

## APPENDIX TWO: EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

<b>Name of 'proposal' and how has it been implemented</b> (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)	<b>Corporate Enforcement Policy 2019</b>
<b>Directorate / Service</b>	<b>Place / Public Realm</b>
<b>Lead Officer</b>	<b>David Tolley, Head of Environmental Health and Trading Standards</b>
<b>Signed Off By (inc date)</b>	<b>2/1/19</b>
<b>Summary – to be completed at the end of completing the QA (using Appendix A)</b> (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities)	<div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="width: 20px; height: 20px; background-color: #00b050; margin-right: 10px;"></div> <div><b>Proceed with implementation</b></div> </div> <p>As a result of performing the QA checklist, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>


Stage	Checklist Area / Question	Yes / No / Unsure	Comment (If the answer is no/unsure, please ask the question to the SPP Service Manager or nominated equality lead to clarify)
<b>1</b>	<b>Overview of Proposal</b>		
a	Are the outcomes of the proposals clear?	Yes	This report is to ask the decision making body to agree: <ol style="list-style-type: none"> <li>1. Consider the report and agree proposed Enforcement</li> </ol>

			<p>Policy at Appendix One.</p> <p>2. Agree the revised Enforcement Policy along with the Policies on the use of covert surveillance and the use of covert human intelligence sources under the Regulation of Investigatory powers Act 2000.</p>
<b>b</b>	Is it clear who will be or is likely to be affected by what is being proposed (inc service users and staff)? Is there information about the equality profile of those affected?	Yes	The Enforcement Policy is concerned with the Councils exercise of its criminal and quasi-criminal enforcement function. The Policy will assist council officers to carry out their duties consistent with the principles of enforcement set out in the regulatory code. The Councils Enforcement Policy highlights that the council's enforcement activities support the Strategic Plan priority of A Borough that our residents are proud of and love to live in : People feel safe in their neighbourhoods and anti-social behaviour is tackled
<b>2</b>	<b>Monitoring / Collecting Evidence / Data and Consultation</b>		
<b>a</b>	Is there reliable qualitative and quantitative data to support claims made about impacts?	Yes	The wider community will be affected by the policy in that they may be the direct victims of the people or businesses against whom enforcement action is taken, or they may indirectly benefit from our enforcement action as a result of the protection that the apprehension of criminals affords because it prevents further harm being done to other people.
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	Yes	The Enforcement policy helps to deliver the Strategic Plan, which is locally accountable and responsive regulation for all – achieving a safe. Healthy, clean, green and fair trading landscape for residents, business and visitors.
<b>b</b>	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	Yes	It is a legal requirement to publish an Enforcement Policy, Government Guidance and Codes of Practice have been followed in producing this Policy. Teams across the Council have been consulted.
<b>c</b>	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	Yes	Consultation undertaken internally, however this is an overarching policy and individual service protocols/processes will dictate enforcement decisions.

<b>3</b>	<b>Assessing Impact and Analysis</b>		
a	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?	Yes	.The policy is specifically designed to provide information for people or businesses whom enforcement action is taken against. It will affect them to the extent that decisions to take enforcement action will be influenced by the content of the policy however the policy is a tool to protect them from illegal discrimination and is therefore for their benefit.
b	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?	N/A	Such enforcement action will be monitored and reported back through various mechanisms i.e. Committee reports/ Government returns etc. The policy does not discriminate, however the targeting of proactive enforcement may affect only a particular community within the Borough for justifiable reasons, particularly in business sectors where there is over representation of groups from particular backgrounds.
<b>4</b>	<b>Mitigation and Improvement Action Plan</b>		
a	Is there an agreed action plan?	No	The Enforcement policy is designed to ensure that enforcement decisions are fair, proportionate and consistent. The decision to take enforcement action against an individual will by its nature have an adverse impact on that individual, however the impact that that decision has on the individual is not itself an Equalities issue.
b	Have alternative options been explored	Yes	This is statutory requirement to publish an Enforcement Policy
<b>5</b>	<b>Quality Assurance and Monitoring</b>		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Yes	Yes, via internal processes
b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	Yes	The effective and efficient application of enforcement powers is reliant upon the integrity of the officers involved. There will always be a potential for inappropriate enforcement arising from bias, however this should be mitigated during the checks and balances of more senior officers and solicitors who vet files and oversee enforcement decisions.
<b>6</b>	<b>Reporting Outcomes and Action Plan</b>		
a	Does the executive summary contain sufficient	Yes	

information on the key findings arising from the assessment?

### Equality Assessment Criteria

<b>Decision</b>	<b>Action</b>	<b>Risk</b>
As a result of performing the QA checklist, it is evident that due regard is not evidenced in the proposal and / or a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the proposal be suspended until further work or analysis is performed – via a the Full Equality Analysis template	<b>Suspend – Further Work Required</b>	<b>Red</b> 
As a result of performing the QA checklist, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.	<b>Proceed with implementation</b>	<b>Green:</b> 