

## Equality Impact Assessment

<b>Service Area</b>	Housing Services – Private Sector Housing
<b>Policy/Service being assessed</b>	Civil penalties
<b>Is this is a new or existing policy/service?</b> <b>If existing policy/service please state date of last assessment</b>	It is a new policy. Civil penalties were introduced by the Housing and Planning Act 2016 N/A
<b>EIA Review team – List of members</b>	Ken Bruno Mark Lingard Paul Hughes
<b>Date of this assessment</b>	16 October 2017
<b>Signature of completing officer (to be signed after the EIA has been completed)</b>	Mark Lingard
<b>Name and signature of Head of Service (to be signed after the EIA has been completed)</b>	Lisa Barker

**A copy of this Equality Impact Assessment Report including relevant data and information should be saved in the Equality and Diversity Folder on the shared drive.**

**Form A1**

INITIAL SCREENING FOR STRATEGIES/POLICIES/FUNCTIONS FOR EQUALITIES RELEVANCE TO ELIMINATE DISCRIMINATION AND PROMOTE EQUALITY



High relevance/priority



Medium relevance/priority



Low or no relevance/ priority

**Note:**

1. Tick coloured boxes appropriately, and depending on degree of relevance to each of the equality strands
2. Summaries of the legislation/guidance should be used to assist this screening process

DEPARTMENT:	Relevance/Risk to Equalities																							
State the Function/Policy /Service/Strategy being assessed:	Gender			Race			Disability			Sexual Orientation			Religion/Belief			Age			Socio-economic			Priority status For EIA		
Civil penalties	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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**Form A2**

**Equality Impact Assessment**  
**Please Explain**

**Stage 1 – Scoping and Defining**

(1) What are the aims and objectives of policy/service?

The Housing and Planning Act 2016 has introduced civil penalties to provide local authorities with another option to help improve housing standards in the private rented sector. The responsibility has been given to local authorities to determine the scale of the civil penalties up to a maximum of £30,000, as an alternative to a prosecution in the Magistrates Court.

Warwick District Council’s Private Sector Housing Team have been liaising with colleagues in the West Midlands region and within Warwickshire to agree a consistent framework for the introduction of these civil penalties.

(2) How does the policy/service fit with the council’s wider objectives?

The proposed civil penalties policy links in with the People strand of Fit for the Future and its intended outcomes of improved health and housing needs for all being met.

Improving housing standards in residents’ homes directly and positive contributes to the Housing and Health and Wellbeing priorities within the Council’s Sustainable Community Strategy.

(3) What are the expected outcomes of the policy/service?

Who is intended to benefit from the policy/service and in what way?

It is generally accepted that the quality of some of the housing in the private rented sector can be lower than in other tenures. The government is in the process of giving more powers to local authorities to tackle rogue landlords and raise housing standards.

Civil penalties are also intended to help vulnerable occupants of private sector properties. Additional penalties are imposed where the offence affects a vulnerable person.

<b>Hazard</b>	<b>Vulnerable age group (age of occupant)</b>
Damp and mould growth	14 and under
Excess Cold	65 or over
Excess Heat	65 or over
Carbon Monoxide	65 or over
Lead	under 3 years
Personal Hygiene, Sanitation and Drainage	under 5 years
Falls associated with baths etc.	60 or over
Falling on level surfaces etc.	60 or over
Falling on stairs etc.	60 or over
falling between levels	under 5 years
Electrical hazards	under 5 years
Fire	60 or over
Flames, hot surfaces etc.	under 5 years
Collision and entrapment	under 5 years
Collision and entrapment - low headroom	16 or over
Position and operability of amenities etc.	60 or over

<p>(4) Does this policy/service have the potential to directly or indirectly discriminate against any particular group?</p> <p>Please identify all groups that are affected and briefly explain why</p>	RACE NO	AGE NO	GENDER NO
	RELIGION/BELIEF NO	DISABILITY NO	SEXUAL ORIENTATION NO
Other – please specify			
(5) Are there any obvious barriers to accessing the service?	There needs to be the criminal standard of proof, beyond reasonable doubt, that an offence has occurred to be able to use civil penalties.		
(6) How does the policy/service contribute to promotion of equality?	It helps towards the objective of housing needs for all being met.		
(7) Does the policy/service have the potential to promote good relations between groups?	N/A		
<b><u>Stage 2 - Information Gathering</u></b>			
(1) What type and range of evidence or information have you used to help you make a judgement about the policy or service?	Discussions with the West Midlands Enforcement Group and all the District and Borough Council's in Warwickshire		
(2) What consultation/ information has been used? What new consultation, if any, do you need to undertake?	Presentation given to the Landlords Forum on 13 September 2017		

**Stage 3 – Making a Judgement**

(1) From your data and consultations is there any adverse or negative impact identified for any particular group?

No adverse or negative impact has been identified for any particular group as a result of proposed policy.

Is there any evidence of needs not being met?  
e.g. language or physical access barriers;  
lack of appropriate resources or facilities

It is generally accepted that the quality of some of the housing in the private rented sector can be lower than in other tenures.

(2) If there is an adverse impact, can this be justified?

N/A

(3) What actions are going to be taken to reduce or eliminate negative or adverse impact?	N/A																				
(4) Is there any positive impact? Does it promote equality of opportunity between different groups and actively address discrimination?	Civil penalties will be applied consistently across the West Midlands region and Warwickshire and there are increased penalties to help protect vulnerable occupiers.																				
<b><u>Stage 4 – Action Planning, Review &amp; Monitoring</u></b>																					
<p>If No Further Action is required then go to – Review &amp; Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements which can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>EIA Action Plan</p> <table border="1" data-bbox="779 730 2042 954"> <thead> <tr> <th>Action</th> <th>Lead Officer</th> <th>Date for completion</th> <th>Resource requirements</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Action	Lead Officer	Date for completion	Resource requirements	Comments															
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(2) Review and Monitoring State how and when you will monitor policy and EIA Action Plan	The operation of the Civil Penalties Policy will be reviewed after 12 months. If any equalities issues have arisen these will be addressed during that review.																				

A copy of this EIA has been filed to the Council's L drive - **L:/Equalities & Diversity/EIA/2010/Housing Financial Assistance**

The Equality Impact Assessment on this policy was undertaken on 16 October 2017 and it will be reviewed on 16 October 2020.