

## 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:

LOCAL LAND 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 provide a statutory service for Local Land Charge searches

2. What main areas or activities does it cover?

To enable purchasers to be aware of any restrictions/prohibitions affecting the property/premises/land they are purchasing via their legal advisors

To aid mortgage companies to ensure the mortgageability of the property/premises/land

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

None

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

Solicitors/Conveyancers  
Search agencies  
Members of the Public

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

To enable the buying public to purchase property/premises/land with knowledge of relevant matters  
To provide clear and concise replies to standard questions received from main users of the Local Land Charges service

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

- Planning Services, Building Control, Environmental Health, Essex Highways, Essex County Common Land Register

7. Are you aware of any relevant information, data, surveys or consultations<sup>1</sup> which help us to assess the likely or actual impact of the policy upon customers or staff?

Satisfaction survey carried out by SnapSurveys

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'<sup>2</sup> and those who do not?<sup>3</sup>
- (c) foster good relations between people who share a protected characteristic and those who do not?<sup>4</sup>

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':*

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<sup>1</sup>Click 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.

<sup>2</sup> 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.

<sup>3</sup> 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.

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

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

Open telephone and email access

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

The Local Land Charges process is a statutory procedure open and equal to all

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

Helping new and existing residents of Colchester Borough to move in a positive and stress free way

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
Age	Older people (60+)	x	Customers can choose from a variety of different ways to access services and communicate with Council staff such as via the website, telephone or text. This benefits all groups.		None identified
	Younger people (17-25) and children (0-16)	x	As above		None identified
Disability	Physical	x	As above		None identified
	Sensory	x	As above	X	This group could potentially be disadvantaged by the policy – see further below.

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
	Learning	x	As above	X	This group could potentially be disadvantaged by the policy – see further below.
	Mental health issues	X	As above	X	This group could potentially be disadvantaged by the policy – see further below.
	Other – <i>specify</i>				
Ethnicity <sup>5</sup>	White	X	As above		None identified
	Black	X	As above		None identified
	Chinese	X	As above		None identified
	Mixed Ethnic Origin	X	As above		None identified
	Gypsies/ Travellers	X	As above		None identified
	Other – <i>please state</i>				
Language	English not first language			X	People whose first language is not English could potentially be disadvantaged by the policy – see further below.
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	X	As above		None identified
Religion or Belief	People with a religious belief (or none)	X	As above		None identified
Sex	Men	X	As above		None identified
	Women	X	As above		None identified
Gender Reassignment <sup>6</sup>	Transgender/ Transsexual	X	As above		None identified

<sup>5</sup> 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
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian	X	As above		None identified
Marriage and Civil Partnership	People who are married or in a civil partnership	x	As above		None identified

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.)*

Disability - Sensory – Customers with a visual impairment can use Browse Aloud via the Council website. Customers with a hearing impairment may be supported by a BSL interpreter.

Disability – Learning – Customers may use an advocate to assist in face to face meetings with Council staff.

Disability - Mental Health Disabilities - Customers can use an advocate to assist in face to face meetings with Council staff.

People whose first language is not English – Customers can be assisted through translation services. Text can be instantly translated by customers via Google Translate and telephone or face to face translation services can be used by staff where appropriate.

11. Could the policy discriminate<sup>7</sup> against any 'protected characteristic', either directly or indirectly<sup>8</sup>?

<sup>6</sup> 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.

<sup>7</sup> 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'.

<sup>8</sup> 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.

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

No – Appropriate measures are in place in order to minimise identified potential negative impacts.

## 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 <input type="checkbox"/>	Sign off screening and finish.
Negative impacts have been identified but have been minimised or removed x	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:

Elaine Bruce – Local Land Charges Manager

14. Date of completion:

25 April 2014

15. Date for update or review of this screening:

April 2017

Review – 9 January 2020 Completed by

Sarah Quy