

## Equality Impact Assessment – Civil Penalty Policy

### Equality Impact Assessment Form

For a policy, project, strategy, staff or service change, or other decision that is new, changing or under review

<b>What is being assessed?</b>		Civil Penalty Policy	
Lead Assessor	Geoff Hammond Residential and Animal Control Manager		Assessment team Environmental Health and Licensing
Start date	March 2026	End date	March 2027
When will the EqIA be reviewed? (Typically every 2 years)	March 2027, unless the policy to which it relates requires review at an earlier date.		

Who may be affected by the proposed project?	Landlords of private sector rented dwellings in Stevenage and persons acting on their behalf such as managing agents and letting agents, who may be liable to be issued with a civil penalty notice in accordance with this policy. Landlords who are registered providers of social housing may also be subject to civil penalty notices.
What are the key aims of the proposed project?	<p>To set out the Council's methodology and mechanism for assessing and setting the level of a civil penalty, as an enforcement sanction against a landlord where a contravention of relevant housing legislation has occurred.</p> <p>To ensure that civil penalties are issued in accordance with the relevant legislation and the statutory enforcement guidance.</p> <p>To ensure that civil penalties are issued in a fair, transparent and consistent manner.</p>

What <b>positive measures</b> are in place (if any) to help <b>fulfil our legislative duties</b> to:					
Remove discrimination & harassment	See comment below.	Promote equal opportunities	See comment below.	Encourage good relations	The policy will enable landlords and those acting on their behalf to have confidence that the Council will apply the law concerning civil penalties in a fair, consistent and transparent manner.
What sources of data / information are you using to inform your assessment?	UK legislation and associated Government guidance.				

In assessing the potential impact on people, are there any overall comments that you would like to make?	<p>The policy sets out a clear and consistent approach to the setting and issuing of civil penalties which is applied equally to landlords or persons acting on their behalf or who have failed to comply with their legal obligations. It is supported by separate housing enforcement policies which set out a consistent approach to investigating contraventions of relevant housing law and the making of enforcement decisions, including decisions to issue a civil penalty where there is sufficient evidence of a breach or offence of the relevant legislation.</p> <p>It is important to note that persons issued with a civil penalty have a legal right of appeal against the Council's decision to take this course of action, or against the amount of the civil penalty. This could include where a recipient of a civil penalty believes that they have been unfairly treated or were subject to discrimination.</p> <p>Appeals are heard by an independent body, the First Tier Tribunal. Landlords would have opportunity to put forward any evidence or argument as to why they believe the Council has acted unfairly or has not acted in accordance with the law or the associated statutory guidance. The First Tier Tribunal would then determine the outcome of the appeal.</p> <p>Persons affected by this policy therefore have clear recourse set out in law where they believe the Council has not acted fairly.</p>
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## Evidence and Impact Assessment

Explain the potential impact and opportunities it could have for people in terms of the following characteristics, where applicable:

Age					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Disability e.g., physical impairment, mental ill health, learning difficulties, long-standing illness					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> <p>In setting the level of a civil penalty fine, the policy allows the Council to take account of circumstances that may be a mitigating factor where a contravention of relevant housing legislation has occurred, where satisfactory evidence of such circumstances is provided. This may include evidence that ill health was a contributing factor in the act/omission that led to the breach/offence in question.</p>				

What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A
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Gender Reassignment					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> <p>Where known, preferred pronouns of those using the services to which this policy relates will be honoured during all communication.</p>				
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A		

Marriage or Civil Partnership					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>				

What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A
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Pregnancy & Maternity					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>				
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A		

Race					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>				
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A		

Religion or Belief					
Positive impact		Negative impact		Neutral impact	✓

Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>			
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What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A
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<b>Sex</b>
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Positive impact		Negative impact		Neutral impact	✓
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Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>			
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What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A
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<b>Sexual Orientation e.g., straight, lesbian / gay, bisexual</b>
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Positive impact		Negative impact		Neutral impact	✓
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Please evidence the data and information you used to	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>			
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support this assessment			
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A

<b>Socio-economic<sup>1</sup></b> <b>e.g., low income, unemployed, homelessness, caring responsibilities, access to internet, public transport users, social value in procurement</b>					
Positive impact		Negative impact		Unequal impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> <p>Under this policy, assessment of a landlord’s financial circumstances is a key stage in determining the level of civil penalty fine that should be issued. A landlord or any other person who has been issued with a notice of the Council’s intention to issue a civil penalty (which is a preliminary step in all cases), will have a period as specified in the policy within which to make representations to the Council, which the Council must consider before determining the level of fine to be issued. At the point of making representations, the landlord will be able to submit evidence of their financial circumstances to the Council. The Council will proactively request this information from landlords before determining the final level of civil penalty.</p>				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

<b>Additional Considerations</b> <b>Please outline any other potential impact on people in any other contexts</b>					
Positive impact		Negative impact		Unequal impact	✓

<sup>1</sup>Although non-statutory, the council has chosen to implement the Socio-Economic Duty and so decision-makers should use their discretion to consider the impact on people with a socio-economic disadvantage.

Please evidence the data and information you used to support this assessment	Those using the services to which this policy relates may not speak English as their first language and may require additional language support services. While the Council is not obliged to translate written communications including statutory notices into other languages, options to facilitate communication in such cases will be considered. This may include the use of the Language Line service to provide an interpreter. Depending on the circumstances, it may also involve officers facilitating meetings with an interpreter present. Where there is sufficient justification for using translation services for written communications in a particular case, this option may also be considered.		
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A

## Consultation Findings

Document any feedback gained from the following groups of people:

Staff?	N/A	Residents?	N/A
Voluntary & community sector?	N/A	Partners?	N/A
Other stakeholders?	N/A		

## Overall Conclusion & Future Activity

Explain the <b>overall findings</b> of the assessment and <b>reasons for outcome (please choose one)</b> :	
1. No inequality, inclusion issues or opportunities to further improve have been identified	Adherence to the policy will ensure that civil penalties are issued in a fair, transparent and consistent manner that does not unfairly discriminate against any disadvantaged group or against those with protected characteristics. The policy allows for certain relevant factors that may affect such groups to be considered in the Council's decision making, including disability and socio-economic factors. Those affected by this policy have recourse to appeal to an independent tribunal where they consider that the Council has acted unfairly in issuing a civil penalty.

Negative / unequal impact, barriers to inclusion or improvement opportunities identified	2a. Adjustments made	N/A
	2b. Continue as planned	N/A
	2c. Stop and remove	N/A

Detail the **actions that are needed** as a result of this assessment and how they will help to **remove discrimination & harassment, promote equal opportunities** and / or **encourage good relations**:

Action	Will this help to remove, promote and / or encourage?	Responsible officer	Deadline	How will this be embedded as business as usual?
N/A				