

Equality Analysis Form

1. Introduction

1.1 Purpose of Equality Analysis

The council has an important role in creating a fair society through the services we provide, the people we employ and the money we spend. Equality is integral to everything the council does. We are committed to making Croydon a stronger, fairer borough where no community or individual is held back.

Undertaking an Equality Analysis helps to determine whether a proposed change will have a positive, negative, or no impact on groups that share a protected characteristic. Conclusions drawn from Equality Analyses helps us to better understand the needs of all our communities, enable us to target services and budgets more effectively and also helps us to comply with the Equality Act 2010.

An equality analysis must be completed as early as possible during the planning stages of any proposed change to ensure information gained from the process is incorporated in any decisions made.

In practice, the term '**proposed change**' broadly covers the following:-

- Policies, strategies and plans;
- Projects and programmes;
- Commissioning (including re-commissioning and de-commissioning);
- Service review;
- Budget allocation/analysis;
- Staff restructures (including outsourcing);
- Business transformation programmes;
- Organisational change programmes;
- Processes (for example thresholds, eligibility, entitlements, and access criteria).

2. Proposed change

Directorate	Place
Title of proposed change	Renewal of Selective Licensing Scheme for Croydon
Name of Officer carrying out Equality Analysis	Martin Davies (Senior Environmental Health Officer)

2.1 Purpose of proposed change (see 1.1 above for examples of proposed changes)

Briefly summarise the proposed change and why it is being considered/anticipated outcomes. What is meant to achieve and how is it seeking to achieve this? Please also state if it is an amendment to an existing arrangement or a new proposal.

The renewal of the current Selective Licensing Scheme which commenced in October 2015 for a fixed term of 5 years is an important protection for vulnerable tenants in that it improves living and environmental conditions, provides enhanced protection against retaliatory eviction, signposting to other services, and joint working with other enforcement agencies to deal with crime and anti-social behaviour.

3. Impact of the proposed change

Important Note: It is necessary to determine how each of the protected groups could be impacted by the proposed change. Who benefits and how (and who, therefore doesn't and why?) Summarise any positive impacts or benefits, any negative impacts and any neutral impacts and the evidence you have taken into account to reach this conclusion. Be aware that there may be positive, negative and neutral impacts within each characteristic.

Where an impact is unknown, state so. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments <http://www.croydonobservatory.org/> Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

3.1 Deciding whether the potential impact is positive or negative

Table 1 – Positive/Negative impact

For each protected characteristic group show whether the impact of the proposed change on service users and/or staff is positive or negative by briefly outlining the nature of the impact in the appropriate column. . If it is decided that analysis is not relevant to some groups, this should be recorded and explained. In all circumstances you should list the source of the evidence used to make this judgement where possible.

Protected characteristic group(s)	Positive impact	Negative impact	Source of evidence
Age	Relevant to all groups in that protection from unlawful discrimination is built into the fit and proper person test for a licence application and in the selective licensing conditions and licensing assessment. It provides important protection for vulnerable tenants in that it improves living, environmental conditions and identifies safeguarding/ trafficking. Inspections proactive and	An assessment of the current scheme has given us the understanding that there is no reason to believe that groups that share protected characteristics will be at any greater risk than the rest of the population	Experience of current scheme allows assessment of future scheme. Impact is built into scheme objectives, operations and policy to ensure no groups will be at greater risk. Inspectors will talk to tenants about welfare, health and ASB and data at each inspection collated.
Disability			
Gender			
Gender Reassignment			
Marriage or Civil Partnership			
Religion or belief			
Race			
Sexual Orientation			

Pregnancy or Maternity	prioritized to deal with property condition so no complaint needed. Tenants signposted post inspection on welfare grounds.		Actual impact to be reviewed annually as part of monitoring.
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Important note: You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.

When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics. **Please use table 4 to record actions that will be taken to remove or minimise any potential negative impact**

3.2 Additional information needed to determine impact of proposed change

Table 2 – Additional information needed to determine impact of proposed change

If you need to undertake further research and data gathering to help determine the likely impact of the proposed change, outline the information needed in this table. Please use the table below to describe any consultation with stakeholders and summarise how it has influenced the proposed change. Please attach evidence or provide link to appropriate data or reports:

Additional information needed and or Consultation Findings	Information source	Date for completion
<p>A consultation exercise ran for 12 weeks from the 16th December 2019 until the 9th March 2020. Over 2,000 people responded and the results have been collated. The consultation was run by a company called Opinion research Services on behalf of the council. A specific and detailed equality analysis was not undertaken as part of the consultation, a deliberate decision which was discussed at the planning stage. In part, this is because it is not included in the Government guidance on Selective Licensing and consultation and is not typically done so in previous PRS consultation. The second reason is that best practice in market and social research is only to collect personal data defined under GDPR as special category data if absolutely necessary.</p> <p>For landlords, their involvement in renting out properties far outweighs any other characteristics, and we focus on the vital details (numbers and types of properties in particular). For residents, the equalities and other socio-demographic characteristics which are most cogent are those listed here: area of residence, Age, Ethnicity, Gender, Deprivation (via postcode analysis), Employment status and Tenure</p> <p>As well as being used to analyse the questionnaire responses, the equalities data that we do collect are used to identify any “gaps” in terms of particular sub-groups.</p>	<p>Appendix 1: Consultation Report (April 2020). Appendix 2: Council response to representations which allows consideration of feedback indicating possibility of impact of scheme.</p>	<p>The assessment of the contributions was completed as the process happened to ensure additional work to promote the exercise with under-represented groups.</p>

<p>When promoting the consultation, and the questionnaire in particular, the council made a considerable effort to use different methods in a wide variety of locations and channels to engage with the public and landlords – including promoting the consultation via GPs surgeries and pharmacies, public libraries, mosques and other public locations. The consultation did ask groups representing vulnerable people to take part including Crisis, CAYSH, Citizens Advice and social landlords.</p> <p>When arranging meetings and focus groups, we ensure that all locations had suitable access for people with mobility or other issues; when recruiting for the focus groups, we ask those people who choose to attend if they have any particular needs in terms of accessing the venue and offer a payment to cover travel or childminding expenses, among other, to ensure that people are not excluded on the basis of costs incurred. While it is not appropriate to report on individuals, there were a number of attendees to both the focus groups and landlords meetings who needed some additional support to, for example, hear and read the information presented or access the buildings, and ORS feel confident that nobody was excluded and that the focus groups – while small – had a good cross section of all key equalities and demographic groups.</p>		
<p>The consultation involved 4 Council training sessions where the proposals were discussed and opportunities for a negative impact could be raised.</p>		
<p>The consultation exercise resulted in the following comments and actions:</p> <ol style="list-style-type: none"> 1. The council proposed a fee of £50 to support landlords with completing the on-line application form. Feedback suggested that it was the older, more vulnerable landlords that would use this service and that it could be a barrier to achieving compliance. The fee has been removed. 2. The consultation feedback said that many compliant landlords would find it hard to understand the technical nature of the conditions. The council has agreed to help with producing pro-formas and guidance. 3. The consultation said that with the proposed changes to the s21 eviction powers some tenants will be evicted and not have a reference to find a new property. The council is proposing employing a landlord/ tenant advice person to support landlord with ASB issues or tenancy issues so that help can be provided at first. Landlords have said they need support with ASB. 4. The feedback has said that mandatory condition requiring a reference / right to rent checks may exclude a large number of tenants. The council has agreed to provide a sample Croydon reference, advice to tenants as part of a welcome pack and to monitor these concerns. 		<p>These are matters that have been effected or will be monitored as part of a new scheme.</p>

For guidance and support with consultation and engagement visit <https://intranet.croydon.gov.uk/working-croydon/communications/consultation-and-engagement/starting-engagement-or-consultation>

3.3 Impact scores

Example

If we are going to reduce parking provision in a particular location, officers will need to assess the equality impact as follows;

1. Determine the Likelihood of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the likelihood of impact score is 2 (likely to impact)
2. Determine the Severity of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the Severity of impact score is also 2 (likely to impact)
3. Calculate the equality impact score using table 4 below and the formula **Likelihood x Severity** and record it in table 5, for the purpose of this example - **Likelihood (2) x Severity (2) = 4**

Table 4 – Equality Impact Score

Severity of Impact	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	Likelihood of Impact			

Key

Risk Index	Risk Magnitude
6 – 9	High
3 – 5	Medium
1 – 3	Low

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Table 3 – Impact scores

<p>Column 1</p> <p>PROTECTED GROUP</p>	<p>Column 2</p> <p>LIKELIHOOD OF IMPACT SCORE</p> <p>Use the key below to score the likelihood of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>Column 3</p> <p>SEVERITY OF IMPACT SCORE</p> <p>Use the key below to score the severity of impact of the proposed change on each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>Column 4</p> <p>EQUALITY IMPACT SCORE</p> <p>Calculate the equality impact score for each protected group by multiplying scores in column 2 by scores in column 3. Enter the results below against each protected group.</p> <p>Equality impact score = likelihood of impact score x severity of impact score.</p>
Age	1	1	1
Disability			
Gender			
Gender reassignment			
Marriage / Civil Partnership			
Race			
Religion or belief			
Sexual Orientation			
Pregnancy or Maternity			

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4. Statutory duties

4.1 Public Sector Duties

Tick the relevant box(es) to indicate whether the proposed change will adversely impact the Council's ability to meet any of the Public Sector Duties in the Equality Act 2010 set out below.

Advancing equality of opportunity between people who belong to protected groups

Eliminating unlawful discrimination, harassment and victimisation

Fostering good relations between people who belong to protected characteristic groups

Important note: If the proposed change adversely impacts the Council's ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in section 5 below.

5. Action Plan to mitigate negative impacts of proposed change

Important note: Describe what alternatives have been considered and/or what actions will be taken to remove or minimise any potential negative impact identified in Table 1. Attach evidence or provide link to appropriate data, reports, etc:

Table 4 – Action Plan to mitigate negative impacts

Complete this table to show any negative impacts identified for service users and/or staff from protected groups, and planned actions mitigate them.				
Protected characteristic	Negative impact	Mitigating action(s)	Action owner	Date for completion
Disability				
Race				
Sex (gender)				
Gender reassignment				
Sexual orientation				
Age				

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Religion or belief				
Pregnancy or maternity				
Marriage/civil partnership				

6. Decision on the proposed change

Based on the information outlined in this Equality Analysis enter X in column 3 (Conclusion) alongside the relevant statement to show your conclusion.		
Decision	Definition	Conclusion - Mark 'X' below
No major change	<p>Our analysis demonstrates that the policy is robust. The evidence shows no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review. If you reach this conclusion, state your reasons and briefly outline the evidence used to support your decision.</p> <p>Selective licensing protects all vulnerable tenants. It would be a serious breach of licencing conditions if a landlord were to discriminate against any of the protected groups. Landlords who have been convicted of a discriminatory offence cannot receive a licence. Selective licensing provides additional safeguards because of the joint-working arrangements and signposting which are built into the scheme.</p>	X
Adjust the proposed change	<p>We will take steps to lessen the impact of the proposed change should it adversely impact the Council's ability to meet any of the Public Sector Duties set out under section 4 above, remove barriers or better promote equality. We are going to take action to ensure these opportunities are realised. If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form</p>	
Continue the proposed change	<p>We will adopt or continue with the change, despite potential for adverse impact or opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through the change. However, we are not planning to implement them as we are satisfied that our project will not lead to unlawful discrimination and there are justifiable reasons to continue as planned. If you reach this conclusion, you should clearly set out the justifications for doing this and it must be in line with the duty to have due regard and how you reached this decision.</p>	
Stop or amend the	<p>Our change would have adverse effects on one or more protected groups that are not justified and cannot be mitigated. Our proposed change must be stopped or amended.</p>	

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proposed change		
Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet	Meeting title: Cabinet Date: 11 th May 2020	

7. Sign-Off

Officers that must approve this decision			
Equalities Lead	Name:	Yvonne Okiyo	Date: 24.04.20
	Position:	Equalities Manager	
Director	Name:	Steve Iles	Date: 01.05.20
	Position:	Director of Public Realm, PLACE, London Borough of Croydon	