

Equalities and Diversity Impact Assessment

Local Standards for Houses in Multiple Occupation within County Durham



Durham County Council – Altogether Better equality impact assessment form

NB: Equality impact assessment is a legal requirement for all strategies plans, functions, policies, procedures and services. We are also legally required to publish our assessments.

You can find help and prompts on completing the assessment in the guidance from page 7 onwards.

Section one: Description and initial screening

Section overview: this section provides an audit trail.

Service/team or section:

Environment Protection ,– Environment Health and Consumer Protection , Neighbourhood Services

Lead Officer:

Public Health & Housing Manager, Environmental Protection, Neighbourhood Services

Start date:

7 October 2010

Subject of the Impact Assessment: (please also include a brief description of the aims, outcomes, operational issues as appropriate)

Local Standards within Houses in Multiple Occupation

It is widely recognised that good quality homes are important pre-cursors to the good health and well-being of communities.

The Council is committed to improving the health and well being of its communities, and recognises the need to tackle the worst housing conditions and to find ways to meet the demand for more - good standard - affordable homes.

The Council has responsibility for all aspects of private sector housing enforcement through the application of the principal Housing Acts and related legislation. The enforcement work is carried out by a small team of specialist Environmental Health and Housing Practitioners who can offer advice, inspection and enforcement services mainly, but not exclusively, in relation to privately rented housing. These services include housing conditions, housing standards, houses in multiple occupation (HMOs), selective licensing, management, empty homes, landlord liaison and housing advice. In carrying out our Private Sector Housing regulatory activities the Council has adopted an enforcement strategy designed to ensure that our activities are even-handed, proportionate, consistent, transparent and open and are designed to recognise the requirements of the Regulators' Compliance Code of 2007. Our staff must have regard to the enforcement strategy which enables them to be helpful to local residents and landlords.

There are no national standards for room sizes and provision of amenities within HMO's. Adoption of local standards will provide detailed information for all stakeholders on what is required of them to comply with the law and to ensure the accommodation is properly managed and safe, and that it provides well maintained and adequate facilities and sufficient living space for the occupiers.

Who are the main stakeholders: General public / Employees / Elected Members / Partners/ Specific audiences/Other (please specify) –

Private sector tenants

Landlords
Managing Agents
Owner Occupiers
Residents Associations
Landlords Organisations
Elected Members and MP's
Central Government – principally Department for Communities and Local Government
HMO licence Holders
HMO Owners / Landlords / Agents
Durham Students Union
County Durham and Darlington Fire and Rescue Service
Internal Departments within Durham County Council

Is a copy of the subject attached? Yes / No

Initial screening

In simple terms the definition of house in multiple occupation is “a house which is occupied by three or more unrelated persons, who do not form a single household”. Not all HMO's require a licence. Mandatory licensing of certain high risk HMO's was introduced in April 2006 by provisions set down in the Housing Act 2004. The criteria for licensing the HMO requires that it is

- part of a building of 3 or more storeys and
- Occupied by 5 or more tenants and
- Who form 2 or more households

Where approved, licences are issued with any relevant conditions for a 5 year period. Additional licensing is an option available to local authorities to address issues arising from the management, condition and general environmental impact of HMO's within defined areas of the authority. Regardless of whether a particular HMO requires a licence, it is important to ensure that all HMO accommodation is maintained at or above the minimum national standards where appropriate. Enforcement is through the provisions of the Housing Act 2004, related Regulations, any prescribed National and Local Standards and the application of licence conditions. There may be occasions where use of the wider Environmental Health powers and legislation may complement or enhance the service to bring about improvements in housing standards and conditions.

Application of Local Standards

In applying the relevant local standards, several key principles underpin our approach:

Openness

- We will provide information and advice in plain language and, as far as possible avoid jargon.
- We will be open about how we do our work.

- We will always discuss relevant issues, specific deficiencies or problems, with anyone who is made subject to statutory enforcement action.
- We will seek to ensure that people understand what is expected of them as well as knowing what they can expect from us.

Helpfulness

- We will always aim to provide a courteous and efficient service. Officers who visit peoples’ homes will identify themselves by name and carry identification cards.
- We will always provide a contact point and telephone number for further dealings with our officers.

Proportionality

- Where we can, we will endeavour to minimise the cost of compliance with notices by ensuring the action we take is proportionate to the risk(s) identified.

Consistency and Fairness

- Officers will carry out their duties in a fair and consistent manner.
- We will ensure that our officers are properly trained and suitably qualified.
- Officers must exercise their judgment in individual cases, but consistency in approach will ensure that people are treated equitably.
- Unless immediate action is required, officers will be prepared to discuss the case and if possible agree a way forward that avoids the need for formal enforcement action.
- We will have due regard to the Human Rights Act 1998 in the discharge of our duties.

Prompts to help you:
 Who is affected by it? Who is intended to benefit and how? Could there be a different impact or outcome for some groups? Is it likely to affect relations between different communities or groups, for example if it is thought to favour one particular group or deny opportunities for others? Is there any specific targeted action to promote equality?

Is there an actual/potential negative or positive impact on specific groups within these headings?

Indicate :Y = Yes, N = No, ?=Unsure

Gender	Y	Disability	Y	Age	Y	Race/ethnicity	Y	Religion or belief	Y	Sexual orientation	Y
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How will this support our commitment to promote equality and meet our legal responsibilities?

Reminder of our legal duties:

- Eliminating unlawful discrimination & harassment
- Promoting equality of opportunity
- Promoting good relations between people from different groups
- Promoting positive attitudes towards disabled people and taking account of someone's disability, even where that involves treating them more favourably than other people
- Involving people, particularly disabled people, in public life and decision making

What evidence do you have to support your findings?

All Strands

Gender }
Disability }

The application of the local standards are primarily based on the physical condition and management of HMO accommodation as against minimum legislative requirements.

The workload (response to customers) is dictated by applications from owners / agents of houses in multiple occupation that require a licence, planning applications for changes to existing or formation of HMO's or through incoming requests for service or assistance from relevant parties, eg tenants of the HMO.

Age }
Race/ethnicity }
Religion or belief }
Sexual orientation }

Environmental Health Practitioners are trained in equalities and diversity issues. As most contact with the public is made by visiting the customer in their home there are no physical barriers to accessing the service.

Where required translation services can be engaged.

Decision: Proceed to full impact assessment – Yes/No

Date: 9 February 2011

If you have answered 'No' you need to pass the completed form for approval & sign off.

Section two: Identifying impacts and evidence- Equality and Diversity

Section overview: this section identifies whether there are any impacts on equality/diversity/cohesion, what evidence is available to support the conclusion and what further action is needed.

	Identify the impact : does this increase differences or does it aim to reduce gaps for particular groups?	Explain your conclusion, including relevant evidence and consultation you have considered.	What further action is required? (Include in Sect. 3 action plan)
Gender Age Disability Race/Ethnicity Religion or belief Sexual Orientation	Impact of consolidating and adopting the HMO standards will be neutral		

How will this promote positive relationships between different communities? N/A

Section three: Review and Conclusion

Summary: please provide a brief overview, including impact, changes, improvements and any gaps in evidence.

Action to be taken	Officer responsible	Target Date	In which plan will this action appear
When will this assessment be reviewed?	Date: February 2014		
Are there any additional assessments that need to be undertaken in relation to this assessment?	No		
Lead officer - sign off: Head of Environment, Health and Consumer Protection			Date: 14 February 2011
Service equality representative – Policy Performance and Communications Manager			Date: 14 February 2011

Please ask us if you would like this document summarised in another language or format.

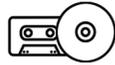
العربية (Arabic) (中文 (繁體字)) (Cantonese) اردو (Urdu)
polski (Polish) ਪੰਜਾਬੀ (Punjabi) Español (Spanish)
বাংলা (Bengali) हिन्दी (Hindi) Deutsch (German)
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