

Colchester Borough Council

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

Section 1: Initial Equality Impact Assessment

- Rent Setting and Service Charge Policy

1. What is the main purpose of the policy?

To set out the principles in relation to annual Rent setting and Service Charge setting that ensures that:

- Rents and charges remain affordable in the long-term.
- Social tenants are protected from excessive increases in rents.
- Ensures rents take account of local conditions.
- Provides long-term certainty and stability to social tenants, social landlords and their funders.
- Enables cost recovery and future investment in housing stock.

2. What main areas or activities does it cover?

The principles used in calculating and application of;

- Rent charges – according to current legislation and government policy
- Housing related support charges
- Rental based Utility charges
- Service Charges
- General need properties rent charges

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

- Inclusion of rent charges not governed by the MHCLG Policy statement on rents for social housing

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

- Tenants and Leaseholders

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

- Ensuring rent and service charges are set in a consistent manner and cover the cost of management and service delivery, whilst also taking into account the future investment needs, is an essential element of the Housing Investment Programme.
- The housing stock represents Colchester's highest value asset and its repair and maintenance its largest liability. The property owned is worth many millions of pounds, either as capital assets or as revenue generating assets therefore planning for its sustainable future is important.

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

- Colchester Borough Homes

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.*

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
- (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':

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'.

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.

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

- The policy does not specifically help us to meet the duty.

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

- The policy does not specifically help us to meet the duty.

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

- The policy does not specifically help us to meet the duty.

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 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:

- Ensuring rents are set according to legislation and government policy to enable the council to provide well managed and maintained social housing for its tenants and leaseholders which in turn helps the council to improve and reduce health inequalities for tenants and leaseholders.

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’.

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

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+)	✓	This group will particularly benefit from ongoing improvements to housing stock, providing housing that meets their needs.	✓	Those on low income
	Younger people (17-25) and children (0-16)	✓	As above	✓	Those on low income
Disability	Physical	✓	As above	✓	Those on low income
	Sensory	✓	As above	✓	Those on low income
	Learning	✓	As above	✓	Those on low income
	Mental health issues	✓	As above	✓	Those on low income
	Other – <i>specify</i>				
Ethnicity ⁶	White			✓	Those on low income
	Black			✓	Those on low income
	Chinese			✓	Those on low income
	Mixed Ethnic Origin			✓	Those on low income
	Gypsies/ Travellers			✓	Those on low income
	Other – <i>please state</i>				
Language	English not first language			✓	Those on low income
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks			✓	Those on low income
Religion or Belief	People with a religious belief (or none)			✓	Those on low income

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).

'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			✓	Those on low income
	Women			✓	Those on low income
Gender Reassignment ⁷	Transgender/ Transsexual			✓	Those on low income
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian			✓	Those on low income
Marriage and Civil Partnership	People who are married or in a civil partnership			✓	Those on low income

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

- Processes are in place to ensure early monitoring and intervention in cases of rent, service charge and leasehold service charge arrears. Colchester Borough Homes Tenancy Services is pro-active in ensuring appropriate support is in place to help tenants sustain tenancies. This takes into account specific needs associated with the 'protected characteristics'.
- The Housing Options and Advice service provides advice and assistance in relation to a range of housing issues including arrears, affordability and financial management.
- The Council seeks to ensure that all eligible residents receive the welfare benefits they are entitled to in order to maximise income. This particularly benefits vulnerable groups and helps to minimise negative impacts generally, and specifically in relation to the protected characteristics: older people, younger people; disability, pregnancy and maternity. Colchester Borough Homes Tenancy services officers are trained to provide basic advice on maximising income, and the dedicated Financial Inclusion and Welfare Rights Team provide specialist support and advice.

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.

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.
B. Negative impacts have been identified but have been minimised or removed ✓	Sign off screening and finish.
C. Negative impacts could not be minimised or removed <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.
D. There is insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.

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

- Suzanne Norton – Housing Client Co-ordinator
- Suzanne Norton – Housing Client Co-ordinator
- Daniella Woraker _ Housing Systems Business Partner

15. Date of completion:

- September 2021

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.

- November 2019
- 10/10/2017

16. Date for update or review of this screening¹⁰:

- Upon change or revision of policy or September 2024
- Upon change or revision of policy or November 2022
- Upon change or revision of policy or October 2020

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.