

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: Business Rates Relief Policy 2020

Where published, please provide a link here – and remove this advice.

1. What is the main purpose of the policy?

The Councils Business Rates Relief Policy sets out how it will use legislative powers to award mandatory and discretionary business rate relief. A new policy has been drafted for 2020 which sets out the criteria for the various reliefs available.

2. What main areas or activities does it cover?

Awarding business rates relief provides a reduced bill for a person or business liable for the business rates of a particular hereditament. The Policy sets out the criteria for each type of relief available through legislation.

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

The policy is an update on previous versions with the following changes:

- The policy has been written to simplify the information provided, making the eligibility criteria more clear.
- Top-up discretionary relief has been amended to offer more local discretion as to the amounts awarded. Previously the policy stated either 10% or 20%. It now states 'up to 20%' with the amount to be determined by the decision maker.
- A new relief has been introduced for certified carbon neutral businesses with an RV under £50,000.
- The policy commits to proactively distributing temporary reliefs which are funded by central government, with an opt out clause.

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

Businesses in Colchester Borough.

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

The policy aims to maximise the relief distributed locally, whilst supporting the Council to collect rates to fund local services.

Reliefs are funded either by Central Government or through a split between Local Authority, Major Precepting Authorities and Central Government. The following principles apply:

Central Government – Relief funded 100% by Government will be distributed as widely as possible, therefore based on the minimum criteria set by government or within legislation.

Locally funded – Where the distribution of relief will impact on the Council and in some cases precepting authorities budgets, the criteria will be based on the benefit to the local community in relation to the impact on local services.

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

n/a

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

No

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

(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

¹Click on [Customer Insight](#) 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 staff intranet, 'Colin'.

²The 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.

(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’:

The policy helps us to ‘eliminate unlawful discrimination, harassment and victimisation’ in the following way(s):

- n/a

The policy helps us to ‘advance equality of opportunity...’ in the following way(s):

- The provision of discretionary top up relief will help to support local charitable organisations, in particular those with open membership or where they support the Councils Strategic Priorities.

The policy helps us to ‘foster good relations...’ in the following way(s):

- n/a

9. The Council has an important role in improving residents’ health under the Health and Social Care Act 2012. This relates to both its ‘core functions’ (such as housing, leisure, green spaces and environmental health) and to its ‘enabling roles’ (such as economic development, planning and engaging with communities)⁵. The Council recognises that its Public Sector Equality Duty and its role in improving health are interrelated and mutually supportive. This is especially true across the ‘protected characteristics’ of age and disability.

“Health inequalities are the unjust and avoidable differences in people’s health across the population. They come from the unequal distribution of income, wealth and power and influence the wider determinants of health such as work, education, social support and housing. Currently, in

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.

⁵ The King’s Fund: [The district council contribution to public health: a time of challenge and opportunity, 2015](#)

England people living in the least deprived areas will live around 20 years longer in good health than those in the most deprived areas. Reducing health inequalities means giving everyone the same opportunities to lead a healthy life, no matter where they live or who they are."

Where applicable, explain how this policy helps us to improve health/ reduce health inequalities for residents:

- Applications for Discretionary Top Up Relief will be viewed more favourably where:
 - Membership is open to and affordable to all sections of the local community, or encouraging membership from groups which have protected characteristics
 - Facilities are available to people other than members
 - Training or education is provided for members
 - An organisation that has a bar which is used mainly for bringing together people with similar interests rather than for profit
 - Where membership is mainly drawn from people resident in Colchester Borough.

- Relief funded 100% by Government will be distributed as widely as possible, therefore based on the minimum criteria set by government or within legislation.

10. This section helps us to identify any disproportionate equality 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
Age	Older people (60+)	n/a		n/a	
	Younger people (17-25) and children (0-16)	n/a		n/a	
Disability	Physical	Yes	The provision of top up relief for charitable organisations will help to support facilities and amenities for local people.		
	Sensory	Yes	As above		

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
	Learning	Yes	As above		
	Mental health issues	Yes	As above		
	Other – <i>specify</i>				
Ethnicity ⁶	White	Yes	As above		
	Black	Yes	As above		
	Chinese	Yes	As above		
	Mixed Ethnic Origin	Yes	As above		
	Gypsies/ Travellers	Yes	As above		
	Other – <i>please state</i>				
Language	English not first language	Yes	As above		
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	Yes	As above		
Religion or Belief	People with a religious belief (or none)	Yes	As above		
Sex	Men	Yes	As above		
	Women	Yes	As above		
Gender Reassignment ⁷	Transgender/ Transsexual	Yes	As above		
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian	Yes	As above		

⁶ 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).

⁷ 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.

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Marriage and Civil Partnership	People who are married or in a civil partnership	Yes	As above		

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

n/a

12. Could the policy discriminate⁸ against any 'protected characteristic', either directly or indirectly⁹? No

Summary and findings of Initial Equality Impact Assessment

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

Findings	Action required
A. No negative impacts have been identified <input type="checkbox"/>	Sign off screening and finish.

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

Sam Preston

15. Date of completion:

07/01/2020

16. Date for update or review of this screening¹⁰:

⁸ 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'.

⁹ If you answer 'yes' to question 11 (above) you will need to complete the following section *and* go on to complete Section 2 in order to conduct a full Equality Impact Assessment.

01/04/2021

If you have selected A or B (above), you have completed the assessment and can remove this paragraph and everything that appears below. In this case please:(a) send a copy to the relevant Head of Service and the Equality and Safeguarding Officer; (b) arrange for it to be published on the Council's website [here](#) (under the relevant service area heading); and (c) update the Corporate Spreadsheet by clicking [here](#) and selecting and updating the first document. If you have selected C or D (above), you must complete Section Two (below).

¹⁰ This is normally three years, but not always: You may know that the policy itself will be reviewed earlier in which case the EqIA should be reviewed at that time. Or, in the case of a five year strategy, you may want to have a review date of five years. In the case of a “one off” decision, such as closing a service, a review date may not be needed - in which case you should indicate ‘N/A’. In any event, the review date should be brought forward if you receive information or feedback which raises new concerns, or if the public policy context changes. You can speak to the [Equality and Safeguarding Co-ordinator](#) for more advice.

