



## Appendix 2 - Equality Impact Assessment

### EIA-565149325 - Regulation and Communities Enforcement Policy - Review

#### Details

<b>Title</b>	Regulation and Communities Enforcement Policy - Review
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<b>Cabinet member</b>	Councillor A S Khan (Policing and Equalities)

#### Context and background

**EIA carried out on** Review of policy or strategy

## Background

The Regulation and Communities Enforcement Policy ('the policy') outlines the overarching enforcement principles of the Regulation and Communities service area. The policy needs a review to ensure it takes account of new guidance, legislation and incorporates changes to the service area.

The Regulation and Communities service undertakes a range of enforcement activities across a number of teams including Food and Safety, Licensing, Business Compliance, Taxi Licensing, Street Enforcement, Property Licensing, Housing Enforcement, Community Safety, Emergency Services /CCTV and Building Control.

The service enforces a wide range of legislation and has a duty to protect the public and ensure compliance where it enforces and regulates.

The policy details the regulatory teams covered by it and as a broad spectrum of work areas is covered by the policy, it may be supplemented by additional policies in some areas of work.

The enforcement activities of the service can affect businesses, consumers and the general public in a number of ways, either in supporting them into compliance or by ensuring that appropriate action is taken when people or businesses are found not to be compliant.

The policy sets out the expectations for those affected by regulatory activity and aims to help them understand what they should expect from the service's enforcement activities, as well as ensuring a fair, consistent and transparent process for everyone.

Regulation and Communities aims to apply the principles of good regulation as laid down in the Legislative and Regulatory Reform Act 2006. These principles are that:

- Regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent and
- regulatory activities should be targeted only at cases where it is needed.

Furthermore, the service seeks to ensure that the Regulators Code is central to all enforcement decisions. The Code's aim is to embed a risk based, proportionate and targeted approach to regulatory inspection and enforcement.

A range of potential enforcement activities is set out in the policy, which ranges from advice, guidance and support to prosecutions and revocation of licences.

The policy also outlines the rights and responsibilities of the regulated persons and businesses, as well as the options for complaints and appeals.

In the future, the policy will be reviewed every three years or at such times as legislation requires it, to ensure it reflects current legislation, best practice and public expectations.

<p><b>Stakeholders</b></p>	<p><b>Directly impacted - alleged offenders and those who have contravened legislation enforced by the service area. This may be individuals, partnerships, limited companies or body corporates. Indirectly impacted - legal professionals who seek to defend alleged offenders from enforcement action.</b></p> <p><b>Potentially impacted - customers or those who utilise the business / services of those alleged offenders e.g a food business may not be able to carry on trading if they are prosecuted for poor food hygiene.</b></p> <p><b>Help to make it work - Strategic Lead Regulation and Communities, all Regulation and Communities Managers, all Regulation and Communities Enforcement Officers, Legal Services Regulatory Team.</b></p> <p><b>Who knows the subject - Strategic Lead Regulation and Communities, all Regulation and Communities Managers, all Regulation and Communities Enforcement Officers, Legal Services Regulatory Team.</b></p> <p><b>Who will have an interest - Strategic Lead Regulation and Communities, all Regulation and Communities Managers, all Regulation and Communities Enforcement Officers, Legal Services Regulatory Team, alleged offenders and those who have contravened legislation enforced by the service area and legal professionals who seek to defend alleged offenders from enforcement action.</b></p>
<p><b>Responsibility</b></p>	<p><b>Strategic Lead Regulation and Communities, all Regulation and Communities Managers and all Regulation and Communities Officers.</b></p>

**Consideration of impact**

**Coventry’s population size has increased by 8.9%, from around 317,000 in 2011 to 345,300 in 2021. Historically, Coventry has been one of the youngest cities in the UK, with a fast-growing population of young adults aged 18-29 and a median age of 32 years compared to the UK average of 40. In the coming years, this is expected to change rapidly, with the 65+ age group expected to become the fastest-growing demographic over the next 15 years. As of 2020, people aged 75+ represent just 6% of the city’s population, compared to the UK average of 9%; but by 2043, the proportion of people aged 75+ is expected to grow to nearly 8%. Over the past decade, the city has become increasingly ethnically diverse, with just under half of its school-aged population from an ethnic minority background in 2021; up from around one-third of the city’s population from an ethnic minority background at the 2011 census. The 2021 Census identified that 29.9% of the population, were not born in England.**

**Baseline data and information**

Following Brexit and COVID-19 pandemic related lockdowns, the economic outlook for the city remains challenging and uncertain. In 2021, there were 10,210 enterprises in the city with a certain amount of 'churn' taking place. In 2020 1,575 new enterprises were 'born' and 1,355 enterprises 'died'.

There are significant pockets of multiple deprivation in the city with 18.5% of the city's neighbourhoods amongst the 10% most deprived areas in England. In total the city is the 46th most deprived local authority area out of 326 across England.

In undertaking this EIA, research has been undertaken to establish what, if any, national equalities data is collected by regulatory services teams nationally, and none can be found.

Here in Coventry, historically, local enforcement data has not been collected by teams, however, it is recognised that this is no longer acceptable. In February 2023, the Property Licensing and Housing Enforcement team developed and started using an Equality and Diversity Online Survey to provide to customers, including those whom we take enforcement action against, to help us build a profile of the people using our service. In October 2023, this was rolled out more widely and is now used across the service area.

The collected data will enable us to:

- Establish who is subject to enforcement action and identify if there are any trends in terms of protected characteristics.
- Understand the needs of those we enforce against and whether there is any disadvantage faced by people with the different protected characteristics.
- Adapt our enforcement procedures to ensure that those we enforce against are not discriminated against.
- Benchmark our enforcement action against other local authorities to establish areas for improvement.

The 2011 Census identified that 86.1% of the population spoke English as their main language, 2.3% spoke Panjabi, 2% spoke Polish, 0.83% spoke Gujarati, 0.82% Urdu and 0.6% spoke Arabic as their main language.

## Protected groups

**Age 0-18**

**Positive impact - The overriding objective of the service is to protect and have a positive impact on the health and safety of those who live and work in the city and most especially, to protect those who are more vulnerable and at risk, including young people. This includes taking sensible and proportionate action where necessary to ensure those we regulate comply with legislative requirements and their statutory duties.**

**Where action and sanctions are considered in relation to juveniles i.e. anyone under the age of 18 years old, the policy makes it clear that the Council will:**

- Take appropriate and fair action and**
- liaise with the relevant youth offending body and**
- comply with the relevant Government guidance.**

**Age 19-64**

**Positive impact - See above regarding the overriding objective of the service.**

**It is anticipated that most of the enforcement action undertaken by the service will be in relation to this age group as this group constitutes the majority of the working population. The policy makes it clear what enforcement action can be undertaken by Officers and makes it clear what support is available to those whom are subject to enforcement, to enable them to understand and engage in the process.**

**Age 65+**

**Positive impact - See above regarding the overriding objective of the service.**

**Enforcement information is likely to be predominantly communicated through digital channels. Although most age groups are now digitally connected, some older people may not have the confidence or ability to access digital information.**

**Officers will therefore provide hard copies of documents on request and give verbal advice in person or over the phone, where action and sanctions are considered in relation to people aged 65+.**

Positive impact - See above regarding the overriding objective of the service.

We will ensure that information is accessible for people with hearing and visual impairments. Information will therefore be made available in accessible formats on request.

We need to ensure that meetings are held in accessible locations if required.

There is a risk that disabled people, including those with a learning disability may be at risk of coercion or exploitation leading to enforcement.

**Disability** The Code for Crown Prosecutors requires us to consider the level of culpability of the alleged offender before commencing enforcement action. The higher the level of culpability, the more likely it is that enforcement action is required.

An alleged offender is likely to have lower culpability if they have been compelled, coerced or exploited or if they were affected by significant mental or physical ill health or disability at the time of the alleged offence.

However, before a decision is made to commence enforcement action, regard will be had to the seriousness of the offence, whether the alleged offender is likely to re-offend and the need to safeguard the public.

**Gender  
reassignment**

No impact - No issues identified.

**Marriage and civil  
partnership**

No impact - No issues identified.

**Pregnancy and  
maternity**

Positive impact - See above regarding the overriding objective of the service.

Where enforcement action against a pregnant or nursing mother is considered necessary, the service will upon request, provide reasonable and practical support e.g. access to breast feeding and changing facilities during meetings, arranging appointments to suit the parent.

**Race**

Positive impact - It is considered likely that as Coventry has become increasingly ethnically diverse, that the ethnicity and languages spoken by those who are subject to enforcement action by the Regulation and Communities service area, may potentially be barriers to understanding the detail of the revised enforcement policy and to understanding the communication of enforcement action.

We will, therefore, ensure that information and communications are written in plain English and where available, and upon request, resources are provided in other languages.

<b>Religion and belief</b>	<b>No impact - No issues identified.</b>
<b>Sex</b>	<b>No impact - No issues identified.</b>
<b>Sexual orientation</b>	<b>No impact - No issues identified.</b>

## Health inequalities (HI)

**Coventry is a 'Marmot City' and the council and other statutory organisations work together to reduce health inequalities.**

**The work of the Regulation and Communities service area, contributes to the following Marmot Principles:**

**Ensure a healthy standard of living for all.**

**The Marmot Review highlighted that having insufficient money to lead a healthy life creates significant health inequalities, leads to poorer health outcomes, and impacts life expectancy for some people.**

**The service contributes to a number of programmes of work and activities that support the 'ensure a healthy standard of living for all recommendation' which aim to:**

- i. Improve the energy efficiency of housing stock.**
- ii. Improve the food environment with a connected system that allows access to food.**

**Create fair employment and good work for all.**

**The Marmot Review summarised the importance of addressing inequalities in work and employment as follows 'Being in good employment is protective of health. Conversely, unemployment contributes to poor health. Getting people into work is therefore of critical importance for reducing health equalities.'**

**The service contributes to a number of programmes of work and activities that support the 'create fair employment and good work for all recommendation' which aim to:**

- i. Work with businesses to improve the quality of jobs, creating health promoting workplaces that support the health and wellbeing of employees.**

**Create and develop healthy and sustainable places and communities.**

**Living in healthy places is protective of good health. Where we live, and how we travel in our communities, impacts our physical health,**

well-being and connectedness. We need to mitigate against the sources of pollution and promote the quality of the urban environment by enhancing liveable spaces. Housing is fundamental to the wellbeing of people, their families, and their communities. Safe, secure, and suitable housing provides a stable base on which people can build their lives and build successful communities. Community assets are important to health directly and indirectly: directly through the services and opportunities they offer that support physical and mental health, and indirectly through a sense of control and empowerment, levels of community cohesion and social interaction, all of which support good health.

The service contributes to a number of programmes of work and activities that support the 'create and develop healthy and sustainable places and communities recommendation' which aim to:

- i. Empower and enable community solutions.
- ii. Providing practical support to strengthen the community sector.
- iii. Create good quality green spaces that are accessible locally.
- iv. Maximise opportunities to improve the safety, security, and quality of housing across the social gradient.

How HI will be reduced

Strengthen the role and impact of ill health prevention.

The Marmot Review summarised the importance the impact of addressing inequalities in health in later life and investing in the early years to preventing ill health later in life.

The service contributes to a number of programmes of work and activities that support the 'strengthen the role and impact of ill health prevention recommendation' which aim to:

- i. Promote healthy behaviours and lifestyles across the system to maximise impact and tackle barriers to healthy lifestyle, including mental wellbeing, diet, exercise, smoking and drugs and alcohol.
- ii. Promote domestic abuse programmes offering a range of interventions and programmes for the 'whole family' including victims, children and young people and perpetrators and perpetrators.

Pursue environmental sustainability and health equity.

Many of the actions to reduce greenhouse gas emissions will also improve health and reduce existing health inequalities. However, there is a potential for interventions and the recent increases in energy costs to widen inequalities. There must be an equity focus as well as a harm reduction and mitigation focus on interventions and strategies to reduce the effects of climate change.

The service contributes to a number of programmes of work and activities that support the 'pursue environmental sustainability and health equity recommendation' which aim to:

- i. Maximise opportunities to improve the safety, security, quality, ventilation, and energy efficiency of housing to an EPC (Energy Performance Certificates) rating of C or above wherever possible



across the social gradient.

Decisions made by the council have the potential to impact significantly on the lives of Coventry residents, and often any negative impact is felt most by those in the lowest socio-economic groups, therefore contributing to increasing inequalities. It is therefore important that negative impact is recognised and mitigated where possible.

The Enforcement Policy sets out how the service approaches and undertakes enforcement activity in Coventry. The overriding objective of the service is to protect and have a positive impact on the health and safety of those who live and work in the city and most especially, to protect those who are more vulnerable and at risk, including young people. This includes taking sensible and proportionate action where necessary to ensure those we regulate comply with legislative requirements and their statutory duties.

With limited resources, the work of the service has to be carefully targeted according to public health risk, with poor performers receiving closer, more regular scrutiny than broadly compliant ones. All proposed enforcement action must be proportionate, transparent and targeted where it is needed.

Taking enforcement action against those who do not comply with their statutory obligations, helps to "level the playing field" for those who live and work in the city.

**Evidence showing  
how HI will be  
reduced**

The work of each team in the Regulation and Communities, is planned at the start of each year, is monitored and adjusted accordingly.

Each quarter, performance statistics are compiled and reported upon; both at divisional and One Coventry Leadership Team level. This includes the monitoring of project outcomes, inspection data, details of complaints investigated etc and crucially, statistics on enforcement action are collated e.g. number of prosecutions initiated, statutory notices served, Simple Cautions issued, and civil penalties issued.

Each team in the service completes regular statutory returns to the Government Agency responsible for overseeing that area of work e.g. Gambling Commission, Food Standards Agency, Health and Safety Executive, to ensure the local authority is held accountable for service provision.

An equality and inclusion survey has recently been introduced to find out more about the people who use the services of Regulation and Communities and to find out how we can be more inclusive. Data from the survey will help shape service provision going forwards.

**Groups of people  
who face HI**

**People using poor performing businesses in the city are likely to face the biggest health inequalities e.g. those living in sub-standard privately rented housing are likely to be negatively impacted by the conditions in which they live. Likewise, those purchasing food from sub-standard shops and restaurants, are more likely to become ill from eating poorly prepared food than those who purchase food from good premises.**

**How to improve HI  
for groups  
identified**

**Through targeted and proportionate enforcement action, poor performing businesses / individuals / traders etc, will be brought up to standard and held accountable for their actions / inactions.**

## **Digital inequalities (DI)**

The service does not assume that those we enforce against have digital access and skills. Officers utilise a variety of methods to engage with those who are subject to enforcement action and this ranges from digital methods to using the postal service to face to face meetings and visiting service users at their place of work or home.

Proactive interventions are undertaken depending on risk; with risk being evaluated by officers. This means duty holders do not need to access services themselves.

Access to response services can be made either digitally, by telephone or by visiting the council's Contact Centre.

**Impact to DI**

In order to continually improve our services, Regulation and Communities is due to launch a new Customer Services Charter imminently that has been developed specifically for the service area. This Charter outlines the standards and expectations that we aim to deliver to our customers, both internal and external. It also defines the values and principles that guide our work and the behaviours that we expect from our staff.

The new Customer Services Charter reflects our commitment to provide high-quality, responsive, and consistent services that meet the needs and expectations of our customers.

Importantly the Charter is not just a document, but a way of working that we need to embed in our culture and practice. It is a tool that will help us to improve our performance, enhance our reputation, and increase our customer satisfaction and loyalty. Managers have a key role in leading and supporting their teams to work towards and comply with the new Charter. Managers will ensure that officers are aware of the Charter, understand its implications, and apply it in their daily work.

Managers will monitor and evaluate their team's performance against the Charter standards and provide feedback and recognition.

**Opportunities to reduce DI**

These are no currently identified digital inequalities, however, the service area does recognise that by surveying our customers and seeking feedback, digital inequalities may be identified and as a service we are committed to working on these going forwards.

Inequality	Action	Owner	Timescale
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<b>Monitor and evaluation</b>	<ul style="list-style-type: none"> <li>• Continue to monitor and review the EIA and its outcomes on a regular basis, and update the policies, procedures, and guidance documents of the service area accordingly.</li> <li>• Continue to consult and engage with the staff and managers of Regulation and Communities, as well as other stakeholders, such as service users, community groups, and external partners, and seek their views and feedback on the delivery and improvement of the Regulation and Communities Enforcement Policy.</li> <li>• Continue to collect and analyse data and evidence on the profile, needs, and experiences of different groups of people in relation to the service area, and use it to inform planning and decision-making in the future.</li> <li>• Continue to provide information, advice, and guidance on regulation in accessible formats and other languages, where reasonable and upon request.</li> <li>• Continue to promote equality and foster good relations between different groups of people, and celebrate the diversity and inclusion of the community, through the work of the service.</li> </ul>
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**Impact on Council staff**

<b>Will there be an impact?</b>	<b>No</b>
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**Completion statement**

<b>Potential equality impact</b>	<b>Positive impact has been identified for one or more protected groups</b>
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