



Policy and Resources Committee 13th May 2019

Housing Legislation Updates

Purpose of report

To provide members with updates to housing legislation relating to Civil Penalty Notices and the Minimum Energy Efficiency Standards. This includes a matrix for calculating the Civil Penalty Notice, additions to the Environmental Services and Community Safety Enforcement Policy and additions to the Scheme of Delegation.

Attachment

Appendix 1: Civil Penalty Matrix - Enforcement Policy addition

Appendix 2: Minimum Energy Efficiency Standards - Enforcement Policy addition

Appendix 3: Equalities Impact Assessments

1.0 Background

1.1 The Housing and Planning Act 2016 introduced a number of changes to assist local authorities in dealing with poor housing standards and rogue landlords. A number of these changes, such as the Rogue Landlord Database and the statutory guidance in relation to the issuing of Civil Penalty Notices (CPN) for Housing Offences, have already been added to the Environmental Services and Community Safety Enforcement Policy by this Committee. In order to issue a CPN we need to detail how we will calculate the charge in a consistent way.

1.2 In addition to the Housing and Planning Act changes, legislation relating to minimum energy efficiency standards for private rented properties has also come into force.

2.0 Civil Penalty Matrix

2.1 Civil Penalty Notices (CPN) can be issued for a number of housing offences, such as breaching an Improvement or Prohibition notice issued by an authority. The notices were brought in as an additional method to deal with housing offences alongside the option for prosecution. The maximum penalty for CPN is £30,000 per offence. This money is then to be reused within the housing enforcement function of the authority.

2.2 Many local authorities have created a Civil Penalty Matrix and many have yet to undertake this step. The larger city authorities who have greater issues with landlords have created various ways to calculate a fee based around the statutory guidance. Having reviewed many existing models across England, we have worked with the borough councils of Corby, Kettering and Wellingborough to create a matrix that can be used by all.

2.3 The current version of the matrix is in Appendix 1. Kettering and Corby have already been out to public consultation and had the matrix approved by members for inclusion in their policies. Wellingborough has a slightly different version but are aware and involved in the joint work completed to date. The matrix was sent out for public consultation on 18th February 2019 with all letting agents written to advising of the consultation.

2.4 The consultation closed on 1st April 2019; no comments were received.

3.0 Minimum Energy Efficiency Standards (MEES)

3.1 The Energy Efficiency (Private Rented Property) Regulations 2015 and Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2019 requires a domestic private rented property to have a minimum Energy Performance Certificate (EPC) rating of E. From the 1st April 2018 landlords were prohibited from granting new tenancies for a property with an EPC rating of below E, nor can they renew or extend any existing tenancies. From 1st April 2020 the legislation further restricts landlords letting out below E-rated properties to all existing tenancies.

3.2 In addition to the EPC rating requirements, the legislation also enables a tenant to request their landlord's consent for energy efficiency improvements to be made to the property and placed a duty on the landlord to not unreasonably refuse such works. This enables a tenant to serve a 'tenants request' on the landlord and if the landlord fails in their duty the tenant may apply to the First Tier Tribunal for its consent for the improvements to be made.

3.3 Local Authorities are required to enforce compliance of the MEES regulations. ENC already has access the national EPC register when dealing with any housing complaint to ensure that an EPC is in place. Non compliant landlords can be issued with a financial penalty of up to £5,000, for offences including failure to obey to an Compliance Notice requiring information, failure to register a property on the PRS Exemption Register, or registering false information. The table below shows the maximum fines:

Offences	Maximum Financial Penalty	Total Maximum Financial Penalty per Property per Breach	Minimum Publication Penalty
Letting a sub-standard property for less than 3 months	£2,000	£5,000	1 year
Letting a sub-standard property for more than 3 months	£2,000		
Registered false or misleading information	£1,000		
Failure to comply with compliance notice	£2,000		

3.4 The 2019 regulations made amendments to the original regulations, which introduce a financial contribution component for landlords of EPC F and G rated homes, which is capped at £3,500 per property. The other key change was the introduction of the 'high cost' exemption, where landlords will be able to register on the Exemptions Register if they meet the necessary criteria.

3.5 Appendix 2 details the proposed inclusion in relation to this legislation for the Environmental Services and Community Safety Enforcement Policy in line with Government guidance.

4.0 Important issues to consider

- 4.1 In order to enforce the MEES regulations and to have a consistent way of calculating a CPN matrix both the legislation and matrix need to be formally approved by committee and added to the Environmental Services and Community Safety Enforcement Policy along with changes to the Scheme of Delegation.

5.0 Equality and Diversity Implications

- 5.1 An initial EIA assessment has been undertaken for both the CPN matrix and the incorporation of the MEES regulations, these are provided in Appendix 3 for members review.

6.0 Legal Implications

- 6.1 In order for the enforcement powers to be effectively utilised, the Civil Penalty Matrix requires approval from this Committee for its inclusion in the Enforcement Policy and the regulations in relation to the minimum energy efficiency standards need to be included in the Councils Scheme of Delegation. Section 9 details the officers that require delegated authority in order to enforce these regulations.

7.0 Risk Management

- 7.1 There are many landlords and letting agents that operate across the current council boundaries, where possible ENC work with our neighbouring authorities to try and adopt a consistent approach to enforcement. Local Government Reform is also taking place and makes consistent approaches more important moving forward. The CPN Matrix is an example of the North Northamptonshire Councils working together to develop a consistent approach in line with the Government guidance which will benefit and reduce confusion to the sector.

8.0 Resource and Financial Implications

- 8.1 The implementation of the CPN matrix and the MEES regulations will assist existing officers that enforce housing legislation and does not require additional staffing resources. Any income received in relation to CPN fines and MEES fines are required to be reused in the private sector housing enforcement functions. It is impossible to predict an estimated income that may be received by the authority in relation to either fine. It is more likely that the ability for officers to issue such fines will act as a deterrent to landlords and increase compliance.

9.0 Constitutional Implications

- 9.1 The Energy Efficiency (Private Rented Property) Regulations 2015 and Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2019 need to be formally adopted by Council and added to the Councils Scheme of Delegation. The officers that need to be delegated authority under these regulations are as follows:
- Head of Environmental Services
 - Environmental Protection Manager
 - Health Protection Manager
 - Waste Services Manager
 - Housing Technical Officer

As the next Council meeting is the Annual Meeting, it is proposed that these are added under delegated authority by the Monitoring Officer as they are changes arising from legislation.

10.0 Implications for our Customers

10.1 The implementation of the CPN Matrix and MEES regulations will assist tenants of our private rented sector and improve standards. The consistent approach across North Northamptonshire will have a benefit to our landlords and letting agents. There should be no implications for our Customer Services Teams.

11.0 Corporate Outcomes



11.1 The Corporate Outcomes are:

- Good Quality of Life – Improve the private rented sector standards and the quality of life of residents who reside in them
- Effective Partnership Working – The Matrix demonstrates effective partnership working with our North Northamptonshire colleagues to create consistent approaches
- High Quality Service Delivery – Provides a high quality service that is consistent across the North Northants authorities

12.0 Recommendations

12.1 The Committee is recommended to:

1. Consider the Equality Implications relating to this report (see section 4 of the report).
(Reason - To accord with legislation and the policy of the Council)
2. Approve the adoption of the Civil Penalty Matrix and its inclusion in the Environmental Services and Community Safety Enforcement Policy
(Reason - To accord with legislation)
3. Approve the adoption of the Minimum Energy Efficiency Requirements and its inclusion in the Environmental Services and Community Safety Enforcement Policy
(Reason - To accord with legislation)

Legal	Power: Housing and Planning Act 2016, Energy Efficiency (Private Rented Property) Regulations 2015 and Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2019				
	Other considerations: Civil Penalty Notices – Statutory Guidance The Domestic Private Rented Property Minimum Standard – BEIS guidance				
Background Papers:					
Person Originating Report: Jenny Walker, Environmental Protection Manager ☎ 01832 74(2209) ✉ jwalker@east-northamptonshire.gov.uk					
Date: 08/04/2019					
CFO		MO 30/04/19		CX 30/04/19	

Civil Penalty Matrix

Determining the level of penalty

To determine the level of financial penalty East Northamptonshire Council has developed a 4 tier assessment process (the matrix) in accordance with the Housing and Planning Act 2016.

Case Officers will use the matrix to determine the level of financial penalty.

Verification

An Officer will apply the matrix to each offence; offences will be subjected to a verification process by a senior member of staff to the Case Officer. If the Officers impose a penalty within £1000 of each other, the Case Officer’s original penalty will be formalised. If the difference between the Officer’s penalties is more than £1,000, the penalty will be referred to Senior Officers / Managers for consideration.

Band 1: Severity of offence

The severity of offence has been broken down into three levels. The more serious the offence, the higher the penalty will be:

- **Severity Level 1:** these are low - moderate offences such as failure to display the name and contact details of the licence holder as required under the Management of Houses in Multiple Occupation (England) Regulations 2006 and HMO regulation breaches.
- **Severity Level 2:** these are serious offences such as failing to deal with serious hazards, such as damp and mould.
- **Severity Level 3:** these are severe / extreme offences such as failure to provide adequate fire detection in a HMO / failure to adhere to a notice / operating a HMO without a licence.

Severity Level	1	2	3
Level of penalty	£300	£600	£1,200

Band 2: Culpability and harm

Culpability and Harm will be dealt with by two separate assessments; culpability and track record of the offender and the harm caused to the tenant.

Culpability and track record of the offender:

Culpability will consider the record of the offender, previous breaches of their obligations, deliberately avoiding their responsibility as a landlord and being ignorant of relevant facts relating to the operating of their business as a landlord.

Category 1 penalties will only be used for 1st time offences. In cases where multiple breaches of the Management of Houses in Multiple Occupation (England) Regulations 2006 are identified, all penalties will be calculated under Category 1 if it is a first offence.

Category 2 penalties will be used for subsequent offences

Culpability has been separated into three levels:

- **Severity level 1:** these are low offences committed with little fault/mitigating factors, for example because:
 - i. Significant efforts were made to address the risk although they were inadequate on this occasion
 - ii. There was no warning/circumstances indicating a risk
 - iii. Co-operation with the investigation
 - iv. Voluntary steps taken to address issues e.g. submits a licence application
 - v. Willingness to undertake training
 - vi. Willingness to the Council's landlord accreditation scheme (if applicable)
 - vii. Evidence of health reasons preventing reasonable compliance – mental health, unforeseen health issues, emergency health concerns
 - viii. No previous convictions
 - ix. Vulnerable individual(s) where their vulnerability is linked to the commission of the offence.
 - x. Good character and/or exemplary conduct
- **Severity Level 2:** these are medium offences that are committed through act or omission which a person exercising reasonable care would not commit
- **Severity Level 3:** these are very high offences where the offender intentionally breached, or flagrantly disregarded, the law and knew their actions were unlawful

Culpability

Severity Level	1	2	3
Category 1: 1st offence	£300	£600	£1,200
category 2: Subsequent offence(s)	£900	£1,800	£3,600

The harm caused to the tenant

Harm will consider the harm or the potential harm the offence did or could have caused the tenant; the higher the risk of harm, the higher the penalty. This is a very important factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a civil penalty.

Harm has been separated into six levels:

- **Severity Level 0:** these are offences that present no risk of harm
- **Severity Level 1:** these are offences that present a low to moderate risk of harm
- **Severity Level 2:** these are offences that present a serious risk of harm
- **Severity Level 3:** these are offences that present a severe / extreme level of harm and have scored a band C under the Housing and Health Safety Rating System (HHSRS)
- **Severity Level 4:** these are offences that present a severe / extreme level of harm and have scored a band B under the HHSRS
- **Severity Level 5:** these are offences that present a severe / extreme level of harm and have scored a band A under the HHSRS

Harm

Severity Level	0	1	2	3	4	5
Level of penalty	£0	£300	£1,000	£3,000	£5,000	£10,000

Band 3: Punishment / Deterrent

Band 3 will consider:

- Punishment of the offender:

A civil penalty should not be regarded as an easy or lesser option compared to prosecution. While the penalty should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrate the consequences of not complying with their responsibilities.

- Deter the offender from repeating the offence:
The ultimate goal is to prevent any further offending and help ensure that the landlord fully complies with all of their legal responsibilities in future. The level of the penalty should therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.
- Deter others from committing similar offences:

While the fact that someone has received a civil penalty will not be in the public domain, it is possible that other landlords in the local area will become aware through informal channels when someone has received a civil penalty. An important part of deterrence is the realisation that (a) the local housing authority is proactive in levying civil penalties where the need to do so exists and (b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending.

Band 3 will give consideration to all 3 components and apply a multiplier to the amount already accrued. The amount of the fine must be sufficient to have a real economic impact on the offender to act as a sufficient deterrent to reoffend. Furthermore, the penalty must be sufficient to deter others.

This band will be applied based upon the size of the portfolio of properties held or managed by the offender; landlords will be required to provide evidence as requested by the Local Authority to determine the portfolio size. If the landlord fails to cooperate with this request Severity level 5 will automatically be applied.

Punishment / deterrent have been separated into five levels:

- **Severity Level 1:** Portfolio 1
- **Severity Level 2:** Portfolio 2 - 5
- **Severity Level 3:** Portfolio 6-14
- **Severity Level 4:** Portfolio 15-100
- **Severity Level 5:** Portfolio 101+

Punishment / Deterrent

Severity Level	1	2	3	4	5
Level of penalty*	X 2	X 3	X 4	X5	X6

*Severity level: No multiplier will be used in the following circumstances:

- Severity, Culpability and Harm have all scored level one or below and
- It is a landlords first offence (this includes penalties in other LA areas), and
- The penalty relates to a single offence and not multiple offences.

Band 4: Removal of Financial Gain

This assessment will remove any financial benefit the offender may have obtained **as a result of committing the offence**. The guiding principle here should be to ensure that the offender does not benefit as a result of committing an offence, i.e. it should not be cheaper to offend than to ensure a property is well maintained and properly managed.

Consideration will be given to the total penalty versus the income received during the “offence period”. The “offence period” will commence from the earliest date the landlord was made aware of the offence. The level of penalty will be awarded to ensure the penalty removes the financial gains made by the offender as a result of committing the offence. The landlord will be required to provide evidence as requested by the Local Authority to determine the financial gain. If the landlord fails to cooperate with this request Severity level 5 will automatically be applied.

Removal of financial gain has been separated into five levels:

- **Severity Level 1:** No financial gain
- **Severity Level 2:** Financial gain between £1 - £1,000
- **Severity Level 3:** Financial gain between £1,001 - £2,499
- **Severity Level 4:** Financial gain between £2,500 - £4,999
- **Severity Level 5:** Financial gain between £5,000 - £10,000

Removal of Financial Gain

Severity Level	1	2	3	4	5
Level of penalty*	£0	£1,000	£2,500	£5,000	£10,000

Worked example:

Failure to comply with an Improvement Notice for a landlord that owns/manages one property and receives £500 per month rent. The breach has lasted for 4 months and it is the first offence:

Band 1: Severity of Offence

Failure to adhere to a Notice – Level 3: **£1,200**

Band 2: Culpability and harm

Culpability (is offence) – Level 3: **£1,200**

Severity – Level 4: **£5,000**

Band 3: Punishment/Deterrent

Severity Level 1: (Portfolio 1) and Level of penalty (x2)

The multiplier will be used as the following does not apply, as Band 1 & 2 are not scored as level one or below.

- *Severity, Culpability and Harm have all scored level one or below and,*
- *It is a landlords first offence (this includes penalties in other LA areas), and,*
- *The penalty relates to a single offence and not multiple offences.*

Band 4: Removal of Financial Gain

Financial gain – £500 per month in rent (£2,000 total over 4 months breach) = Severity Level 3: **£2,500.**

Total: £1,200 + £1200 +£5000 = £7,400

£7,400 x2 for the multiplier = £14,800

£14,800 + £2,500

Grand total = £17,300

E.18 Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015, as amended

E.18.1 Any properties rented out in the private rented sector must have a minimum energy performance rating of E on an Energy Performance Certificate (EPC). This requirement applies to all new and renewals of tenancies as of 1st April 2018, from April 2020 it will apply to all existing tenancies as well. Any property rented out in breach of these requirements will be subject to a civil penalty of up to £4,000.

E.18.2 Exemptions

E.18.3 A landlord may register their property on the PRS Exemptions Register if:

- all the “relevant energy efficiency improvements” for the property have been made (or there are none that can be made) but the property remains sub-standard (regulation 25)
- a recommended measure is not a “relevant energy efficiency improvement” because the cost of purchasing and installing it would exceed the £3,500 cap (inc. VAT) (“high cost” exemption)
- Relevant energy efficiency improvements - wall insulation (regulation 24(3)) – recommended measures not appropriate for specific property
- Third party consent exemption (regulation 31) – required consent has not been given
- Property devaluation exemption (regulation 32 and regulation 36 (2)) – an independent RICS Surveyor assess that installation of measures will devalue the property
- Temporary exemption due to recently becoming a landlord (regulation 33 & regulation 36 (2))

E.18.4 The Local Authority will review entries on the Exemptions Register to ensure that they have been correctly entered and that the exemption criteria is met. If a landlord is in breach of the prohibition on letting a sub-standard property, including where they may have supplied misleading or incomplete information or evidence to the Register, we may serve a compliance notice (requesting information from that landlord which will help us to decide whether that landlord has breached the prohibition) or issue a penalty notice.

E.18.5 Compliance Notice (Regulation 37)

E.18.6 Information from the landlord may be requested as part of the investigation, a compliance notice can be issued where a breach is suspected at anytime in the last 12 months. Information such as the following maybe requested:

- the EPC that was valid for the time when the property was let;
- any other EPC for the property in the landlord’s possession;
- the current tenancy agreement used for letting the property;
- any Green Deal Advice Report in relation to the property;
- any other relevant document that the enforcement authority requires in order to carry out its compliance and enforcement functions.

E.18.7 Failure to provide the requested information may result in a penalty notice being issued.

E.18.8 Financial Penalties (Regulations 38 – 45)

E.18.9 East Northamptonshire Council will impose the maximum penalties for each of the following:

- Where the landlord has let a sub-standard property in breach of the Regulations for a period of less than 3 months, the Local Authority may impose a financial penalty of up to £2,000 and may impose the publication penalty.
- Where the landlord has let a sub-standard property in breach of the Regulations for 3 months or more, the Local Authority may impose a financial penalty of up to £4,000 and may impose the publication penalty.
- Where the landlord has registered false or misleading information on the PRS Exemptions Register, the Local Authority may impose a financial penalty of up to £1,000 and may impose the publication penalty.
- Where the landlord has failed to comply with compliance notice, the Local Authority may impose a financial penalty of up to £2,000 and may impose the publication penalty.

E.18.10 Where penalties are imposed under more than one of the above, the total amount may not exceed £5,000 per property and per breach of regulations.

E.18.11 Publication of Penalty (Regulation 39)

E.18.12 Where a penalty has been issued East Northamptonshire Council will publish the details of the breach on the publicly accessible part of the PRS Exemptions Register. The information will be available for view by the public for at least 12 months.

E.18.13 Recovery of Financial Penalties (Regulation 45)

E.18.14 If a financial penalty imposed has not been paid East Northamptonshire Council may take the landlord to court to recover the money. A certificate signed by the Section 151 Officer of East Northamptonshire Council is required confirming that the penalty has not been paid is accepted as evidence of non-payment.

E.18.15 Appeals (Regulation 43 and 44)

E.18.16 Appeals by landlords must be made to the First Tier Property Tribunal, any appeal can be made for the following reasons:

- the penalty notice was based on an error of fact or an error of law,
- the penalty notice does not comply with a requirement imposed by the Regulations
- it was inappropriate to serve a penalty notice on them in the particular circumstances.

Title of proposal being assessed:	Implementation of the Energy Performance Certificate Enforcement Regulations
What type of proposal is this an assessment of?	Service - New
What are the aims and/or objectives of the proposal and the intended outcomes?	The implementation of the EPC regulations aims to improve the energy rating of private rented properties, this has a benefit to all residents living and moving into the sector
Who is intended to benefit from this proposal?	Residents and landlords/letting agents
Who are the main stakeholders in relation to the proposal?	Residents and landlords/letting agents
How is the success of the proposal to be measured?	Improved EPC ratings of properties
Name of person completing Initial Screening:	Jenny Walker
Job title / role of person completing Initial Screening:	Environmental Protection Manager
Date of Initial Assessment	25/03/2019

Instructions: For every category in column A, below, submit a positive, negative or neutral assessment by entering an x in the relevant cell. Add an explanation in the Reason box, where applicable, including a specification of any sub-group affected. There may be both a positive and negative impact for the same category (e.g. a policy may be positive for young children but negative for older people).

Equality Group	Positive Impact	Negative Impact	Neutral Impact	Explanation and Evidence (e.g. data, consultation results, customer feedback)
Gender:				
Consider Women/Girls, Men/Boys, Transgender individuals.			x	Enforcement of regulations is neutral
Sexual Orientation:				
Consider, for instance: Lesbians, gay men and bisexuals Any other sexual orientation			x	Enforcement of regulations is neutral
Race/Ethnicity:				
Consider, for instance: • White British people, • White non-British people • Asian or Asian British people • Black or Black British people • Chinese people • People of mixed heritage • Travellers (Gypsy/Roma/Irish heritage) • People from any other ethnic groups • People who do not have English as their first language			x	Enforcement of regulations is neutral
Disability:				
Physical impairment, e.g. mobility issues which mean using a wheelchair or crutches.			x	Enforcement of regulations is neutral
Sensory impairment, e.g. blind/having a serious visual impairment, deaf/having a serious hearing impairment.			x	
Mental health condition, e.g. depression or schizophrenia			x	
Learning disability/difficulty, e.g. Down's syndrome or dyslexia, or cognitive impairment such as autistic spectrum disorder			x	
Long-standing illness or health condition, e.g. cancer, HIV, Diabetes, chronic heart disease or epilepsy	x			Improvement in EPC ratings of properties can improve long term health conditions that are exasperated by the cold
Other health problems or impairments (please specify if appropriate)				Enforcement of regulations is neutral
Marriage and Civil Partnership:				
People in a Marriage or Civil Partnership			x	Enforcement of regulations is neutral
Pregnancy and Maternity:				
People who have just had a baby or who are pregnant.			x	Enforcement of regulations is neutral
Age:				
Older People (60+)	x			Improvement in EPC ratings of properties can improve quality of life to the young and old who are more susceptible to cold conditions
Children and Young People (see guidance for definition)	x			
Religion/Belief:				

Consider, for instance: <ul style="list-style-type: none"> • Christian • Hindu • Muslim • Sikh • Buddhist • any other religion or belief (including holding no belief) 			x	Enforcement of regulations is neutral
Other Potentially Affected Groups				
Rural Isolation - People who live in rural areas e.g. isolated geographically, lack of internet access			x	Enforcement of regulations is neutral
Socio-economic Exclusion – e.g. people who are on benefits, have low educational attainment, single parents, people living in poor quality housing, people who have poor access to services, the unemployed or any combination of these and the other protected strands	x			Increased EPC ratings can contribute to reducing fuel poverty
Any other potentially affected groups (<i>please specify</i>)			x	Enforcement of regulations is neutral

Initial Equalities Impact Assessment

Title of proposal being assessed:	Introduction of Civil Penalty Notice Charging Matrix under the Housing and Planning Act 2016
What type of proposal is this an assessment of?	Policy - New
What are the aims and/or objectives of the proposal and the intended outcomes?	To provide a clear and consistent charging matrix for the calculation of Civil Penalty Notice
Who is intended to benefit from this proposal?	Businesses and residents
Who are the main stakeholders in relation to the proposal?	Businesses and residents
How is the success of the proposal to be measured?	The least number of CPN's issued shows a higher level of compliance from private sector landlords to undertake works to their properties
Name of person completing Initial Screening:	Jenny Walker
Job title / role of person completing Initial Screening:	Environmental Protection Manager
Date of Initial Assessment	30/07/2018

Instructions: For **every** category in column A, below, submit a positive, negative or neutral assessment by entering an **x** in the relevant cell. Add an explanation in the Reason box, where applicable, including a specification of any sub-group affected. There may be both a positive and negative impact for the same category (e.g. a policy may be positive for young children but negative for older people).

Equality Group	Positive Impact	Negative Impact	Neutral Impact	Explanation and Evidence (e.g. description of elements of the proposal, data held, consultation results, customer feedback)
Gender:				
Consider Women/Girls, Men/Boys, Transgender individuals.			X	The service plan update will not affect individuals in this group differently to the population as a whole
Sexual Orientation:				
Consider, for instance: Lesbians, gay men and bisexuals Any other sexual orientation			X	The service plan update will not affect individuals in this group differently to the population as a whole
Race/Ethnicity:				
Consider, for instance: • White British people, • White non-British people • Asian or Asian British people • Black or Black British people • Chinese people • People of mixed heritage • Travellers (Gypsy/Roma/Irish heritage) • People from any other ethnic groups • People who do not have English as their first language			X	The service plan update will not affect individuals in this group differently to the population as a whole
Disability:				
Physical impairment, e.g mobility issues which mean using a wheelchair or crutches.			X	The service plan update will not affect individuals in this group differently to the population as a whole
Sensory impairment, e.g blind/having a serious visual impairment, deaf/having a serious hearing impairment.			X	The service plan update will not affect individuals in this group differently to the population as a whole
Mental health condition, e.g depression or schizophrenia			X	The service plan update will not affect individuals in this group differently to the population as a whole
Learning disability/difficulty, e.g. Down's syndrome or dyslexia, or cognitive impairment such as autistic spectrum disorder			X	The service plan update will not affect individuals in this group differently to the population as a whole
Long-standing illness or health condition, e.g. cancer, HIV. Diabetes, chronic heart disease or epilepsy			X	The service plan update will not affect individuals in this group differently to the population as a whole
Other health problems or impairments (please specify if appropriate)			X	The service plan update will not affect individuals in this group differently to the population as a whole
Marriage and Civil Partnership:				
People in a Marriage or Civil Partnership			X	The service plan update will not affect individuals in this group differently to the population as a whole
Pregnancy and Maternity:				
People who have just had a baby or who are pregnant.			X	The service plan update will not affect individuals in this group differently to the population as a whole
Age:				

Older People (60+)			x	The service plan update will not affect individuals in this group differently to the population as a whole
Children and Young People (see guidance for definition)			x	The service plan update will not affect individuals in this group differently to the population as a whole
Religion/Belief:				
Consider, for instance: <ul style="list-style-type: none"> • Christian • Hindu • Muslim • Sikh • Buddhist • any other religion or belief (including holding no belief) 			x	The service plan update will not affect individuals in this group differently to the population as a whole
Other Potentially Affected Groups				
Rural Isolation - People who live in rural areas e.g isolated geographically, lack of internet access			x	The service plan update will not affect individuals in this group differently to the population as a whole
Socio-economic Exclusion – e.g. people who are on benefits, have low educational attainment, single parents, people living in poor quality housing, people who have poor access to services, the unemployed or any combination of these and the other protected strands			x	The service plan update will not affect individuals in this group differently to the population as a whole
Any other potentially affected groups (<i>please specify</i>)			x	