

**Coventry City Council  
Equality and Consultation Analysis (ECA) Form**

*In line with the principles of decision making outlined in the City Council Constitution, the Council will ensure that its decision making is open and transparent, and that due regard is given to the Council's obligations and desire to promote equality of opportunity and equal treatment.*

## Form 1

***This part must be completed and before formal consultation is undertaken and must be available during the consultation stage.***

**Author of this document: Adrian Chowns**

**Name of Service Area/Proposal: Regulatory Services – Enforcement in Private Sector Housing Policy 2018**

**Head of Service: Tracy Miller**

**Date of completion: 28<sup>th</sup> August 2018**

### *Background to the planned changes*

---

**1. What is the background to the planned changes? Why is this change being considered?**

The Housing and Planning Act 2016 introduced, amongst other things, civil penalties for certain housing offences, which can be pursued as an alternative to prosecution in cases relating to properties in the Private Rented Sector (PRS).

The maximum amount that can be levied through a civil penalty is £30,000 and all income received can be retained by the Local Housing Authority to further its statutory functions in relation to their enforcement activities covering the PRS.

Statutory guidance for civil penalties has been provided by the Ministry of Housing, Communities & Local Government (MHCLG) and Local Housing Authorities must have regard to this guidance in the exercise of their functions in respect of civil penalties.

In order for the Council to use these powers it must have published a policy setting out how it will implement these powers in relation to properties in the PRS.

This policy will provide guidance and information for landlords and residents in the PRS, outlining how the authority will proceed in the event of an offence or breach of the housing legislation.

## Coventry City Council Equality and Consultation Analysis (ECA) Form

### 2. Who do you need to consider as part of this ECA? *\*stakeholder analysis*

Landlords  
Agents  
Tenants in the Private Rented Sector  
Residents living in the city.

### *Pre-Consultation Engagement*

---

*This section refers to any activities that took place (such as briefings, meetings, workshops, scoping exercises etc) with stakeholders before the formal consultation period.*

### 3. What engagement activities took place prior to formal consultation and what feedback (if any) was received in relation to equality issues?

There is no requirement to conduct a consultation exercise because the process for implementing civil penalties is set out in Government guidance which was developed as part of a national consultation exercise by the Ministry for Housing, Communities and Local Government (MHCLG).

### *Analysis of Impact*

---

In this section please ensure that you consider the three aims of the general duty as they affect **protected groups**. These groups are:

Age  
Disability  
Gender  
Gender reassignment  
Marriage/Civil Partnership  
Pregnancy/Maternity  
Race  
Religion/Belief  
Sexual Orientation

The **three aims of the general duty** require that a public authority, in the exercise of its functions, must have due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

## Coventry City Council Equality and Consultation Analysis (ECA) Form

The Policy will not have a negative impact on any protected groups as it not specific to:-

- Age
- Disability
- Gender
- Gender reassignment
- Marriage/Civil Partnership
- Pregnancy/Maternity
- Race
- Religion/Belief
- Sexual Orientation

The adoption of civil penalties will have a positive impact upon all groups. The use of civil penalties and other enforcement action detailed in the policy will enable the Council to take formal enforcement action against rogue landlords.

**4. Outline below how this proposal/review could impact on protected groups positively or negatively, and what steps/mitigations (if any) could be taken to reduce any negative impact that has been identified.**

*Note – when identifying potential impacts below, please only include impacts that may exist over and above general impacts that may affect the wider community/population. (For example, a reduction in grant to Coventry Citizens Advice would affect all service users through a reduced level of first line advice being available to all – but it would affect the following groups more; age, disability, gender and race as they represent a larger proportion of the clients who use the advice service.)*

The introduction of the policy for enforcing standards in private sector housing will enable the Council to implement civil penalties where a landlord or agent has committed an offence. In doing so the Council will be improving the standard and management of properties in the private rented sector and sending out a positive message to landlords that it takes the issue of poor housing extremely seriously.

Any landlords or agent issued with two or more civil penalties will also be added to the rogue landlord database, which is a national database developed by government for Local Authorities. Over time the opportunities for rogue landlords operating in the City will decline and as a direct consequence conditions of properties and management practices will improve.

**5. Are there any other vulnerable groups that could be affected?** i.e. deprivation, looked after children, carers.

Also include any information about the health inequalities/Marmot implications of this proposal. Contact Caroline Ryder ([caroline.ryder@coventry.gov.uk](mailto:caroline.ryder@coventry.gov.uk)) or Hannah Watts ([hannah.watts@coventry.gov.uk](mailto:hannah.watts@coventry.gov.uk)) in Public Health for more information.

**Coventry City Council**  
**Equality and Consultation Analysis (ECA) Form**

Housing is a key determinant of health and cold, damp, unsafe homes impact on all groups but particularly the young and old. By improving standards in privately rented properties the occupants will potentially benefit from a direct improvement in health and be at less risk of accidents.

**6. What are the gaps in evidence? Can this be addressed during the consultation stage?**

*In this section, re-state those protected characteristics for which there is no data available. In addition, outline if there are any plans to collect further data during the consultation stage (through surveys, on-site sampling etc). If it is unlikely that additional data will be available to inform this ECA, then include a commitment statement in this section along the lines of 'following on from this ECA, once the new service is implemented/commissioning process undertaken', a specific requirement to collect and analyse relevant equalities data will be included in management information processes / service specifications\*'. \*delete as appropriate*

**7. What are the likely impacts of this project/review on staff from protected groups? For further support please contact Andy Hyland ([andy.hyland@coventry.gov.uk](mailto:andy.hyland@coventry.gov.uk) tel: 7683 3426)**

Coventry City Council  
Equality and Consultation Analysis (ECA) Form

## Form 2

*This section should be completed AFTER any consultation has been concluded.*

Author of this document:

Date of completion:

### *Potential Impacts – further information*

---

8. Referring to the information detailed in question 4 of ECA Form 1, state if the potential impacts have been confirmed. Also detail below any additional information about potential impacts that has been highlighted during any consultation.

### *Outcome of equality impact*

---

9. Indicate which of the following best describes the equality impact of this project/review:

There will be **no** equality impact if the proposed option is implemented

There will be **positive** equality impact if the proposed option is implemented

There will be **negative** equality impact if the proposed option is implemented but this can be objectively justified

There will be both **positive and negative** impacts if the proposed option is implemented

### *Summary of ECA*

---

**Write a paragraph below which summarises the key aspects of this ECA.**

*This paragraph should be included in the Equalities/EIA section of any Cabinet/Cabinet Member Report.*

**Coventry City Council  
Equality and Consultation Analysis (ECA) Form**

**Approvals from Director and Cabinet Member****Name of ECA Author: Adrian Chowns****Date: 22<sup>nd</sup> August 2018****Director:** Tracy Miller**Cabinet Member:****Please detail below any committees, boards or panels that have considered this analysis.**

<b>Name</b>	<b>Date</b>	<b>Chair</b>	<b>Decision taken</b>
-------------	-------------	--------------	-----------------------

***Next steps***

---

Please send this completed ECA to the Insight Team as follows:

Wendy Ohandjanian ([wendy.ohandjanian@coventry.gov.uk](mailto:wendy.ohandjanian@coventry.gov.uk) tel. 7683 2939)

Jaspal Mann ([jaspal.mann@coventry.gov.uk](mailto:jaspal.mann@coventry.gov.uk) tel. 7683 3112)