



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE



Cherwell District Council and Oxfordshire County Council

Equality Impact Assessment

Civil Penalty Enforcement

January 2021

Contents

Section 1: Summary details.....	3
Section 2: Detail of proposal.....	4
Section 3: Impact Assessment - Protected Characteristics.....	6
Section 3: Impact Assessment - Additional Community Impacts	7
Section 3: Impact Assessment - Additional Wider Impacts	8
Section 3: Review	9

Section 1: Summary details

Directorate and Service Area	Adult Social Care and Housing, Housing Services
What is being assessed (e.g. name of policy, procedure, project, service or proposed service change).	2021/22 – INCOME GENERATION . Ensure that civil penalties for offences under the Housing Act etc. are rigorously imposed and recovered in all appropriate cases in order that re-useable income is maximised as a result.
Is this a new or existing function or policy?	Existing policy, however the penalties have not previously been built into base budget.
Summary of assessment Briefly summarise the policy or proposed service change. Summarise possible impacts. Does the proposal bias, discriminate or unfairly disadvantage individuals or groups within the community? (following completion of the assessment).	<p>This proposal is based on the anticipated recovery of £40k net from enforcement activity undertaken by the Housing Service’s Housing Standards Team. There is a legal requirement that it must be used for housing enforcement purposes. Building the expected income into base budget will achieve that requirement by obviating service cuts that might otherwise be required.</p> <p>The proposal will not discriminate against or disadvantage individuals or any identified community groups.</p>
Completed By	Tim Mills, Housing Development and Standards Manager
Authorised By	
Date of Assessment	December 2020

Section 2: Detail of proposal

<p>Context / Background</p> <p>Briefly summarise the background to the policy or proposed service change, including reasons for any changes from previous versions.</p>	<p>The Council is able to impose civil penalties for a number of offences under the Housing Act and in connection with minimum energy efficiency standards. The Council has introduced policies setting out its approach and the imposition of penalties as an alternative to prosecution in appropriate cases is actively undertaken by the Housing Service. The only change being proposed is that an anticipated level of income of £40k net should be built into the base budget.</p>
<p>Proposals</p> <p>Explain the detail of the proposals, including why this has been decided as the best course of action.</p>	<p>Penalties of up to £5k are available for breaches of minimum energy efficiency standards and up to £30k for certain Housing Act offences (as an alternative to prosecution). Housing Act penalties are not a quick or simple option but, where appropriate, can generate a significant financial resource which (unlike fines) the Council can retain to enhance enforcement.</p> <p>The use of civil penalties by the Housing Standards Team commenced in 2018 with the first penalties recovered in 2019-20 and increasing use being made since then. Penalties totalling £38k have been secured in 2020-21 to-date.</p> <p>Although there is no certainty about the penalties that might be imposed in future, since they depend on the number, type and seriousness of offences identified and will therefore be variable, it is realistic to anticipate income of £40k.</p>
<p>Evidence / Intelligence</p>	<p>See Proposals section above.</p>

<p>List and explain any data, consultation outcomes, research findings, feedback from service users and stakeholders etc, that supports your proposals and can help to inform the judgements you make about potential impact on different individuals, communities or groups and our ability to deliver our climate commitments.</p>	
<p>Alternatives considered / rejected</p> <p>Summarise any other approaches that have been considered in developing the policy or proposed service change, and the reasons why these were not adopted. This could include reasons why doing nothing is not an option.</p>	<p>The only alternative would be to continue with the current arrangement whereby civil penalty income is regarded as unforeseen income and is not anticipated when the budget is set. In the current climate, and since the level of income is likely to be sufficient to mitigate other cuts, the inclusion of an anticipated level of income in the base budget is judged appropriate.</p>

Section 3: Impact Assessment - Protected Characteristics

Protected Characteristic	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Gender Reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Marriage & Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Pregnancy & Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Religion or Belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

Section 3: Impact Assessment - Additional Community Impacts

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Rural communities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Armed Forces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Areas of deprivation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

Section 3: Impact Assessment - Additional Wider Impacts

Additional Wider Impacts	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Other Council Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Providers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Social Value ¹	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

¹ If the Public Services (Social Value) Act 2012 applies to this proposal, please summarise here how you have considered how the contract might improve the economic, social, and environmental well-being of the relevant area

Section 3: Review

Where bias, negative impact or disadvantage is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

Review Date	
Person Responsible for Review	
Authorised By	