

EQUALITY IMPACT ASSESSMENT

TITLE: Unlawful Eviction and Harassment Policy for Private Rented Sector Housing

VERSION CONTROL

Date	Version	Author	Description of Changes
11 th January 2022	DRAFT 1.0	John Howard	None

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CHESHIRE EAST COUNCIL - EQUALITY IMPACT ASSESSMENT

Stage 1 Description: Fact finding (about your policy / service /

Department	Place		Lead officer responsible for assessment		John Howard	
Service	Housing		Other members of team undertaking assessment		Claire Grice Philip Jennings	
Date	11 th January 2022		Version		DRAFT 1.0	
Type of document (mark as appropriate)	Strategy	Plan	Function	Policy	Procedure	Service
				√		
Is this a new/ existing/ revision of an existing document (please mark as appropriate)	New √		Existing		Revision	
Title and subject of the impact assessment (include a brief description of the aims, outcomes, operational issues as appropriate and how it fits in with the wider aims of the organisation) Please attach a copy of the strategy/ plan/ function/ policy/ procedure/ service	<p>The term “unlawful eviction” is an umbrella expression for what is likely to be a number of unlawful acts committed by a landlord or someone acting with them, or on their behalf, which excludes the occupier from residential property that they have a continuing right to occupy.</p> <p>A small number of landlords/agents sometimes resort to using unlawful eviction and/or harassment to force tenants to leave their properties.</p> <p>Unlawful eviction can normally be prevented through mediation with the landlord, and Cheshire East Council (CEC) would always advocate this approach unless there are other mitigating factors, such as violence or threats, which would deem this approach unsuitable. However, where there are occasions when the landlord continues to harass or even unlawfully evict a tenant despite advice and information that they may be committing a criminal offence, then CEC will take action.</p>					

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	<p>When such events occur, they have a severely disruptive effect on the households involved, possibly leading to unintentional homelessness. This in turn will have a financial impact on CEC who will have to find temporary accommodation such as bed and breakfast accommodation for those occupants. Successful implementation of this Policy will therefore see a reduction in homelessness and in costs to CEC.</p> <p>This Policy is reflected in the strategic aims of CEC, including the Housing Strategy 2018-2023 and the Homelessness and Rough Sleeping Strategy 2021-2025.</p> <p>A key priority in the Housing Strategy 2018-23 is to ‘Challenge Poor Quality Housing’ in the private rented sector, including the targeting of the worst management and poorest housing standards, as well as promoting the responsibilities of landlords.</p> <p>A key action within the Homelessness and Rough Sleeping Strategy 2021-2025 is to develop CEC’s relationships with private landlords, enabling communication and positive working relationships.</p>
<p>Who are the main stakeholders and have they been engaged with? (e.g. general public, employees, Councillors, partners, specific audiences, residents)</p>	<p><i>If yes, who did you engage with? Please state below:</i></p> <p>(i.e. if risk increases, vulnerability increases etc. services should include methods of adaptation to meet these increased needs without creating client uncertainty, or loss of services).</p> <p><i>Name any groups/ stakeholders that you have involved or consulted with during the Equality Impact Assessment. Provide a brief summary of how they have been involved and what they said – positive or negative.</i></p> <p><i>For example, asking disabled people about access issues and gender groups about gender specific issues before a service is introduced. Involving people with protected characteristics in training, policy review, satisfaction surveys etc.</i></p> <p>Local stakeholders are private renters, private landlords, Police, Local Elected Members.</p> <p>No consultation with these groups has been carried out.</p>

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<p>What consultation method(s) did you use?</p>	
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Stage 2 Initial Screening

<p>Who is affected and what evidence have you considered to arrive at this analysis? (This may or may not include the stakeholders listed above)</p>	<p><i>Such as a 'Process Map' of your service (assessment of customer journey through service) / analysis of complaints / analysis of patient satisfaction surveys and feedback from focus groups / consultations / national & local statistics and audits etc.</i></p> <p><i>List what other information you have reviewed.</i></p> <p>During the summer of 2021 it was identified that CEC needed an effective Unlawful Eviction Policy, following a number of cases. This also highlighted a particular need for more protection for migrant workers, a vulnerable group open to unlawful eviction, to promote help, and tackle any rogue landlords.</p>
<p>Who is intended to benefit and how?</p>	<p>Cheshire East has a relatively high concentration of migrant workers in the Crewe area, many of whom live in private rented accommodation, especially in Houses of Multiple Occupation (HMOs). CEC recognises that migrant workers can be subject to poorer living conditions and experience exploitation due to limited knowledge of their rights as renters in the UK. Often issues will be undetected due to non-reporting, and challenges exist around literacy, language barriers, and a lack of awareness of the housing rights of non-UK nationals.</p> <p>The Council aims to tackle these issues through increased awareness-raising within communities and workplaces, as well as improved website information, by specifically carrying out promotion and marketing of housing, homelessness and Homechoice services. This will mean that the Housing Options Team is better promoted among hard-to-reach groups and those with accessibility issues. The CEC website will be kept up to date with good quality information and useful links (ensuring access to translated documents and services for those needing them).</p> <p>Anyone in the cohort of private renters may be open to harassment because of age, disability, gender, race, religion, nationality, or sexuality (as extended to all new protected characteristics and protected groups within the 2010 Equality Act). For example, there is evidence nationally of some landlords exploiting vulnerable tenants if the tenant wishes to stay in the landlord's property.</p>

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Could there be a different impact or outcome for some groups?	No.							
Does it include making decisions based on individual characteristics, needs or circumstances?	No.							
Are relations between different groups or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?)	It is intended that community relations are improved, and that communication improves between tenants, landlords, and statutory services such as CEC and the Police.							
Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)?	Not at the moment but this will be monitored through the implementation of the Unlawful Eviction Policy. Improvements in the promotion of services among hard-to-reach groups and those with accessibility issues will increase equality of access.							
Is there an actual or potential negative impact on these specific characteristics? (Please tick)								
Age	Y	N	Marriage & civil partnership	Y	N	Religion & belief	Y	N
		√			√			√
Disability	Y	N	Pregnancy & maternity	Y	N	Sex	Y	N
		√			√			√
Gender reassignment	Y	N	Race	Y	N	Sexual orientation	Y	N
		√			√			√
What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts							Consultation/ involvement carried out	

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			Yes	No	
Age	It will be possible to identify private renters to see if older people are happy with their home or if they would prefer to live in a different type of home or need to access to particular support services. Cheshire Homechoice will advise households enabling them to make informed decisions.				√
Disability	Households containing Disability Benefit recipients can be signposted to appropriate services and an up-to-date assessment of their needs carried out by health staff. Landlords will be reminded of their obligations under disability legislation,				√
Gender reassignment	CEC expects landlords to ensure that individuals transitioning have protection through their tenancy agreement.				√
Marriage & civil partnership	Families depend on extended networks and often try to live near relatives and rely on them for support. It is important that their accommodation is in the right area and that the accommodation is maintained.				√
Pregnancy & maternity	This group may benefit from the stability of adequate private accommodation making access to local hospital/health services easier. The Policy will see lesser disruption to people's lives.				√
Race	There is a duty on CEC to promote race equality and good race relations. It will be possible to signpost families who have/are experiencing racism to relevant services, such as Police. The Unlawful Eviction Policy will tackle racist abuse of tenants by their landlord.				√
Religion & belief	The Unlawful Eviction Policy will tackle discrimination and abuse of tenants by their landlord due to the tenant's beliefs.				√
Sex	CEC is aware that some landlords Nationally are exploiting vulnerable tenants if the tenant wishes to stay in the landlord's property, and the Unlawful Eviction Policy addresses this issue if it is encountered locally.				√
Sexual orientation	LGBTQ+ are a hard-to-reach group and often issues will be undetected due to non-reporting. CEC is aware of this and one of the objectives of the Unlawful Eviction Policy is to improve reporting and communication.				√
Proceed to full impact assessment? (Please tick)	Yes	No	Date		
		√			

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Lead officer sign off	John Howard	Date	11 th January 2022
Head of service sign off		Date	

If yes, please proceed to Stage 3. If no, please publish the initial screening as part of the suite of documents relating to this issue

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Stage 3 Identifying impacts and evidence

This section identifies if there are impacts on equality, diversity and cohesion, what evidence there is to support the conclusion and what further action is needed

Protected characteristics	<p>Is the policy (function etc....) likely to have an adverse impact on any of the groups?</p> <p>Please include evidence (qualitative & quantitative) and consultations</p> <p><i>List what negative impacts were recorded in Stage 1 (Initial Assessment).</i></p>	<p>Are there any positive impacts of the policy (function etc....) on any of the groups?</p> <p>Please include evidence (qualitative & quantitative) and consultations</p> <p><i>List what positive impacts were recorded in Stage 1 (Initial Assessment).</i></p>	<p>Please rate the impact taking into account any measures already in place to reduce the impacts identified</p> <p>High: Significant potential impact; history of complaints; no mitigating measures in place; need for consultation</p> <p>Medium: Some potential impact; some mitigating measures in place, lack of evidence to show effectiveness of measures</p> <p>Low: Little/no identified impacts; heavily legislation-led; limited public facing aspect</p>	<p>Further action (only an outline needs to be included here. A full action plan can be included at Section 4)</p> <p><i>Once you have assessed the impact of a policy/service, it is important to identify options and alternatives to reduce or eliminate any negative impact. Options considered could be adapting the policy or service, changing the way in which it is implemented or introducing balancing measures to reduce any negative impact. When considering each option you should think about how it will reduce any negative impact, how it might impact on other groups and how it might impact on relationships between groups and overall issues around community cohesion. You should clearly demonstrate how you have considered various options and the impact of these. You must have a detailed rationale behind decisions and a justification for those alternatives that have not been accepted.</i></p>
Age				
Disability				
Gender reassignment				
Marriage & civil partnership				

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Pregnancy and maternity				
Race				
Religion & belief				
Sex				
Sexual orientation				
<p>Is this change due to be carried out wholly or partly by other providers? If yes, please indicate how you have ensured that the partner organisation complies with equality legislation (e.g. tendering, awards process, contract, monitoring and performance measures)</p>				

Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed			
Specific actions to be taken to reduce, justify or remove any adverse impacts	How will this be monitored?	Officer responsible	Target date
Please provide details and link to full action plan for actions			
When will this assessment be reviewed?			
Are there any additional assessments that need to be undertaken in relation to this assessment?			
Lead officer sign off		Date	
Head of service sign off		Date	

Please publish this completed EIA form on the relevant section of the Cheshire East website

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