

Equality Impact Analysis Initial Screening Tool with Guidance

Overview

This Tool has been produced to help you analyse the likelihood of impacts on the protected characteristics – including where people are represented in more than one – with regard to your new or proposed policy, strategy, function, project or activity. It has been updated to reflect the new public sector equality duty and should be used for decisions from 5th April 2011 onwards. It is designed to help you determine whether you may need to do a Full EIA. If you already know that your decision is likely to be of high relevance to equality, and/or be of high public interest, you should contact the Opportunities Manager, as s/he may recommend moving directly to a Full EIA.

General points

1. 'Due regard' means the regard that is appropriate in all the circumstances. In the case of controversial matters such as service closures or reductions, considerable thought will need to be given the equalities aspects.
2. Wherever appropriate, and in all cases likely to be controversial, the outcome of the EIA needs to be summarised in the Cabinet/Cabinet Member report and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.

Timing, and sources of help

Case law has established that having due regard means analysing the impact, and using this to inform decisions, thus demonstrating a conscious approach and state of mind ([2008] EWHC 3158 (Admin), [here](#)). It has also established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, through to the recommendation for decision. It should demonstrably inform, and be made available when the decision that is recommended. This tool contains guidance, and you can also access guidance from the EHRC [here](#). If you are analysing the impact of a budgetary decision, you can find EHRC guidance [here](#). Advice and guidance can be accessed from the Opportunities Manager: PEIA@lbhf.gov.uk or ext 3430.

Initial Screening Equality Impact Analysis Tool

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| Section 01 | Details of Initial Equality Impact Screening Analysis |
| Financial Year and Quarter | 2011/12 / 1 |
| Name of policy, strategy, function, project, activity, or programme | Activity: To issue invoices to leaseholders when works start on site Policy: To review the major works payment options |
| Q1 What are you looking to achieve? | <p>Re Activity: To invoice leaseholders for future major works schemes, not yet consulted on, on an estimated basis when works start on site.</p> <p>It is hoped that satisfaction will be increased by streamlining the process where a leaseholder receives a bill whilst works happen on site, and not years after completion of the works. Satisfaction will also be increased as disputes will be addressed whilst contractors are still on site. Income will be better protected and the cash flow significantly improved; under the current method of invoicing on receipt of the final account, full payment may not be received until nine or more years after the council has made the first payment to the contractor. It is also hoped that prospective leaseholders will be afforded greater certainty of any liability towards ongoing major works.</p> <p>Re Policy: To provide additional payment options to leaseholders for the repayment of their current major works invoices. The proposals are to include a discount for prompt payment in full (within 30 days), an interest free payment period of 3 years and a 5 year mixed loan option where the last 2 years will be interest bearing.</p> <p>It is hoped that we will be able to sustain or even improve the collection rate during the current economic climate by offering these repayment options.</p> |
| Q2 Who in the main will benefit? | <p>Re Activity: Leaseholders and the Council will benefit from this change in activity. Leaseholders will be able to make payments towards the works whilst they happen on site. Leaseholders tend to mention concerns they have with the work on receipt of the invoice; billing earlier will mean that the contractors will still be on site and concerns with aspects of the work can be addressed sooner. It is expected that leaseholder satisfaction will be increased. The Council will benefit as cost will be curbed by having snagging work carried out by the contractor and not a future Repairs contractor. The council will also be able to improve cash flow as leasehold income will be received sooner and not years after the last stage payment has been paid to contractors.</p> <p>Due to these expected benefits of earlier invoicing it is expected that the activity will have a positive impact and</p> |

a low relevance to equality. The table below gives more information.

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| Age | Pensioners are usually very concerned about major works bills as currently there can be a gap of some years between being made aware of the upcoming bill and actually receiving it. By issuing invoices when work start on site it will enable leaseholders to start making payments toward the bill sooner. It is therefore expected that the activity will have a positive impact. | M | + |
| Disability | The Department for Works and Pensions may give assistance towards repair and maintenance elements of the major works invoice. If someone in this category receive an estimated bill they will be able to approach the DWP earlier for a decision on assistance. It is therefore expected that the proposed activity will be of medium relevance have a positive impact for those disabled people who are on state benefit. | M | + |
| Gender reassignment | The proposed activity is expected to have a neutral impact and should be of low relevance. All leaseholders will receive estimated invoices on schemes consulted on after the 1 st September 2011. | L | / |
| Marriage and Civil Partnership | Not relevant in this case | N/A | N/A |
| Pregnancy and maternity | By issuing invoices earlier it would provide people with some assurance as to the value of the bill and when to expect it. The proposed activity will therefore have a positive impact and be of medium relevance to those whose incomes may fluctuate during maternity leave as it will afford the opportunity to plan their finances. | M | + |

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| | Race | The proposed activity of billing on estimate will apply to all leaseholders on all schemes consulted upon after 1 st September 2011. It is expected that leaseholders will have more clarity on when bills are due to arrive and the value of such bills which should be of medium relevance to some BME communities who tend to be those race groups on lower incomes as they will be able to better plan their finances. | M | + |
| | Religion/belief (including non-belief) | The proposed activity is expected to have a neutral impact and should be of low relevance. All leaseholders will receive estimated invoices on schemes consulted on after the 1 st September 2011. | L | / |
| | Sex | The proposed activity is expected to have a positive impact and should be of medium relevance, as based on 2011 census data, 9% of lone parents are male and 91% are female in H&F, and single income households have less money. Billing on estimate is expected to afford more assurance as to the value of an invoice and when to expect it which in turn will give leaseholders representing low income households the opportunity to plan their finances. | M | + |
| | Sexual Orientation | The proposed activity is expected to have a neutral impact and should be of low relevance. All leaseholders will receive estimated invoices on schemes consulted on after the 1 st September 2011. | L | / |

2. It is proposed that the payment options remain available to all residential leaseholders. The options will not be available to leaseholders who are subletting their properties so as to not subsidise individual business interests. However, where a leaseholder is subletting the property to maintain mortgage payments or due to unfortunate personal circumstances (e.g. ill-health or relationship breakdown) officers should continue to be given discretion to consider applications.

This policy will be more relevant to elderly leaseholders on fixed state pensions and low income households. Although the latter is not an indicator it is expected that the policy will have a positive impact and will be of medium and low relevance to equality. The table below gives more information.

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| | Age | Depending on the works, major works invoices are known to exceed £10,000 per leaseholder. Although all leaseholders receive notices to warn them of the impending bill it is in some cases still extremely difficult or impossible to raise enough funds to settle the invoice within 21 days as the lease requires. It is expected that pensioners on a fixed state pension predominantly fall within this category and offering extended payment terms will enable them to make payments towards the bill without the risk of facing legal recovery proceedings. | M | + |
| | Disability | Depending on the works, major works invoices are known to exceed £10,000 per leaseholder. Although all leaseholders receive notices to warn them of the impending bill it is in some cases still extremely difficult or impossible to raise enough funds to settle the invoice within 21 days as the lease requires. It is expected that this will be of medium relevance for those disabled people who are on state benefits, and offering extended payment terms will enable them to make payments towards the bill without the risk of facing legal recovery proceedings. | M | + |
| | Gender reassignment | The proposed policy is expected to have a neutral impact and should be of low relevance. The policy will apply to all leaseholders and is expected to be more relevant to leaseholders representing low income households in which case the proposed options will afford more lenient terms for repayment. | L | / |
| | Marriage and Civil Partnership | Not relevant in this case | N/A | N/A |
| | Pregnancy and maternity | Depending on the works, major works invoices are known to exceed £10,000 per leaseholder. Although all leaseholders receive notices to warn them of the impending bill it is in some cases still extremely difficult or impossible to raise enough funds to settle the invoice within 21 days as the lease requires. It is expected that women on maternity leave could benefit as women might not be on full pay during this time and offering | M | + |

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| | | extended payment terms will enable them to make payments towards the bill without the risk of facing legal recovery proceedings. | | |
| | Race | The proposed policy is expected to have a positive impact and should be of medium relevance. Some BME communities tend to be on lower incomes than other race groups. The policy will be offered to all leaseholders and is expected to be more relevant to leaseholders representing low income households in which case the proposed options will afford more lenient terms for repayment | M | + |
| | Religion/belief (including non-belief) | The proposed policy is expected to have a neutral impact and should be of low relevance. The policy will apply to all leaseholders and is expected to be more relevant to leaseholders representing low income households in which case the proposed options will afford more lenient terms for repayment | L | / |
| | Sex | The proposed policy is expected to have a positive impact and should be of medium relevance, as based on 2011 census data, 9% of lone parents are male and 91% are female in H&F, and single income households have less money. The policy will be offered to all leaseholders and is expected to be more relevant to leaseholders representing low income households in which case the proposed options will afford more lenient terms for repayment | M | + |
| | Sexual Orientation | The proposed policy is expected to have a neutral impact and should be of low relevance. The policy will be offered to all leaseholders and is expected to be more relevant to leaseholders representing low income households in which case the proposed options will afford more lenient terms for repayment | L | / |
| <p>Human Rights and Children's Rights</p> <p>Will it affect Human Rights, as defined by the Human Rights Act 1998? No</p> <p>Will it affect Children's Rights, as defined by the UNCRC (1992)? No</p> | | | | |
| Q3 | Yes | | | |

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| <p>Does the policy, strategy, function, project, activity, or programme make a positive contribution to equalities?</p> | <p>The policy will be open to all leaseholders with the exception of non-residential leaseholders unless they can evidence hardship. Examples of hardship include where underletting is necessitated by mortgage arrears due hospitalisation or entry into a care home.</p> <p>Additional factors to be taken into account where exceptional hardship is claimed are set out below.</p> <ul style="list-style-type: none"> • Whether it is the lessee's only or principal home, • the total service charge paid since purchase, • the service charge payable in the current year, • the lessee's financial resources, • ability to raise funds, • whether extending the repayment period would assist, and • any other relevant circumstances. <p>To assess eligibility for a reduction the council applies the same test as used for private sector housing Home Improvement Grants but takes into account housing costs and age, which are not included in the improvements grant scheme. It is generally the case that those in receipt of a means tested benefit qualify for this reduction. As with the statutory loans, leaseholders are advised of this scheme when they are charged.</p> |
| <p>Q4 Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity, and/or adversely impact human rights?</p> | <p>No</p> |