

Full Equality Impact Analysis



Title of review	PROPOSED ADOPTION OF A HOUSING REGENERATION ENFORCEMENT POLICY AND GUIDANCE DOCUMENT
Service	Housing Regeneration
Date of review	29 May 2014
Date of next review	N/A
Lead officer, Job Title and Service	Richard Hopkins, Housing Regeneration Team Leader, Housing Regeneration
Review team	Richard Hopkins; Tanya Wenham, Head of Housing Services
Scope of the analysis	<p>Thanet District Council is a Local Housing Authority (“LHA”). As such, it has a statutory duty to ensure that all private sector homes in the Thanet area are maintained in a safe condition. The council’s Housing Regeneration Team is responsible for delivering this statutory function.</p> <p>Safety in the home environment is of utmost importance. Everyone has the right to live in a home which does not have a detrimental effect on their health, safety or well-being. To this end, the council uses a wide range of statutory powers to ensure that those responsible for residential premises take the actions needed to prevent harm from occurring.</p> <p>For fairness and transparency, it is important that the council is open about how it conducts itself by publishing an enforcement policy with associated guidance. This is a requirement of the Enforcement Concordat (a voluntary code, which around 96% of central and local government enforcement bodies have adopted) and the Regulators’ Code (which provides statutory guidance for certain regulators).</p> <p>The council’s existing Private Sector Housing Enforcement Policy, which was last updated in 2009, is now largely out-of-date. Since 2010, the Housing Regeneration Team has endeavoured to innovate, make efficiencies, and improve the overall service to customers. Consequently, the amount of enforcement action taken by the council has increased significantly. As such, a new Enforcement Policy and Guidance document has been drafted to reflect service evolution.</p> <p>The purpose of this review is to consider the equality implications of the enforcement policies contained within the draft document.</p>
Beneficiaries	<p>The vast majority of residents in Thanet live in private sector housing, with over a quarter living in privately rented property. The services provided by the Housing Regeneration Team are available to all 55,917 households living in private sector homes.</p> <p>All Protected Characteristics will be represented within the beneficiaries.</p>

Stakeholders	<p>Stakeholders include:</p> <ul style="list-style-type: none"> • Residents; • Owners/landlords of private residential premises; • Letting/managing agents; • Registered Social Landlords (Housing Associations); • Council Members; • Council staff; • Public services, such as the Police, Kent County Council, NHS, and the Kent Fire & Rescue Service; • Community and voluntary organisations.
Relevant data and research	N/A
Access complaints	None recorded.
Consultation	<p>The draft document was subject to a four-week informal consultation. Copies of the document were circulated electronically to interested parties, including:</p> <ul style="list-style-type: none"> • All councillors; • Senior Management Team; • Managers and officers in related services within the council; • Thanet Landlords' Focus Group; (A council facilitated democratically elected group of 15 landlords and agents who meet with the council on a regular basis. The group, which has been running since 2008, acts as a consultative body representing landlords and agents working in Thanet.) <p>In addition, a presentation to council managers at the Managers' Forum held on 27 March 2014 explained the nature and scope of the consultation.</p>
Results of consultation	The consultation did not highlight any concerns relating to the Protected Characteristics or the aims of the Public Sector Equality Duty.
<p>Relevance to the Duty:</p> <p>Do your proposals contribute towards or impact on any of the aims of the duty?</p>	
<p>1. Eliminate unlawful discrimination – harassment, victimisation and any other conduct prohibited by the Act;</p> <p>The proposed Enforcement Policy and Guidance document shall be equally and fairly applied to everyone. No potential for unlawful discrimination has been identified.</p>	
<p>2. Advance equality of opportunity – between people who share a protected characteristic and people who do not share it by;</p> <ul style="list-style-type: none"> • removing or minimising disadvantages suffered by people due to their protected characteristics; • meeting the needs of people with protected characteristics; and • encouraging people with protected characteristics to participate in public life or in other 	

activities where their participation is low.

Persons from vulnerable groups can sometimes have limited housing choices. In particular, families with young children, older persons and those with a disability can find themselves in poor quality rented accommodation. The work carried out by the Housing Regeneration Team often involves safeguarding the health, safety and welfare of these Protected Characteristics (Age and Disability). Therefore, effective enforcement action in relevant circumstances can help to minimise disadvantage and contribute to the needs of some of the Protected Characteristics.

3. Foster good relations – between people who share a protected characteristic and people who do not share it, by; tackling prejudice and promoting understanding between people with a protected characteristic and others.

Having regard to this aim, the proposed Enforcement Policy and Guidance document has a neutral impact.

Equality impacts raised or identified:

The proposed Enforcement Policy and Guidance document shall be equally and fairly applied to everyone. As such, no adverse equality impacts have been identified. However, certain beneficial impacts have been identified in respect of some of the Protected Characteristics. These are shown in the table below.

Protected Characteristic	Commentary	
Age	Impact	Yes. Poor housing conditions can negatively affect the health, safety and well-being of all residents, irrespective of age. However, certain housing deficiencies can have a more serious and harmful impact on individuals of particular ages. For example, older persons will suffer more in cold homes, and young children are more at risk from damp and mould. Susceptibility to ill-health, as a consequence of age, is taken into account when determining the level of risk and the remedial action required.
	Mitigation	Not required, as the impact is positive.
Gender	Impact	No. The means of assessing private sector housing conditions does not take gender into account.
	Mitigation	Not required as no impact has been identified, negative or positive.
Race	Impact	Yes. While race is not a consideration when considering housing enforcement, there may be language barriers for some residents in need of council assistance.
	Mitigation	In general terms, experience has shown that non-English speakers tend to form support networks amongst friends and family and that when interaction with the Housing Regeneration Team is necessary, someone will be available to translate during housing visits. However, when this is not the case, the council will endeavour to arrange for an interpreter to be present during

		<p>inspections.</p> <p>Where owing to local circumstances it is appropriate, information can be provided in alternative languages. For example, when engaging in the proactive Your Home Your Health initiative in the Cliftonville area, certain groups were identified and letters were provided to households in an alternative language.</p> <p>Council publications, including those published by Housing Regeneration Team, can be provided in different languages.</p>
Disability	Impact	<p>Yes.</p> <p>While the prescribed means of assessing housing conditions does not permit disability to be taken into account, the course of action taken after risk assessment may be influenced by the disability of any resident. Therefore, the council may determine that intervention is appropriate to ensure the safety of a person with a disability. However, while the council will intervene wherever possible to safeguard this Protected Characteristic, it has no power to enforce specific disabled adaptations in residential dwellings.</p> <p>Persons with a visual impairment may find it difficult to access the guidance published by the Housing Regeneration Team.</p> <p>A person with a mental health condition may not initially want the assistance of the Housing Regeneration Team, despite living in the most appalling housing conditions which could result in their death or serious injury.</p>
	Mitigation	<p>Not generally required, as the impact is mostly positive.</p> <p>However, in line with corporate mitigation measures, the document and other associated guidance can be made available in Braille, audio or large print.</p> <p>Furthermore, any resident with a mental health condition who refuses assistance in the first instance, may be subject to multi-agency intervention (e.g. KCC Social Services/NHS Mental Health Service) initiated by the Housing Regeneration Team if it is absolutely clear that taking no action may result in that person being at imminent risk of death or serious injury. As such, no person with a mental health condition will be excluded from accessing the service owing to their condition. Any such intervention is always taken in a sensitive manner under the guidance of the appropriate social and health care services.</p>
Religion or belief	Impact	<p>No.</p> <p>A person's religion or belief has no bearing on the actions taken by the Housing Regeneration Team.</p>
	Mitigation	<p>Not required as no adverse impact has been identified; however, any intervention will, where possible, be sensitive to any religious festival.</p>
Gender reassignment	Impact	<p>No.</p> <p>The means of assessing private sector housing conditions does</p>

		not take gender reassignment into account.
	Mitigation	Not required as no impact has been identified, negative or positive.
Sexual Orientation	Impact	No. The means of assessing private sector housing conditions does not take sexual orientation into account.
	Mitigation	Not required as no impact has been identified, negative or positive.
Marriage & Civil Partnership (Aim 1 only)	Impact	No. The means of assessing private sector housing conditions does not take marriage or civil partnership into account.
	Mitigation	Not required as no impact has been identified, negative or positive.
Pregnancy & Maternity (Aim 1 only)	Impact	No. The means of assessing private sector housing conditions does not take pregnancy and maternity into account.
	Mitigation	Not required as no adverse impacts have been identified. However, the council may determine that intervention is more appropriate in certain situations owing to the pregnancy of an existing resident.
<p>Overall conclusions and options to be put before decision maker (if contributing towards a report) or to take forward to develop your service (if reviewing a service)</p> <p>The Housing Regeneration Team participates in a range of interventions aimed at improving the health, safety and well-being of people living in the private sector. The proposed Enforcement Policy and Guidance document sets out how the team does this. Applicable to all residents in the private sector, the service is open to all on an equal and fair basis. As such, no adverse impacts associated with the Protected Characteristics or the aims of the Public Sector Equality Duty have been identified during this Equality Impact Assessment.</p> <p>However, it is clear that there are positive impacts in respect of some of the Protected Characteristics, notably Age and Disability. Therefore, the adoption of a new Enforcement Policy and Guidance document for Housing Regeneration will contribute to the aims of the Public Sector Equality Duty.</p>		
Actions arising from analysis:		
Action	Responsible Officer	Deadline
None.		

Acceptance

Name and signature of assessing officer and date of assessment.

Name: Richard Hopkins

Position: Housing Regeneration Team Leader

Signed: 

Date: 29 May 2014