

## Assessing Equality – The Equality Act 2010

### Customer Impact Assessment

**Name and brief description of policy being analysed**

Briefly summarise the policy including any key information such as aims, context etc; note timescales and milestones for new policies; use plain language – NO JARGON; refer to other documents if required

**Environmental Health and Street Scene – Enforcement, Investigatory and Educational Work**

The teams may need to undertake proportional enforcement work where, promotional or investigatory work has not resolved an issue, and where it is in the public interest. Enforcement work may include issuing fixed penalty notices, cautions/formal warnings, PACE interviews, serving of statutory notices (Abate, prohibit, improve, restrict), seizure of assets, hearings, taking samples, seizure, detention or destroying food items, closures of businesses, revocations, suspension or variation of licenses, prosecutions.

**Information used for customer analysis**

Note relevant consultation; who took part and key findings; refer to, or attach other documents if needed; include dates where possible

These functions are statutory duties set out in relevant legislation, including Environmental Protection Act 1990, Anti-Social Behaviour Act 2014, Food Safety Act 1990, Food Safety and Hygiene (England) 2013, Health and Safety at Work Act 1974, Licensing Act 2003, Animal Welfare Regs 2018.

Note Enforcement Work by external agencies has been considered in a specific CIA.

✓	Could particularly benefit	Neutral	May adversely impact	Explanations	Is action possible or required?	Details of actions or explanations if actions are not possible  Please note details of any actions to be placed in your Service Plan
Race	<input type="checkbox"/>	✓	<input type="checkbox"/>	<p>Officers have access to language line to offer translation services where required.</p> <p>Promotional and educational work is preceded with a communication plan to ensure that target audiences have access to the information.</p>	Y	<p>To use customer feedback and 3c's procedure to monitor that this is being used appropriately.</p> <p>Service standards and performance targets are used to measure the success of promotional work.</p> <p>Publicity material is produced in</p>

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						<p>a number of languages where the need is justified.</p> <p>Translation services have made contacting customers much easier and make sure that language is not a barrier for enforcement work.</p>
<b>Sex</b>	<input type="checkbox"/>	✓	<input type="checkbox"/>	Male and female officers cover all aspects of the enforcement, educational and investigatory work.	Y	To use customer feedback and 3c's procedure to monitor that no gender is treated unfairly in our processes.
<b>Gender reassignment</b>	<input type="checkbox"/>	✓	<input type="checkbox"/>	We would not be aware of a person's gender reassignment. If made aware we can take the persons individual needs into consideration where required.	Y	To use customer feedback and 3c's procedure to monitor that there is no discrimination and all customers are treated fairly.
<b>Disability</b>	<input type="checkbox"/>	✓	<input type="checkbox"/>	<p>Access is considered when requesting customers to visit council offices for hearings, interviews, meetings or training sessions.</p> <p>Normally there is access to meet at the four market towns closest the customer. However, access to facilities limited due to lockdown restrictions. We can still provide access to March and Wisbech to continue this service.</p> <p>Where known, a person's abilities</p>	Y	<p>To use customer feedback and 3c's procedure to monitor that this is being used appropriately.</p> <p>Hearing loops available if needed. Braille and large print available on request.</p> <p>Access to disabled friendly interview room &amp; facilities if needed.</p> <p>Implementation of which elements of our formal interviews will be carried out by</p>

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				or disabilities are considered when requesting a person uses monitoring equipment, completes log sheets or is requested to gather information. Our procedures are customer focused to adapt to a person's needs, i.e. setting remote triggers to noise monitoring equipment, using simplified tick sheet log sheets or providing in person monitoring.		letters. To reduce social contact during COVID 19 lockdown but will also benefit those with mobility issues/anxiety etc.
<b>Age</b>	<input type="checkbox"/>	✓	<input type="checkbox"/>	<p>Enforcement work will exclude those below the criminal age of responsibility.</p> <p>Communication plans preceding any information or educations are designed to be inclusive, so all ages can access local authority. i.e. Tidy Fenland Campaign using children's artwork from schools competition, working with Age UK to ensure access to services.</p>	Y	To use customer feedback and 3c's procedure to monitor that this is being used appropriately.
<b>Sexual orientation</b>	<input type="checkbox"/>	✓	<input type="checkbox"/>	We would not be aware of a person's sexual orientation. If made aware we can take the persons individual needs into consideration where required.	Y	To use customer feedback and 3c's procedure to monitor that this is being used appropriately.
<b>Religion or belief</b>	<input type="checkbox"/>	✓	<input type="checkbox"/>	Male and female officers are available and consideration is undertaken of people's race and religion.	Y	To use customer feedback and 3c's procedure to monitor that this is being used appropriately.

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				Training, interviews and meetings times can be tailored around religious holidays and prayer timing if required.		
<b>Pregnancy &amp; maternity</b>	<input type="checkbox"/>	✓	<input type="checkbox"/>	We would not be aware of a person's pregnancy or maternity. If made aware we can take the persons individual needs into consideration where required.	Y	To use customer feedback and 3c's procedure to monitor that this is being used appropriately.
<b>Marriage &amp; civil partnership</b>	<input type="checkbox"/>	✓	<input type="checkbox"/>	We would not be aware of a person's marital status. If made aware we can take the persons individual needs into consideration where required.	Y	To use customer feedback and 3c's procedure to monitor that this is being used appropriately.
<b>Human Rights</b>	✓	<input type="checkbox"/>	<input type="checkbox"/>	<p>The undertaking of enforcement work is to protect the wider community. Examples such as protecting the community from statutory nuisances, unfit food entering the food chain, and the environmental impact on communities from enviro-crime positively impacts on the whole communities lives.</p> <p>Enforcement work benefits the wider community by providing safer neighbourhoods, safe places to work, safe productions of foods, and protects the communities health and well-being by regulating air quality, contaminated land,</p>	Y	<p>Enforcement action may result in prosecution and restriction of an individual's actives and occupations. All notices or action is accompanied with details of how a person may appeal these measures.</p> <p>If enforcement action reaches prosecution stage, human rights are assessed by the courts to ensure that Human Rights are not breached and appeals may be made.</p> <p>Investigations have found other impeaches of human rights – such as modern day slavery and</p>

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				spread of infectious diseases and the impact of nuisances.		we work closely with police and other partners to improve human rights.
<b>Socio Economic</b>	<input type="checkbox"/>	✓	<input type="checkbox"/>	<p>Enforcement encourages better business, support a production and sustainable local economy. Raising standards through regulation promotes and encourages better business. i.e. less sick days from staff due to poor health and safety, and better reputation of food businesses achieving high food hygiene ratings.</p> <p>Where enforcement action prevents an individual or organisation undertaking an activity, i.e. switching off noisy equipment to abatement of a noise nuisance, the impact of excessive cost to the business or individual and if the business is undertaking Best Practicable Means is considered in the public interest test before taking enforcement action.</p> <p>Enforcement action may adversely impact on those of socio economic status that are unable to access legal or specialist advice.</p>	Y	To use customer feedback and 3c's procedure to monitor that this is being used appropriately.

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<p><b>Multiple/ Cross Cutting</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Specific officers are delegated with specific enforcement responsibilities dependant on the relevant experience, qualification, or competencies to undertake the regulatory functions.</p> <p>Initially legislation sets out where enforcement action may or shall be undertaken.</p> <p>Each regulatory function must fall within the requirements of the Councils Enforcement Policy.</p> <p>Systems are in place to ensure that decisions to undertake enforcement are proportional to the impact caused and within the public interest. These include a prosecution matrix and a public interest test.</p> <p>Where it is not in the public interest to undertake enforcement action, alternative interventions are used to support customers, such as referrals to agencies such as Stay Well (public health team), directing to official advice (i.e HSE, PHE, FSA), and signposting to agencies</p>	<p>Y</p>	<p>As regulation is reactive this will be assessed on an ongoing basis.</p> <p>Periodic review of enforcement delegation matrix and changes in legislation.</p> <p>If changes to legislation is likely to positively or negatively impact of and aspect of the community, i.e. by age, race, gender, sexual orientation, religious or belief or marital status and equality impact assessments details how we will ensure equality.</p> <p>Training and Staff development is reviewed on a yearly basis to ensure that officers are appropriately trained to undertake regulatory functions.</p> <p>Peer review and consistency exercises are undertaken to ensure proportionate decision making.</p> <p>Customer feedback is invited in all written communications to ensure people have an</p>

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that can support people resolve their own issues such as Citizen Advice Bureau, Financial Support Agencies and Gang masters Support Agencies.

opportunity to air any complaints, compliments or correspondence.

Officers attend working groups and are members of professional bodies to ensure that learning opportunities and knowledge sharing.

Officers closing businesses during COVID-19 lockdown, compliant with usual policies may have to be closed causing financial and other issues. We work closely to offer support during this time. Enforce closures where needed, offer help and advice to those that remain open in line with Central Government recommendations and financial support.

We will share options for financial support to businesses and individuals in need via the website, social media, letters, Covid-19 community hub phone line and use the Covid escalation process.

**Outcome(s) of customer analysis**

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a) Will the policy/ procedure impact on the whole population of Fenland and/ or identified groups within the population; negative  neutral  positive

No major change needed

Adjust the policy

Adverse impact but continue

Stop and remove / reconsider policy

**Arrangements for future monitoring:**

Twice yearly staff appraisals will assess for learning needs and training opportunities. Staff one to ones and twice yearly appraisals will review officer's core competencies and behaviours that includes equalities. Monthly review of 3c's (Complaints, compliments and correspondence) will review that procedures and systems are appropriate.

All procedures are reviewed on a five yearly period or when changes to the organisation or legislations guides otherwise.

**Details of any data/ Research used** (both FDC & Partners):

None

**Completed by:**

**Name:** Amy Robinson

**Position:** Environmental Projects Officer

**Review date:** 11/12/21

**Approved by** (manager signature): Layna Warren

**Date published:** This should be the date the analysis was published on the website

**Details of any Committee approved by (if applicable):**

**Date endorsed by Members if applicable:**