

## Equality Impact Assessment

The purpose of an assessment is to understand the impact of the Council's activities\* on people from protected groups and to assess whether unlawful discrimination may occur. It also helps to identify key equality issues and highlight opportunities to promote equality across the Council and the community. The assessment should be carried out during the initial stages of the planning process so that any findings can be incorporated into the final proposals and, where appropriate, have a bearing on the outcome.

(\*Activity can mean strategy, practice, function, policy, procedure, decision, project or service)

Name of person completing the assessment	Dympna Sanders	Date of assessment	2 February 2022
Name of the proposed activity being assessed	Enforcement Policy Review	Is this a new or existing activity?	Existing
Who will implement the activity and who will be responsible for it?	Service Delivery Director will delegate authority to relevant Heads of Service and Lead Officers to implement this policy.		

### 1. Determining the relevance to equality

What are the aims, objectives and purpose of the activity?	<p>The Enforcement Policy review aims to providing a regulatory framework that supports the economic prosperity of the Borough by providing a level playing field for businesses to thrive whilst protecting residents, workers and visitors to the Borough.</p> <p>This policy sets out the Council's approach to securing compliance with regulatory requirements for which GBC is responsible and applies to all our regulatory functions. It applies to all services where the Council can enforce against a person, organisation or company to secure compliance with the law.</p>		
Is this a major activity that significantly affects how services or functions are delivered?	The framework will apply to all of GBC's regulatory functions, except civil parking enforcement.	Who will benefit from this activity and how?	Businesses, residents, workers and visitors to the Borough will be protected through this framework.
Does it relate to a function that has been identified as being important to people with particular protected characteristics?	No	Who are the stakeholders? Does the activity affect employees, service users or the wider community?	Businesses, residents, workers and visitors to the Borough. GBC's partners including Surrey police and Surrey CC

**Based on the above information, is the activity relevant to equality?**

<b>Yes</b>	Yes		
<p>2. Is the proposed activity accessible for all the protected groups listed below?  <i>(Consider in what ways the activity might create difficulties or barriers to parts of the workforce, community or protected groups. How might one or more groups be excluded because of the activity?)</i></p>			
<b>Protected groups</b>	<b>Yes</b>	<b>No</b>	<b>Evidence</b>
Disability		X	Should a person have mental health issues or learning difficulties that impair their judgement or make it difficult for them to understand the implications of a particular situation.
Race		X	According to the 2011 Census 92.6% of people living in Guildford Borough speak English as a first language. However, this may not be reflected in the workforce; owners of micro businesses; and visitors to the Borough.
Gender	X		
Sexual Orientation	X		
Age		X	
Religion / Belief	X		
Transgender / Transsexual	X		
Marriage / Civil Partnership	X		
Pregnancy / Maternity	X		

3. Is it likely the proposed activity will have a negative impact on one or more protected groups?

Protected groups	Yes	No	Evidence
Disability	x		
Race	x		
Gender		x	This is a revised policy, no previous issues raised in relation to this group.
Sexual orientation		x	This is a revised policy, no previous issues raised in relation to this group.
Age	x		
Religion or belief		x	This is a revised policy, no previous issues raised in relation to this group.
Transgender or transsexual		x	This is a revised policy, no previous issues raised in relation to this group.
Marriage and civil partnership		x	This is a revised policy, no previous issues raised in relation to this group.
Pregnancy or maternity	x		

4. What action can be taken to address any negative impact? What measures could be included to promote a positive impact? (*Consider whether it is possible to amend or change the activity due to the likely adverse impact whilst still delivering the objective. Is it possible to consider a different activity which still achieves the aims but avoids an adverse impact? Is an action plan required to reduce any actual or potential adverse impact?*)

#### **Disability**

The Council will ensure that any person with physical, mental health and/or learning disabilities are accompanied by a responsible person to assist and support their needs and understanding.

The Council will explore support services that may be available to support potentially vulnerable people through safeguarding referrals to MASH (Multi-Agency Support Hub) and/or CHaRMM (Community Harm Reduction Management Meeting) before escalating issues to prosecution.

The Council is undertaking a review of its website to improve the accessibility of information.

#### **Race**

Where English is not a person's first language, there are a number of ways that we can seek to communicate with them informally:

- Seek assistance from colleague who speaks the relevant language;
- Use mobile phone translation Apps; and / or

- Use [Interpreting & Translation Services | LanguageLine UK](#).

Should an investigation require a formal interview, the Officer will ask the person being interviewed whether they need the assistance of an independent, registered interpreter to ensure that the person fully understands the implications of the process and to enable them to fully exercise their rights. The cost of this service will be paid for by the Council but may be added to the Council's costs schedule should the matter being investigated go to court.

### Age

Our policy is not to serve Fixed Penalty Notices to children under the age of 18 years.

Where there are persistent issues with a child breaking the law, other avenues will be explored prior to formal enforcement action, including:

- Safeguarding referrals through MASH and/or CHaRMM
- Consideration of taking action against the parent and/or guardian of the child, where appropriate.

### All Groups

The Council will always seek to behave in a reasonable and proportionate manner to all individuals and businesses with whom they interact. In following the Crown Prosecution's criteria for prosecution decisions, all enforcement decisions will also be taken in light of the public interest test.

5. What are the main sources of evidence that have been used to identify the likely impacts on the different protected groups? *(Use relevant quantitative and qualitative information that is available from sources such as previous EIA's, engagement with staff and service users, equality monitoring, complaints, comments, customer equality profiles, feedback, issues raised at previous consultations and known inequalities).*

Census 2011 information,

6. Has any consultation been carried out (e.g. with employees, service users or the wider community)? Please provide details

This document forms part of the Enforcement Policy, which will be subject to public consultation.

7. Is further consultation required as a result of any negative impact identified? If so, what groups do you intend to engage with and how?

To await feedback from consultation and will review as necessary.

8. Conclusion of Equality Impact Assessment - please summarise your findings

Whilst there are some potential impacts to groups with special characteristics, particularly in relation to: disability, race and age, I believe that these have been mitigated so far as possible to enable individuals and businesses to understand their rights and to be treated fairly throughout our interactions with them.

**Name of person completing assessment:** Dympna Sanders

**Date:** 2 February 2022

**Job title:** Compliance Lead

**Signature:** *D. Sanders*

**Senior manager name:** Justine Fuller

**Date:** 12 July 2022

**Job title:** Head of Environment and Regulatory Services

**Signature:**

