



EQUALITY ANALYSIS (EA) - SCREENING TEMPLATE

GUIDANCE TOOL This Tool assists services in determining whether their plans and decisions will require a full Equalities Analysis. EAs help the Council comply with its duty under s.149 of the Equality Act 2010 to have “due regard” to specified equality matters. They are required in most cases but, in some cases, an EA is not necessary or is only necessary for certain aspects of a decision. The full EA template is available here:

<https://foresthub.walthamforest.gov.uk/services/information-governance/governance-and-law/council-meetings>

The Council understands that whilst its equalities duty applies to all services, it is going to be more relevant to some decisions than others. We need to be pragmatic and ensure that the detail of Equality Analyses (EAs) are proportionate to the impact of decisions on the equality

duty. In some cases a full EA is not necessary and/or the equalities duties do not apply. In other cases, only part of a decision will require an EA to ensure the Council has due regard to its equality duties. The following examples are intended to assist:

Where will a full EA be required?

In short, wherever a decision has a more than minimal or theoretical **adverse or negative** impact on those with protected characteristics, for example, if the Council is considering:

- Ceasing a service
- Reducing a service or reducing it in particular areas, e.g. closing an office in Leyton but not Walthamstow
- Changes to the way a service is delivered, e.g. moving to personalisation or moving to online access only
- Changes to eligibility criteria, rules or practices for a service
- Changes to discretionary fees and charges

Where might an EA not be required?

- Where it can be proven that the decision has no equalities impact– with particular focus on negative impacts on service users and residents
- Where it can be proven that the decision has a minimal or theoretical equalities impact (and so does not need to be considered)
- Where the decision is mandatory and there is no element of discretion (e.g. to adopt a member’s code of conduct or similar)
- In rare cases, where a previous EA exists and a review shows that it is still relevant at the time of the final decision, i.e. the facts have not changed

Important:

- The EA screening tool should not be used to mask over any equality impacts or as a “get out”.
- There can be a negative equality impact even if you think that overall, you are proposing changes that will make services better. If there is an adverse or negative impact, you must complete a full EA.
- **Negative** impacts are often indirect, i.e. a rule that is on its face of universal impact but has greater impact on some groups in practice e.g. due to the ethnic makeup of an area.
- In most cases, the screening process requires a degree of collation and analysis of

evidence. If this requires a lot of work, consider whether it is actually simpler to omit the screening process and undertake a full EA.

- The equality duty **continues** up to and after the final decision. If proposals or facts change before the final decision, any screening tool will need to be reviewed and evidenced.
- Any consultation undertaken should also inform the screening process, e.g. issues raised by those affected. Monitoring should take place after a decision as part of service delivery.
- The completed screening template will be attached to Cabinet or other decision making report and so it must include sufficient detail to justify the decision not to carry out a full EA.

What to do?

The screening process should be used on **ALL** new proposals, policies, projects, functions, saving proposals, major developments or planning applications, or when revising them, if there is no negative equality impact or there is uncertainty about whether there is a negative equality impact. **However**, If your proposal is of a significant nature and it is apparent from the outset that a full EA will be required, then you do not need to complete this screening template and can progress directly to a full EA. If a negative/adverse impact has been identified during completion of the screening tool, a full EA **MUST** be undertaken.

proposal does not have any negative/adverse impact. **If your proposal is going to Cabinet or Committee (e.g. Planning or Licensing) and you are not undertaking a full EA, you must:**

- share your report and completed screening tool with Equalities (equalities@walthamforest.gov.uk), who will check and challenge your findings *and*
- use the following wording under the Equality & Diversity paragraph in the Cabinet report: *“An initial screening exercise of the equality impact of this decision was undertaken and determined there was no / minimal impact*



If you have not identified any negative/ adverse impacts arising from your proposal you do not need to undertake a full EA. However, make sure you have explained clearly why the

(delete as appropriate) on the Council's equality duty." Attach the completed template as an appendix to your report.

1. Proposal / Project Title: LICENSING OF PRIVATE RENTED SECTOR PROPERTIES – REVIEW AND PREPARATION FOR POSSIBLE FUTURE DESIGNATION

2. Brief summary of the above: (include main aims, proposed outcomes, recommendations / decisions sought)
 The report to October 2023 Cabinet provides an overview of the implementation of the current property licensing schemes since coming into force. It also reports on what is required to continue any further discretionary licensing scheme after the expiry of their current 5-year terms through a further re-designation. The report recommends Cabinet to:

2.1 Note the significant progress in tackling poor property conditions and anti-social behaviour in the private rented sector through its large-scale property licensing schemes.

2.2 Agree for further work to be undertaken to identify whether the relevant legal criteria are met to support a further designation or designations.

2.3 Delegate to the Director of Neighbourhoods and environment, in consultation with the Director of Governance and Law, authority to identify the proposed nature and scope of any further designation, informed by the work described in 2.2, and to consult as necessary with landlords, tenants and other stakeholders regarding future scheme options.

2.4 Note that Cabinet will receive a further report with the finalised outcomes of any consultation and recommendations in relation to designation of discretionary property licensing schemes beyond the expiry of the existing schemes. For any further large-scale Selective Licensing scheme, the further report would be scheduled to enable time for any application for approval by the Secretary of State for the Department for Levelling Up Housing and Communities (DLUHC) to be confirmed and published before it expires on 30 April 2025.

3. Considering the equality aims (eliminate unlawful discrimination; advance equality of opportunity; foster good relations) indicate for each protected group whether there may be a positive impact, negative (adverse) impact, or no impact arising from the proposal.

4. Protected Characteristic (Equality Group) <input checked="" type="checkbox"/>	Positive Impact	Negative Impact	No Impact	Briefly explain your answer. Consider evidence, data and any consultation. https://www.walthamforest.gov.uk/content/statistics-about-borough
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The recommendations of the report, if agreed, authorise officers to carry out work to determine whether the legal case for a further property licensing designation or designations are met and to carry out any subsequent consultation exercise as necessary. The decision as to whether any further designation is actually made will be made by Cabinet in 2024.
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See 'age' above
Pregnancy and Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See 'age' above
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See 'age' above
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See 'age' above

Sex (Including Gender Re-assignment)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See 'age' above
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See 'age' above
Marriage and Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See 'age' above
5. There are no negative/adverse impact(s) If you have not identified any negative/adverse impacts please briefly explain your answer, providing evidence to support decision.	As detailed above, this report does not relate to Cabinet making a decision to declare a new property licensing scheme or schemes. It is intended that Cabinet will receive a further report with the finalised outcomes of any consultation undertaken and recommendations in relation to designation of discretionary property licensing schemes beyond the expiry of the existing schemes. That future report would be accompanied by an appropriate Equality Analysis.			
6. Describe how opportunities to advance equality and foster good relations for any of the protected characteristics has been taken up (where relevant).	Not applicable			
7. As a result of this screening is a full EA necessary (Please check <input checked="" type="checkbox"/> appropriate box)	Yes	No	Briefly explain your answer.	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Please see above	
8. Name of Lead Officer: Julia Morris		Job title: Assistant Director Regulatory Services		Date screening tool completed:31 August 2023

Signed off by Head of Service:

D Beach

Name:

David Beach

Date:

31 August 2023