

## Colchester Borough Council

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

#### Section 1: Initial Equality Impact Assessment

Name of policy/decision to be assessed: **Scheme of fees and charges associated with non statutory private sector housing work**

1. *What is the main purpose of the service?*

To allow capacity and resource to undertake discretionary work i.e. non-statutory services

To extend services offered to landlords, improving the standard, quality and supply of accommodation within the Borough, thereby reducing the need for enforcement action in certain circumstance by assisting landlords to be compliant.

To assist landlords when submitting HMO Licence applications by preparing floor plans.

To provide a property inspection and report service in connection with immigration requirements.

2. *What main areas or activities does this service cover?*

To assist landlords/property developers when creating new HMOs or other forms of rental accommodation to be compliant with their legal obligations.

To assist landlords when submitting HMO Licence applications by preparing floor plans.

To provide a property inspection and report service in connection with immigration requirements.

This includes:

Initial contact and telephone advice/signposting to website and other forms of advice

Property inspections

Risk assessment of properties

Preparation of property floor plans using Visio Pro as appropriate

Responding appropriately to the conditions found including the preparation of Schedules of Work required to achieve compliance with legal standards

Written confirmation of requirements and outcome

Follow up action as necessary

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

N/A

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

Customers including:

Residents within the Borough – owner occupiers and tenants

Residential property landlords, managing agents and other property professionals.

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

Improved standard of living accommodation across tenure

Improved health and safety of residents

Increased capacity to deliver quality services in a timely manner via some of these discretionary services

Self-supporting finance to offset other costs

Increased capacity to undertake statutory functions

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

No

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

No. We have not undertaken a consultation on these services, however, they have been introduced due to demand for the service. We do not currently undertake customer feedback surveys that cover this work.

The corporate Customer Satisfaction/Complaints Process applies

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>1</sup> and those who do not?

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<sup>1</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.

(c) foster good relations between people who share a protected characteristic and those who do not?

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”*

*This Policy helps us to “eliminate unlawful discrimination, harassment and victimisation” in the following way:*

The charges and associated processes and procedures apply equally to all users This helps to protect all residents who will all be members of a protected characteristic.

*The Policy helps us to “advance equality of opportunity” in the following way(s):*

Inspections for immigration purposes have a positive impact by facilitating the safe and legal passage of individuals and families to the UK. The inspections ensure that the new residents live in safe and non-overcrowded accommodation

*The Policy helps us to “foster good relations” in the following way(s):*

The fees/charges and associated procedures apply equally to all users. The fees charged by Colchester Borough Council for these services are reviewed annually. These compare fairly with those charged by other Local Authorities where similar services are provided and compare favourably with the fees/charges made by alternative suppliers providing similar services in the private sector.

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”:

'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)	X	Improved standards of HMOs through offering the advisory service and assistance in applying for HMO licence applications by preparation of floor plans is more likely to benefit young people who may live in student HMOs or for whom shared HMO accommodation is the only affordable option. Often it is the first time young people have lived away from home on their own, and multiply occupied properties often present a more significant risk than other forms of accommodation.	N/A	

'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	N/A		N/A	
	Sensory	N/A		X	Visually impaired customers may find it more difficult to access our services on line
	Learning	N/A		X	Those with learning difficulties may not be aware that our services are available or know how to access them and may struggle to communicate

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
	Mental health issues	N/A		X	Those with mental health challenges may not be aware that our services are available or know how to access them and may struggle to communicate
	Other – <i>please specify</i>				
Ethnicity <sup>2</sup>	White	N/A		N/A	
	Black	N/A		N/A	
	Chinese	N/A		N/A	
	Mixed Ethnic Origin	N/A		N/A	
	Gypsies/ Travellers	N/A		N/A	
	Other – <i>All non EU Nationals</i>	X		The service to provide an inspection and report service prior to immigration is for those persons with non EU nationality, most frequently Indian, Pakistani or Bangladeshi citizens. This assists them in obtaining acceptance for immigration into the UK	N/A

<sup>2</sup> 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
Language	English not first language	N/A		X	<p>May affect communication with the Council</p> <p>Customers accessing the service to request an immigration inspection are likely not to have English as a first language.</p> <p>A landlord requesting our advice service/floor plan drawing service may not have English as a first language.</p> <p>We will arrange for an interpreter if required.</p>
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	N/A		N/A	
Religion or Belief	People with a religious belief (or none) <sup>3</sup>	N/A		N/A	
Sex	Men	N/A		N/A	
	Women	N/A		N/A	

<sup>3</sup> For example, Buddhist, Christian, Hindu, Jewish, Muslim, Sikh or no religious belief.



'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
	Transsexual / gender reassignment	N/A		N/A	
Sexual Orientation	Bisexual, heterosexual, Lesbian or Gay	N/A		N/A	
Marriage and Civil Partnership <sup>4</sup>	People who are single, married or in a civil partnership	N/A		N/A	

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<sup>4</sup> Our legal duty in respect of 'marriage or civil partnership' extends only to the need to eliminate unlawful discrimination.

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

**Sensory**

Visually impaired or those with hearing difficulties may find it more difficult to access our services on line. A textphone service is available for hearing impaired customers.

**Learning**

Those with learning difficulties may not be aware that our services are available or know how to access them and may struggle to communicate

We have, and continue to, engage with a number of services that support people within this characteristic, so they are able to signpost or refer their clients to us.

**Mental health issues**

Those with mental health challenges may not be aware that our services are available or know how to access them and may struggle to communicate

We have, and continue to, engage with a number of services that support people within this characteristic, so they are able to signpost or refer their clients to us.

**English not first language**

This may affect communication with the Council. When a landlord who wants our services or a person requesting an inspection for immigration purposes doesn't have English as a first language, they may not fully understand our role and our requirements. We will arrange for an interpreter over the phone if required (Language Line) and can arrange for letters and documents to be translated if required.

11. Could the policy discriminate<sup>5</sup> against any 'protected characteristic', either directly or indirectly?

No

**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:

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

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

Rory Doyle  
Environmental Health Service Manager  
Version 1 Dated 4 July 2014

Revised Version/reformatting completed by:

Anna Watson  
Private Sector Housing Manager  
Version 2 Dated 26 March 2020

13. Date of last review March 2020 by Anna Watson

14. Date for next review March 2022