

Customer Access Review – Full Assessment

Assessment details		
Assessment area		Private Sector Housing Enforcement and Licensing Policy
Date of assessment		July 2018
Directorate and Service		Dartford Borough Council, Strategic Directorate (External Services), Housing Services
Manager		Peter Dosad
Officer conducting assessment		Rachel Evans
Step 1: Scoping the assessment		
1	What are the aims and objectives of the activity or proposal?	Main aim – to enforce housing standards and management in the private sector in the borough in accordance with legislation and government guidance. The Private Sector Housing Policy has been produced to ensure the principles of enforcement, which contribute to ensuring consistency and equality of approach are followed in a transparent way and provides a framework to aid enforcement officers in deciding what form of enforcement is the most appropriate.
2	Who will be affected?	All private residents, but in particular private rented Tenants including those residing in Houses in Multiple Occupation (HMOs). The enforcement of standards will also affect individual private landlords, portfolio Landlords/businesses, letting agents and Residential Social Landlords (RSL).
3	How does the activity or proposal contribute to: a) any key performance indicators? b) policies, values or objectives of Dartford Borough Council?	To positively impact on residents lives by helping them to live in safe and well managed accommodation. The Policy relates to the Council's Corporate Plan's strategic aim 'to facilitate quality, choice and diversity in the housing market, to create strong and self-reliant communities and deliver high quality services to service users' and the strategic objective of providing high quality accommodation in the Borough.

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4	<p>Which aspects of the activity or proposal are dictated by legislation/regulation and where do we have discretion in how they are delivered?</p>	<p>There are numerous pieces of legislation and statutory guidance which relate to the enforcement of private sector housing conditions and management detailed in the Private Sector Housing Enforcement Policy. The majority of these are mandatory but may include some elements of discretion for example the Housing Act 2004 makes it a mandatory duty for the Council to take enforcement action where Category 1 hazards are found, but it is discretionary as to whether action is taken on Category 2 hazards found. Given the quantity of law included in the Policy it would be inappropriate to detail this all in this document – the full detail is included in the main Policy.</p>
<p>Step 2: Information collection Note: Equality and Diversity information for Dartford can be found at http://www.kent.gov.uk/about-the-council/information-and-data/Facts-and-figures-about-Kent/equality-and-diversity-data</p>		
5	<p>What do you know about the groups of people who will be affected? i.e. demographic information in relation to the protected characteristic groups (age, disability, pregnancy and maternity, religion or belief, race, sex, sexual orientation, gender reassignment)</p>	<p>The Policy may affect any resident who resides in private property but particularly those in private rented accommodation. It will also affect Landlords and Managers of these homes.</p> <p>There are currently no datasets that provide full coverage of the characteristics of landlords and tenants within the borough’s private rented sector.</p> <p>The 2011 Census data identifies that 17% of the population reside in private rented accommodation and 4% in RSL properties. BME residents make up 12.6% of the population. 14.5% of the population are over 65 years old. Population density is 14.8 per ha.</p> <p>However, none of these statistics are broken into tenure, nor do they cover Landlord’s.</p> <p>The Council has not historically collected information on other characteristics i.e. religion, sexual orientation etc from Landlords or Tenants.</p>

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6	What consultation has taken place with affected groups? Please describe who was consulted and the key findings	Consultation will be made with Landlord Associations and neighbouring Local Authorities.
7	Are there any gaps in information? If so, what additional research and/or consultation is needed to ensure that affected groups needs and views are taken into account?	<p>No additional research required as the Council is under a duty to enforce legislation. The Ministry for Housing, Communities and Local Government have conducted Impact Assessments on recently introduced law including the extension of the HMO Licensing Regime which was deemed fit for purpose .</p> <p>Information on the Council's Enforcement and Licensing Policy is and will be available on the Council's website and if needed will be provided in hard copy on request. There is also a large amount of information available on government, Landlord and Tenant advisory websites.</p> <p>Presentations are and will be made at the Council's Private Sector Landlord's Forum to keep private Landlords up to date with legislation and policies.</p>
Step 3: Assessing the equality impact		
8	<p>Consider whether the activity or proposal has or will have any positive or negative equality impacts on the protected characteristic groups in relation to the following aims of the General Equality Duty:</p> <p>a) tackling unlawful discrimination b) promoting equality of opportunity c) promoting good relations</p> <p><u>NOTES:</u></p> <ul style="list-style-type: none"> • The Initial Screening will have identified which aims of the Public Sector Equality Duty are relevant to the activity/proposal considered • For existing activities, consider how they are working in practice for each relevant protected group • For new proposals, consider whether there is anything that could give rise to positive and negative equality impacts for each relevant protected group • If there is no identified equality impact, please tick the 'No Impact' box and explain why in question 9 • If the equality impact is unclear, please tick the 'Unknown' box and explain why in question 9 	

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		POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
a	Age	<p>The PSH Enforcement Policy affects all equally and is not believed to affect any particular group differently to any other. It has the potential to improve the situation for all areas of the community as it increases knowledge of legal requirements and action that the Council can take to deal with poor condition and management. It will affect landlords and tenants regardless of age, race, disability etc. The results of enforcement may lead to certain premises being stopped from being rented out, due to not meeting minimum standards, or require works to be completed but occupants could be of any age, race, disability etc. but does ensure they are subject to minimum acceptable living conditions as is their human right. Properties are inspected under the Housing Act 2004 Part 1 – Housing Health & Rating Safety System (HHSRS). This looks at 29 potential issues and assesses them against the most vulnerable person / age.</p> <p>Therefore age/vulnerability is used to determine impact and this will affect the enforcement action taken.</p>	<p>There is no evidence the policy will have an adverse impact on different age groups.</p> <p>The results of enforcement may lead to certain premises being stopped from being rented out, due to not meeting minimum standards, or require works to be completed; this could have a negative financial impact on a Landlord, but Landlords could be of any age, race, disability etc. but it does ensure their tenants, who could also be of any age etc, are subject to minimum acceptable living conditions as is their human right.</p> <p>Assistance and/or advice is available to any Tenant whose accommodation is ended due to Prohibition Orders under the Housing Act 2004</p>	☒	☒

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		Enforcement action will have a positive effect when dealing with landlords and removing rogue landlords from the sector.			
b	Disability	As (a) Officers must take into account potential disabilities when communicating legal requirements e.g. sight, hearing and learning difficulties.	As (a)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c	Gender (including reassignment)	As (a)	As (a)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d	Race	As (a) Non-English speaking groups are able to request translated information about the service and we can provide interpreters if needed.	As (a)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e	Religion/Belief	As (a)	As (a)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f	Sexual Orientation	As (a)	As (a)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g	Pregnancy/Maternity	As (a)	As (a)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9	If 'no impact' or 'unknown' was selected, please explain	Enforcement action will be taken where needed as per the Policy and legislation; it's based on property condition and management standards.			
10	If DBC works with partners to deliver the activity or proposal, please describe circumstances that could give rise to positive/negative equality impacts between different groups	N/A			
11	Any other comments	None			

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Step 4: Action plan					
12. Based on the information in Steps 1 and 2, please list the actions that will be taken to address:					
a) any gaps in information and consultation					
b) how any negative impacts on equality will be mitigated or eradicated					
a) If additional information and/or consultation is required or the impact is still unclear, what actions will you put in place to gather the information you need?					
Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
None					
b) If any negative impacts on equality were found, what actions will you put in place to mitigate or eradicate these impacts?					
Identified impacts (and who is affected)	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
Customers with sight or hearing impairments or where English is not their first language may not know that they can access information about the service in their required format as we do not include this in our leaflet/promotional material.	All Enforcement staff will be briefed to ensure they recognise that there is diversity within the community and care must therefore be taken to ensure that any enforcement actions are clearly understood. Consideration will be given to providing documents in a customer's first language and/or use of interpreters.	Improved communication	April 2019	Within the team	Rachel Evans

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	<p>Consideration will be given to including other agencies, e.g. Social Services, Housing Associations, Trade Organisations, when communication/perception difficulties are perceived.</p> <p>Include the corporate translation and alternative format strapline in material.</p>			
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Step 5: Decision making and future monitoring		
13	Which decision making process does this Customer Access Review need to go through? i.e. who does this need to be approved by?	Relevant Director
14	How will you continue to monitor the impact of the activity or proposal on the equality groups?	New assessments will be undertaken as and when the policy is significantly updated or reviewed.
15	When will you review this Customer Access Review?	As required.
Step 6: Final steps		
16	Once this Customer Access Review has been approved, send this assessment to the Policy & Projects Officer	
17	If the subject of the Customer Access Review is going to committee, summarise your findings in the committee report	
18	Implement the actions identified from this Customer Access Review and ensure progress is monitored and recorded	

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If you or anybody you know requires this or any other council information in another language, please contact us and we will do our best to provide this for you. Braille, Audio tape and large print versions of this document are available upon request.

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Calls are welcome via NGT Relay

ਪੰਜਾਬੀ	தமிழ்	Polski	česky	简体中文	Français
Punjabi	Tamil	Polish	Czech	Mandarin	French
01322 343610	01322 343611	01322 343612	01322 343613	01322 343614	01322 343615