turn.)

- N/A

11. Could the policy discriminate⁷ against any 'protected characteristic', either directly or indirectly⁸?

⁷ The Council has a general duty to 'eliminate unlawful discrimination, harassment and victimisation'. Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their 'protected characteristic' whether on grounds of age, disability, pregnancy and maternity, ethnicity; religion or belief; sex (gender), sexual orientation, or marriage and civil partnership. Indirect discrimination occurs when an apparently neutral provision or practice would nevertheless disadvantage people on the grounds of their 'protected characteristic'.

(Please read the footnotes below before completing this section.)

No. Adoption of a policy that reduces the administrative input of processing annual agreements and invoices does not discriminate against any group either directly or indirectly but has the potential of improving the service to all by being more efficient.

⁸ If you answer 'yes' to question 11 (above) you will need to complete this section *and* go on to complete Section 2 in order to conduct a full Equality Impact Assessment.

Summary and findings of Initial Equality Impact Assessment

12. Please put a tick in the relevant box to confirm your findings, and what the next step is:

Findings	Action required
No negative impacts have been identified X	Sign off screening and finish.
Negative impacts have been identified but have been minimised or removed <input type="checkbox"/>	Sign off screening and finish.
Negative impacts could not be minimised or removed <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.
There is insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.

13. Name and job title of person completing this form:

- David Carter Parks and Recreation Officer

14. Date of completion:

- 10 February 2016

15. Date for update or review of this screening:

- Not applicable