



# Equality Impact Assessment Record Form

Environmental Health - Enforcement



## Equality Impact Assessments

Directorate	Service	Person responsible for the assessment	Date assessment completed
Environment	Environmental Health (Commercial, Environmental Protection, Environmental Services & Licensing Teams)	Chris Cawley Steve Hems John Peet	15 Oct 2009
<b>Title of the service being assessed</b>	Environmental Health Service – Enforcement Policies		
<b>The status of the service</b>	All documents are live within the Service’s ISO9001:2008 Quality Management System		
<b>1. What are the aims, objectives and purposes of the service?</b>	<p>North Norfolk District Councils Environmental Health Service covers a wide range of enforcement and service delivery activities on a proactive and reactive basis including; food safety, infectious disease control, health &amp; safety, waste enforcement and disposal, nuisance complaints, air quality and other pollution incidents, pest and dog control and licensing. The service works closely with other internal departments, notably the planning service, and external agencies such as the Food Standards Agency, Health &amp; Safety Executive, Environment Agency, Police and Parish &amp; Town Councils.</p> <p>The service provides 24 hour emergency cover for the above services and others within the Authority.</p> <p>The primary role of the service is to provide a safe and healthy environment by promoting efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens. This is in accordance with the Regulator’s Compliance Code.</p>		
<b>2. Does the service support other objectives of the council?</b>	The Enforcement Policy and the team documents beneath it support the Corporate Plan 2008 – 2011, which in itself contributes to the Councils obligations under the Local Area Agreement.		
<b>3. Who is intended to benefit from the service, and in what way?</b>	Members of the Public and Businesses and Staff will all benefit from these policies. Members of the Public – will benefit from knowing that the Authority has a robust policy in place to deal with non conforming businesses and offenders.		

	<p>Businesses – will benefit from the stated aim of reducing burdens and providing a level playing field for compliance.</p> <p>Staff – will benefit from working within a defined framework for enforcement activities.</p>			
<b>What outcomes are anticipated from the service being in place?</b>	<p>The outcomes are defined within the Enforcement Policy as providing:</p> <ul style="list-style-type: none"> <li>• Accountability</li> <li>• Consistency</li> <li>• Proportionality</li> <li>• Transparency</li> <li>• Targeted Enforcement</li> </ul>			
<b>4. Identify and select your assessment team.</b>	<b>Name</b>	<b>Role</b>	<b>Responsibilities</b>	
	<p>Mark Whitmore</p> <p>Chris Cawley</p> <p>Alan Dixon</p> <p>Rachel Smith</p>	<p>Environmental Protection Team Leader</p> <p>Environmental Health Manager</p> <p>Commercial Team Leader</p> <p>Environmental Protection Officer</p>	<p>Managing EP services</p> <p>Managing EH services</p> <p>Managing Commercial Services</p> <p>Delivering EP Services</p>	
<b>5. What data have you gathered for this assessment? How have you analysed this data?</b>	<b>Source and Age of Data</b>	<b>Owner</b>	<b>Findings</b>	<b>Data Gaps</b>
	<p>Corporate Plan 2008 - 2011</p> <p>Enforcement Policy</p> <p>Customer Satisfaction Surveys</p> <p>TDEHIEP001 Case Conference Form</p> <p>EHF30005 Record of</p>	<p>Chief Executive</p> <p>Environmental Health Mangement Team (EHMT)</p> <p>Team Leaders</p> <p>Team Leaders</p>	<p>The age of the data reviewed varies considerably, however it is all (with the exception of the Corporate Plan) contained with the QMS structure and therefore subject to regular review. There was a significant amount of variation within the</p>	<p>There has been very limited consultation on most of the documentation reviewed, especially with regard to the lower level internal processes. What consultation that has taken place relates to internal discussions with officers around the delivery of service. It is</p>



	<p>TDCOFN03- Inspection Detention Seizure Surrender Disposal Procedure</p> <p>TDCOFN04 – Prohibition Notice Procedure</p> <p>TDCOFN06 – Remedial Action and Detention Notice Procedure</p> <p>TDCOIN02 – Vertical products approvals and inspections</p> <p>TDCOIN05 – Asbestos Procedure</p> <p>TDCOIN01 – Food Hygiene Intervention Procedure</p> <p>TDCOIN06 – Low Risk Inspection Procedure</p> <p>TDCOIN03 – Exclusions</p> <p>TDEPLP16 – Foreign language Invitations to Pace Interview</p> <p>TDEPLP17 – Tape Recorded Interview Process</p> <p>TDEPAV01 – Abandoned Vehicle Procedure</p> <p>TDEPAN01 – Audible Intruder Alarm</p>	<p>Environmental Protection Team Leaders</p>		
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	<p>Procedure</p> <p>TDEPDS01 – Dangerous Structures</p> <p>TDEPDO01 – Dog &amp; Pest Control</p> <p>TDEPDO02 – Stray Dogs Procedure</p> <p>TDEPDO05/06/07 Dog Control Orders</p> <p>TDEPFV02 – Filthy &amp; verminous procedure</p> <p>TDEPLI01 – Littering Protocol</p> <p>TDEPLI02 – Littering procedure</p> <p>TDEPNU01 – Nuisance Protocol</p> <p>TDEPNU02 – Nuisance investigation flowpath</p> <p>TDEPTR01 – Travellers Protocol</p> <p>TDEPTR02 – The Norfolk Traveller Protocol</p> <p>TDEPTR03 – Gypsies and Travellers Code Of Respect</p> <p>TDEPTR)04 –</p>			
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	DAMNCARD				
6. Who are the main stakeholders of this service?	<b>Community</b>		<b>Staff/Members</b>		<b>Partners</b>
	Residents Visitors Businesses		All EH staff involved in enforcement activities  Members		All Norfolk Authorities Environment Agency DEFRA Health Protection Agency Food Standards Agency Health & Safety Executive Police Fire Service
7. Are there any concerns that the service could have a negative impact with regard to race and ethnicity?	Yes	<b>What evidence (actual data or assumptions) do you have to support this?</b>			
		The processes in place defining how and when enforcement activity should take place are taken from national guidance, best practice and legislation and as such the process concentrates on the offence and not the race or ethnicity of the offender, witness, victim or member of staff involved in the case. However there is a piecemeal approach to the determining how to effectively engage with different racial and ethnic groups and there is a possibility that they could be disadvantaged by this process, specifically in relation to groups who do not have English as first language. This is only a very minor concern as there are robust procedures in place that require case conferencing and peer challenge of officers decisions prior to action being taken or withdrawn. There are also structures in place to ensure that translation services are available when required. The Enforcement Policy underpins this through its commitment to transparency within the enforcement process.			
8. Are there any concerns	No	<b>What evidence (actual data or assumptions) do you have to support this?</b>			

<p><b>that the service could have a negative impact with regard to gender?</b></p>		<p>There is no evidence to suggest that enforcement activities would have a negative impact with regard to gender. This is because enforcement processes are geared towards investigating the offence. None of the legislation enforced by the Environmental Health discriminates against individuals based on their gender.</p>
<p><b>9. Are there any concerns that the service could have a negative impact with regard to disability?</b></p>	<p><b>Yes</b></p>	<p><b>What evidence (actual data or assumptions) do you have to support this?</b>  Specific concerns were identified in relation to mental health issues; anecdotally it was considered that people with mental health problems were more likely to come to the attention of enforcement agencies. No search for studies to corroborate this view has been undertaken at this time. Whilst the case conference process does specifically require the consideration of both offender and victim in relation to their physical and mental health it was considered that the support processes in place for dealing with such cases are not clearly defined.</p>
<p><b>10. Are there any concerns that the service could have a negative impact with regard to age?</b></p>	<p><b>Yes</b></p>	<p><b>What evidence (actual data or assumptions) do you have to support this?</b>  Specific concerns were raised in relation to enforcement activity relating to offences committed or witnessed by Minors. There is specific guidance on how to deal with minors however this has yet to be fully incorporated into the internal processes of the service.</p>
<p><b>11. Are there any concerns that the service could have a negative impact with regard to religion/belief?</b></p>	<p><b>No</b></p>	<p><b>What evidence (actual data or assumptions) do you have to support this?</b>  There is no evidence to suggest that enforcement activities would have a negative impact with regard to religion or belief. This is because enforcement processes are geared towards investigating the offence. None of the legislation enforced by the Environmental Health discriminates against individuals based on their religion or belief.</p>
<p><b>12. Are there any concerns</b></p>	<p><b>No</b></p>	<p><b>What evidence (actual data or assumptions) do you have to support this?</b></p>

<p><b>that the service could have a negative impact with regard to sexual orientation?</b></p>		<p>There is no evidence to suggest that enforcement activities would have a negative impact with regard to sexual orientation. This is because enforcement processes are geared towards investigating the offence. None of the legislation enforced by the Environmental Health discriminates against individuals based on their sexual orientation.</p>	
<p><b>13. Could the negative impact you have identified in questions 8 - 12 lead to the potential for adverse impact if the service is implemented?</b></p> <p><b>Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group?</b></p> <p><b>Or any other reason?</b></p> <p><b>Can the impact be mitigated by existing means?</b></p> <p><b>If yes, what actions will you undertake to mitigate these impacts and revise the service?</b></p>	<p><b>Yes</b></p>	<p>The policies and processes in place do not at the current time provide a clear and consistent message in relation to how they would avoid discrimination within the enforcement activities of the service.</p> <p>It is unlikely that the adverse impact could be justified on grounds of promoting equal opportunities.</p> <p>In some cases enforcement of primary legislation may impinge on the rights of others. In such cases there is a clear need to demonstrate the proportionality of the approach.</p> <p>The impact is already mitigated by the peer challenge that occurs during case conferencing processes; however, it is recognised that this needs further work to tighten up and reinforce the understanding of equality issues.</p> <p>It is proposed that all formal letters and notices sent out are accompanied by a simple foreign language statement outlining the need for the recipient to seek a translation if required.</p> <p>Existing policies and procedures will be amended to include EqIA requirements as part of the review cycle for Quality Management System.</p> <p>Further work is required to develop partnerships with agencies and others in relation to mental health.</p> <p>Feedback to be provided to the members of the NBRP in relation to the findings of this EqIA.</p>	
<p><b>14. Describe the arrangements for reporting and publishing this assessment.</b></p>	<p>Report to Equality &amp; Diversity Board Nov 2009</p>		
<p><b>Has this assessment been undertaken by a minimum of two staff?</b></p>	<p><b>Yes</b></p>	<p><b>Has this assessment been scrutinised by your Directorate Steering Group?</b></p>	<p><b>No</b></p>

<b>If the service is new, or requires a decision by Councillors to revise, has this Equality Impact Assessment been included with the report?</b>			<b>N/A</b>
<b>Have any actions identified in this assessment been included in your service equality and diversity action plan?</b>			<b>Yes</b>
<b>Completed by:</b>	Mark Whitmore, Environmental Protection Team Leader	<b>Signed off by:</b>	Chris Cawley, Environmental Health Manager

# Equality Impact Assessments

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Produced by  
David Lloyd associates  
In partnership with  
North Norfolk District Council  
May 2008