Equality Analysis

Equality Analysis Summary

Name of proposal, policy, service function, or restructure requiring an Equality Analysis	Environment and Regulatory Enforcement Policy
Department	Environment and Place
Service Area	Regulatory Services / Highways / Community Safety
Date Equality Analysis Begun:	23 November 2023
At what stage of the proposal is this Equality Analysis being conducted?	Planning Phase Midway Point Reflective Analysis ✓

Names and roles of staff carrying out this Equality Analysis:

Name	Role	Service Area
Elizabeth Georgeou	Head of Regulatory Services	Regulatory Services

1. Evidence

1.1 Sources of information

Table 1

Source of information	Reason for using (e.g., likely impact on a particular group).
EA General Data Pack	Population, age, socio-economic data
Ethnic Minority Data Pack	Race
EA Business Data Pack	Effect on businesses and extrapolation to impact on socio-economic of area
Age UK:	Age

https://www.ageuk.org.uk/bp-assets/globalassets/surrey/original-blocks/about-us/latest-news/age-uk--age-uk-surrey-press-releases/nearly-five-million-older-people-targeted-by-scammers.pdf Accessed 23 11 29: 13:54	
The experience of law enforcement officers interfacing with suspects who have an intellectual disability – A systematic review. https://www.sciencedirect.com/science/article/pii/S016025272030073X accessed 23 11 23 16.00	Disability
Living Well Strategy for Southend on Sea Borough Council 2022-2027	Disabilities

1.2 Gaps in information or data

Are there any information gaps and data? Yes

Do the gaps relate to any protected characteristics? Yes

There is no ethnicity data available on businesses or on those that have been the subject of enforcement action. It is not possible to determine accurately the ethnicity of businesses as those running a business may not be representative of the type of cuisine being offered. It is proposed that ethnicity data be collated when taking enforcement action to determine whether disproportionate action is being taken against any particular group, and targeted advice and support is appropriate to assist that group.

2. Analysis: How people with protected characteristics will be impacted by your proposal

2.1 Impact assessment

The Environment and Regulatory Enforcement Policy is the overarching policy across Regulatory Services, Highways and Community Safety. The activities that are undertaken affect businesses, consumers and the general public in a number of ways. This can be in supporting businesses in compliance within a regulatory scheme or ensuring that appropriate action is taken where people or businesses are found not to be compliant.

The policy sets out the expectations for those affected by regulatory activity, whether this is with compliance or by individuals impacted on by non-compliance of other individuals or businesses. It sets out what should be expected from the Council's enforcement

activities, ensuring a fair and transparent process for everyone. The policy has been developed using the principles set down in the Legislative and Regulatory Reform Act 2006 to all regulatory activities.

The policy sets out the range of action that is available to the council from no action through to prosecution and financial penalties. The policy undertakes to consider the public interest and evidential tests to be applied before action is taken.

The estimated population of Southend-on-Sea at March 2021 was 180,700, of which 19.1% of the population was aged 65+, and 63% of the population aged between 15 and 64 years. There is reported an increasing density, in 2021 there were 4,336 residents per square km and is equates to being the 3rd out of 45 East of England local authority areas. Enforcement information and access to enforcement services is likely to be communicated through digital channels. Whilst there may be access for older people to internet and email, they may lack the confidence of ability to access this information, they may be more prone to targeting by scammers through this medium. Age UK report that nearly five million older people have been targeted by scammers.

The population of Southend has identified as 87.5% white, with the remaining population identifying as Asian, Asian British, or Asian Welsh, mixed or multiple ethnic groups, Black, Black British, Black Welsh, Caribbean or African and other ethnic groups. With respect to religion 44.9% identified as having no religion, and 42.6% identified as being Christian. 3% of the population identified as Muslim and 1.1% identifying as Hindu and Jewish. The timing of inspections takes into account cultural preferences around religious worship and consideration given to food standards to respect kosher and halal foods. The service also considers the cultural preference when arranging for public health burials.

It is noted that 94.1% gave English as their first or preferred language with only 0.9% of people not having English as their main language and not able to speak English or not speak English well. There are resources available to provide information in other languages, including the availability of telephone translation services.

The Living Well Strategy for SoS reported the reported levels of physical and sensory impairment for adults aged between 18 and 64 and it outlines the support available to individuals. There are some direct examples of support through the enforcement policy, including the application of conditions relating to licensing. The service also provides materials in hard copy or in large print and access to facilities for wheelchair users. With respect to the paper on enforcement against those with intellectual disabilities it references a high prevalence of people with intellectual disability among those in police custody, (this was a US study). This can be reasonably extrapolated to regulatory functions and to counter this there is safeguarding training that is delivered across the service, and consideration given to prosecutions in line with the Code for Crown Prosecutors where vulnerability and culpability is considered.

The indices of deprivation Southend has nine Lower Super Output Areas (LSOA's) that fall into the 10% most deprived in the country, and 35 that fall into the 30% most deprived for the index of multiple deprivation and may mean that those living within those areas may need additional support to ensure that lower standards are not being applied, an example of the council's targeted enforcement work in this area, includes the application

of the selective licensing regime in lower super output areas to ensure adequate housing standards.

90.92% of Southend businesses are classified as micro-businesses which have 0-9 employees, this is slightly higher when compared both regionally and nationally. This may mean that access to compliance advice may be more limited for those individuals. It is also noted that the survival rate of new businesses follows the national trend of just under 40% within 5 years. The services provide regulatory advice which is targeted to business needs, including attending landlord and business forums, online advice and bespoke advice on request, inspection and communications.

Table 2

| | Impact - Please tick | | | | |
| | Yes | | | Not Impacted | Impact Unclear |
	Positive	Negative	Neutral		
Age (including looked after children)	☐	☐	☐	✓	☐
Disability	✓	☐	☐	☐	☒
Gender reassignment	☐	☐	☐	✓	☐
Marriage and civil partnership	☐	☐	☐	✓	☐
Pregnancy and maternity	☐	☐	☐	✓	☐
Race	☐	☐	☐	☐	✓
Religion or belief	✓	☐	☐	✓	☐
Sex	☐	☐	☐	✓	☐
Sexual orientation	☐	☐	☐	✓	☐
Carers	☐	☐	☐	✓	☐
Socio-economic	✓	☐	☐	☐	☐
Armed Forces Service Personnel & Veterans	☐	☐	☐	✓	☐
Care Experience	☐	☐	☐	✓	☒

2.2 Results of your analysis

Table 3

	Potential Impact
Age	Nearly 20% of the population are aged over 64 and communication of both support and enforcement information is communicated through digital channels where they may be less confident to access digital information.
Disability	Disabilities are broad and include both visible and invisible conditions to ensure that vulnerable people are properly protected.
Gender reassignment	None identified.
Marriage and civil partnership	None identified.
Pregnancy and maternity	None identified
Race	Where there are barriers regarding communication of information to businesses / traders and members of the public with respect to language, the organisation ensures that relevant information is written in plain English. There are also translation services available if required.
Religion or belief	Religious practices are considered.
Sex	None identified
Sexual orientation	None identified
Carers	None identified
Socio-economic	In the context of supporting businesses 90.92% of Southend businesses are classified as micro-businesses, and only 40% new businesses last more than 5 years. Smaller businesses may have more limited access to regulatory advice. Targeted activities are undertaken to support those within the super output areas.
Armed Forces Service Personnel & Veterans	None identified
Care Experience	None identified

3.   Action: Can we mitigate negative impact?

3.1 Steps taken to mitigate any impact(s)

Table 4

Planned action and the outcome it will achieve	Owner	When	How will this be monitored (e.g., via team/service plans)
Monitor ethnicity of those where enforcement activity takes place to establish is additional support / advice required	Each service area	Each enforcement action	Each team will collate the activity over the next year and review.

## 4.	Outcome: What difference has your Equality Analysis made?

4.1 Outcome
Please choose the most relevant option:

☐	No change – the assessment is that the policy/practice/service is/will be robust.

✓	Adjust the policy/ practice proposal – this involves taking steps to remove any barriers, to better advance equality and/or to foster good relations.

☐	Continue the policy/ practice proposal despite the potential for adverse impact, and which can be mitigated/or justified

☐	Stop the policy/ practice proposal as adverse effects cannot be mitigated or justified.

## 4.2	Justification

The EA did not identify potential adverse impacts or missed opportunities to promote equality. It did however identify an area where the consideration can be given to additional support that may be required to enable businesses and individuals to comply with legislation.

There is already mitigation in place with respect age, disability and socio-economic issues.

The framework that this policy gives aims to ensure that the more vulnerable are protected from loss of property or money or through accepting lesser standards. This includes young people, older people and some people with a disability who may be more vulnerable.

The policy will ensure a fair and consistent approach to all. It encourages compliance in the first instance, so that those who fail to comply through lack of knowledge can receive guidance to ensure compliance in the future. Those who do not comply through deliberate action can receive robust action, discouraging others from offending.

Your Head of Service or Director is required to sign-off your analysis and outcome

Signed (lead officer):

Signed (Executive/Director/Head of Service): **Glyn Halksworth**

Once signed, please send a copy of the completed EA to Angela Dress
Angeladress@southend.gov.uk.
All Equality Analyses are recorded on Pentana and reported to CLT and DLT's on a quarterly basis.