

Equality Impact and Needs Assessment Form

Section One – Screening

Name of strategy, policy or project:
Enforcement Policy
Directorate and service area:
Chief Executive's, Trading Standards
Name and contact details of officer completing assessment:
Roger Rivett, Head of Trading Standards, Tel: 2728
1. What is the main purpose of the strategy/policy/project (or the changes you want to make to it)? The purpose of the enforcement policy is to ensure that the Trading Standards Service enforces the law in a fair, consistent and transparent manner and to assist officers to make informed decisions as to appropriate enforcement action at an early stage. One of its aims is to ensure that objective decisions are taken by officers, rather than subjective ones that could be discriminatory.
2. What are the main activities of the strategy/policy/project? To offer guidance for Trading Standards officers, Devon's businesses and consumers. Guidance covers evidential considerations, prosecution and other public interest factors.
3. Who is intended to benefit from the strategy/policy/project, and how? The focus is on ensuring that individuals and businesses comply with trading standards legislation and that the interests of consumers and legitimate businesses are safeguarded.
4. Is the strategy/policy/project consistent with the Council's equality policies? Yes.
5. Is responsibility for the strategy/policy/project shared with another department, authority or organisation? If so, what responsibility and which bodies? If the details of an incident reveal evidence of a matter where there is a shared or complementary enforcement role with other agencies, for example, the Police, Environmental Health, Office of Fair Trading, the involvement of the relevant agencies will be considered at the earliest opportunity.

6. What impact is the strategy/policy/project likely to have on different sections of the community? You may wish to use the table below as a prompt.

	Positive impact – it could benefit ✓ (check box)	Negative impact – it could disadvantage ✓ (check box)	Reason	Are there additional factors that could contribute to the experience of isolation¹? If so, what are they?	Evidence
Gender					
• Women	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		Service Quality Monitoring System
• Men	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
Ethnic Group					
• Asian or Asian British people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
• Black or Black British people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
• Chinese people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
• Gypsy or Roma People	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
• Irish People	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
• People of Mixed Heritage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
• White People	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
• People of other ethnic backgrounds	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
Asylum Seekers and Refugees	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
People with physical, sensory or learning disabilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
Deaf People who use British Sign Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above

¹ Refer to section 3 of the EINA guidance.

	Positive impact – it could benefit ✓ (check box)	Negative impact – it could disadvantage ✓ (check box)	Reason	Are there additional factors that could contribute to the experience of isolation¹? If so, what are they?	Evidence
People with mental health issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 1		As above
Lesbians, gay men and bisexual people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above		As above
Trans people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above		As above
Age			As above		As above
• Older people (60 +)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above		As above
• Younger people (17-25) and children	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above		As above
People of different faith groups or beliefs including non-believers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above		As above
Travellers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above		As above
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	As above		As above
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	As above		As above

Notes:

- Faith groups cover a wide range of groupings, the most common of which are Muslims, Buddhists, Jews, Christians, Sikhs and Hindus. Consider faith categories individually and collectively when assessing positive and negative impacts.
- The categories relating to ethnicity include those used in the 2001 census. Consideration should be given to the needs of specific communities within the broad categories such as Bangladeshi people and to the needs of other communities such as Turkish/Turkish Cypriot, Greek/Greek Cypriot and Polish that do not appear as separate categories in the census.
- An adverse impact does not necessarily require action to be taken. Actions must remain in proportion with the benefits that could be achieved and resources available to complete them. If adverse impacts are identified and actions for improvement are not proportionate, the reasons for not taking action should be detailed and open to challenge.

7. If you have indicated there is a negative impact on any group, is that impact:		
Legal?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<i>(i.e. it is not discriminatory under anti-discriminatory legislation – refer to the Council’s website or your Directorate Equality Representative if guidance is needed)</i>		
Intended?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Level of impact	HIGH <input type="checkbox"/>	LOW <input type="checkbox"/>
If the negative impact is possibly discriminatory and not intended and/or of high impact you must complete section two of this form. If not, complete the rest of section one below and consider if completing section two would be helpful in making a thorough assessment.		
8. a) Could you minimise or remove any negative impact that is of low significance? Explain how:		
b) Could you improve the strategy, project or policy’s positive impact? Explain how: Refer to action sheet. <i>You may wish to use the action sheet at the end of Section Two.</i>		
9. If there is no evidence that the strategy, policy or project promotes equality, equal opportunities or improved relations – could it be adapted so that it does? How? Refer to action sheet.		

Please sign and date this form. Keep one copy, send a copy to your Directorate Equality Representative and publish the results on the Council’s website.

Signed:

Roger Rivett, Head of Service

Date: 3rd April 2006

Section Two – Full assessment

Name of strategy, policy or project:

Trading Standards Enforcement Policy

Date: 3rd April 2006

Part A

1. Looking back at section one of the EINA, in what areas are there concerns that the strategy, policy or project could have a negative impact?

None

2. Summarise the likely negative impacts.

3. What previous or planned consultation or research on this topic / policy area / project has taken place / will take place with groups / individuals from different sections of the community? If there has already been consultation or research what does it indicate about negative impact of this strategy, policy or project?

Section of the Community	Summary of consultation or research carried out or planned
Business Community	Presented to local business partnerships for comment
Farming Community	Presented to DEFRA stakeholders meeting for comment
Devon Community Watchdogs	Presented to Watchdog Scheme members for comment

4. What consultation has taken place/or is planned with DCC staff/DCC staff group including staff that have, or will have, direct experience of implementing the strategy / policy / project?

Initial consultation when policy first devised and ongoing process via staff suggestion scheme

5. If there are gaps in your previous or planned consultation and research, are there any experts/relevant groups that can be contacted to get further views or evidence on the issues.

YES (*Please list them below and explain how you will obtain their views*)

Local BME community – currently exploring how best to achieve this

NO

6. Has the strategy / policy / project been through legal vetting for compliance?

YES

NO

Note: This will only be necessary in conditions where the strategy / policy / project is entirely driven by legislative duties **and/or** where there is doubt about the legal interpretations in relation to the outcomes / service being provided.

Part B

Complete this section when consultation and research has been carried out

<p>7. a) As a result of this assessment and available evidence collected, including consultation, state whether there will need to be any changes made / planned to the policy, strategy or project.</p> <p>None at present</p>
<p>b) As a result of this assessment and available evidence is it important that DCC commission specific research on this issue or carry out monitoring / data collection?</p> <p>no</p> <p><i>(You may wish to put this information directly onto the action plan at the end of this form)</i></p>
<p>8. Will the changes planned ensure that negative impact is:</p> <p>Legal? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p><i>(not discriminatory, under anti-discriminatory legislation)</i></p> <p>Intended? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>Low impact? YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>9. a) Have you set up a monitoring / evaluation / review process to check the successful implementation of the strategy, project or policy?</p> <p>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p>
<p>b) How will this monitoring / evaluation further assess the impact on different sections of the community/ ensure the strategy/ policy / project is non-discriminatory?</p> <p>Details:</p> <p>By means of quality monitoring of officers work to ensure decisions show no evidence of discrimination</p>
<p>10. What is the final policy decision for this assessment?</p> <p>Meets DCC Equality Policy</p>
<p>11. There is a legal requirement to publish the outcome of an Equality Impact and Needs</p>

Assessment. Please outline how / where this will happen:

DCC website - immediate

Please complete the action plan below, sign the EINA, retain a copy and send a copy of the full EINA, including the Action Plan, to your Directorate Equality Representative.

Signed:

Roger Rivett, Head of Service

Date:

3rs April 2006

Equality Impact and Needs Assessment Action Plan

Please list below any recommendations for action that you plan to take as a result of this impact assessment.

Issue	Action required	Lead officer	Timescale	Resource implications	Comments
Diversity Monitoring	1. Review current approach and develop options for improvement;	Ken Endacott to supplement Quality Monitoring Policy	1 st July 2006	Minimal	The Service needs to be able to monitor enforcement action by diversity group to (1) find out whether some sections of the community are more likely to be involved in enforcement action and, if so, the reasons why (2) to inform prevention work (3) to highlight potential issues.
	2. Find out what can be learned from other Councils;	Dolores Riordan to research other authorities websites	1 st July 2006	Minimal	
	3. Find out how other parts of DCC involved in enforcement work deal with diversity monitoring;	Angela Welch to find out and feedback to Roger Rivett.	1 st July 2006	Minimal	
	4. Find out what information other agencies involved in the enforcement process hold and whether it can be shared eg. Courts;	Dolores Riordan to investigate	1 st July 2006	Minimal	
	5. Check diversity monitoring content of process questionnaire regarding complaints about service delivery.	Angela Welch to discuss with Judith Davey	1 st July 2006	Minimal	
Community Engagement	1. See comments on right and prepare for engagement work early in 2006;	Ken Endacott	1 st July 2006	Engagement work is funded corporately.	As part of the Black and Minority Ethnic (BME) Community Engagement Project, Trading Standards and Environmental Health (Exeter City Council) had planned a joint approach to engaging BME led businesses in Exeter. Issues covered would include: perceptions of the service, where businesses obtain their information, preferred methods of
	2. Use results from engagement work to improve practice (including evidencing how this has been done);	Ken Endacott	1 st July 2006	Minimal	
	3. Consider options for engaging with businesses in other parts of Devon (working with others internally and externally as appropriate);	Ken Endacott	1 st July 2006	Minimal	
	4. Monitor customer feedback received through a variety of methods	Dolores Riordan	1 st July 2006 and ongoing	Minimal	

	including complaints, complaints monitoring and Charter Mark for issues associated with equality and discrimination. Take action as appropriate.				communication, experience of the service, knowledge of the support available for businesses, etc. Actual engagement work has been delayed due to the consultant withdrawing due to ill health. A new consultant is being sought to carry out this work early in 2006.
Equality Impact and Needs Assessments (EINA)	Liaise with County/other Council colleagues to find out how they have approached EINAs in Trading Standards, the conclusions they reached and how conclusions have translated into improved outcomes.	Dolores Riordan to draft letter to be sent to all TS services	1 st July 2006	minimal	
Learning and Development	Build equality into the peer approach taken to learning within the Service whereby, for example, colleagues undertake joint inspections and critique one another.	Ken Endacott	1 st July 2006	minimal	

NOTES:

EINA undertaken by Roger Rivett, Dolores Riordan (Trading Standards Special Projects) and Angela Welch (Directorate Equality Representative), 6 December 2005.