

## CARDIFF COUNCIL

 Equality Impact Assessment  
 Corporate Assessment Template

<b>Service Title: Rent Smart Wales: Enforcement Policy</b>
<b>New</b>

<b>Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function? OM, Rent Smart Wales</b>	
Name: Angharad Thomas	Job Title: Group Leader Enforcement and Training
Service Team: Rent Smart Wales	Service Area: Communities
Assessment Date: 07/02/2017	

**1. What are the objectives of the Policy/Strategy/Project/ Procedure/ Service/Function?**

To set out the arrangements for enforcing the requirements of the Housing (Wales) Act 2014, through the use of appropriate enforcement action against landlords / agents who own or manage rented properties in Wales.

The purpose of the legislation is to ensure that:

- Landlords register their eligible private rented properties located in Wales
- Persons managing these properties are licenced

**2. Please provide background information on the Policy/Strategy/Project/ Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]**

Cardiff Council has been designated the Single Licensing Authority for Wales by the Welsh Government. Cardiff Council has created a service, branded "Rent Smart Wales" ("RSW") which administers the requirements of the Housing (Wales) Act 2014 ("the Act") on behalf of all Welsh Local Authorities. The Service provides a telephone advice contact centre, application processing service and an internet-based website and database which can be updated by the Service User.

The service is bi-lingual for both English and Welsh speakers. All documentation, information on the RSW website and training courses are available in both English and Welsh. The telephone advice service also offers Welsh and English options, with both English & Welsh speakers employed by RSW across all areas of the Service. Access to language line is available when required.

Cardiff Council delivers this service across all of Wales from a single point.

To secure full compliance with the legislation, enforcement provisions are available

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which include Fixed Penalty Notices, Prosecutions, Rent Stopping Orders and Rent Repayment Orders.

A Memorandum of Understanding has been signed by all 22 Local Authorities to ensure marketing and promotional work required as part of the Act will be delivered in partnership and consistently across Wales. Relevant information is shared with Local Authorities, to discharge RSW duties effectively.

Rent Smart Wales has identified that customers and stakeholders will come from a multitude of backgrounds, including but not limited to landlords, tenants, agents, professional/academic bodies, other Local Authorities, Welsh Government, etc.

The property owners and agents involved in property management are known to live across Wales, UK and abroad.

### 3 Assess Impact on the Protected Characteristics

#### 3.1 Age

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

	Yes	No	N/A
Up to 18 years		x	
18 - 65 years		x	
Over 65 years	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

#### Negative Impact:

It is recognised that the way in which the service is delivered (i.e. High dependence on use of IT equipment) will have a negative impact on this characteristic, this is addressed by the EIA completed for the service itself. This EIA does not address these matters addressed in the EIA about the service as a whole.

Proceedings for failure to comply with the provisions of the Act will be issued in the Cardiff Magistrates' Court, where Cardiff Council leads on the case. This could present difficulties for travel to Cardiff which may more significantly impact older people.

The following actions have been taken to address the negative differential impact:

- The telephone service is available to provide help and support for offenders to comply at an early stage.
- An application can be made to the court to re-locate the hearing in exceptional circumstances. Information will be made available when proceedings are

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<p>issued, about the court process, disability measures and how to contact the court.</p> <ul style="list-style-type: none"> <li>Courts have their own legal obligations to comply with EA requirements. These can be met by methods such as video link</li> <li>The policy itself requires that each case is considered on merit to ensure that decisions made are appropriate to the circumstances. If additional assistance is identified, through the assessment process, it will be taken into account. (Decision documentation to record these additional needs).</li> <li>The policy itself can be made available in any format e.g. braille upon request</li> </ul> <p><b>Positive Impact:</b></p> <ul style="list-style-type: none"> <li>Tenants and their families (regardless of age) will benefit from ensuring that their landlords / agents comply with the legislation, as it aims to improve the quality of private rented properties across all of Wales.</li> </ul> <p><b>What action(s) can you take to address the differential impact?</b></p> <p>No further actions identified at this time</p>
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### 3.2 Disability

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment	x		
Physical Impairment	x		
Visual Impairment	x		
Learning Disability	x		
Long-Standing Illness or Health Condition	x		
Mental Health	x		
Substance Misuse	x		
Other	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

Negative Impact:

It is recognised that the way in which the service is delivered (i.e. High dependence on use of IT equipment) will have a negative impact on this characteristic, this is addressed by the EIA completed for the service itself. This EIA does not address these matters specifically.

Proceedings for failure to comply with the provisions of the Act will be issued in the Cardiff Magistrates' Court, where Cardiff Council leads on the case. This may present difficulties for travel to Cardiff which possibly will impact people with a physical disability / illness.

In addition:

- Persons with sight impairments may find it difficult to read the legal

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documentation

- Persons with hearing impairment may find it difficult to talk by phone to the contact centre for early advice on compliance

The following actions have been taken to address the negative differential impact:

- The telephone service is available to provide help and support to offenders to help them comply at an early stage.
- An application can be made to the court to re-locate the hearing in exceptional circumstances. This information will be made available when proceedings are issued i.e. when the summons is issued. An application for this purpose can be made on form EX104 - Details of how to contact the court.
- Courts have their own legal obligations to comply with EA requirements. These can be met by methods such as video link
- The policy itself requires that each case is considered on merit to ensure that decisions made are appropriate to the circumstances. If additional assistance is identified, through the assessment process, it will be taken into account. (Decision documentation to record these additional needs).
- The policy itself can be made available in any format e.g. braille upon request

Positive Impact:

Tenants with and without disabilities will benefit from this Service, as it aims to improve the quality of private rented properties across all of Wales.

**What action(s) can you take to address the differential impact?**

No further actions identified at this time

### 3.3 Gender Reassignment

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

	Yes	No	N/A
<b>Transgender People</b> (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)		x	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

No differential impact has been identified at this time

**What action(s) can you take to address the differential impact?**

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No actions identified at this time

#### 3.4. Marriage and Civil Partnership

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage		x	
Civil Partnership		x	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

No differential impact has been identified at this time

**What action(s) can you take to address the differential impact?**

No actions identified at this time

#### 3.5 Pregnancy and Maternity

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy	x		
Maternity	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

**Negative Impact:**

It is recognised that this service may have a negative impact on this characteristic.

Persons with this characteristic may find it difficult to travel to court venues. Proceedings for failure to comply with the provisions of the Act will be issued in the Cardiff Magistrates' Court, where Cardiff Council leads on the case. This will present difficulties for travel to Cardiff which may more significantly impact on those who are pregnant.

The following actions have been taken to address the negative differential impact:

- The telephone service is available to provide help and support to offenders to

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<p>help them comply at an early stage.</p> <ul style="list-style-type: none"> <li>An application can be made to the court to re-locate the hearing in exceptional circumstances. Contact information will be made available when proceedings are issued i.e. when the summons is issued. Form EX104 - Details of how to contact the court.</li> <li>Courts have their own legal obligations to comply with EA requirements. These can be met by methods such as video link</li> <li>The policy itself requires that each case is considered on merit to ensure that decisions made are appropriate to the circumstances. If additional assistance is identified, through the assessment process, it will be taken into account. (Decision documentation to record these additional needs).</li> </ul> <p><b>Positive Impact:</b> Tenants with and without this characteristic will benefit from this Service, as it aims to improve the quality of private rented properties across all of Wales.</p> <p><b>What action(s) can you take to address the differential impact?</b></p> <p>No further actions identified at this time</p>
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**3.6 Race**

Will this Policy/Strategy/Project//Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White	x		
Mixed / Multiple Ethnic Groups	x		
Asian / Asian British	x		
Black / African / Caribbean / Black British	x		
Other Ethnic Groups	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

**Negative Impact:**

It is recognised that this service may have a negative impact on this characteristic.

- Persons with this characteristic may not use English or Welsh, and therefore struggle to understand legislative requirements.

The following actions have been taken to address the negative differential impact:

- Many search engines provide translation services to help web Users translate words or phrases into their chosen language (e.g. Google Translate)

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- The telephone service is available to provide help and support to Offenders, which includes providing advice on how to complete comply with the law. Similarly, Offenders can choose to contact us by Email, log a call through the website enquiries page, or contact us via Twitter. Users will be advised that if they do not have translation support, they can contact their Local Authority, which can provide information about local translation services and support groups. In addition, the RSW service itself has access to Language Line

**What action(s) can you take to address the differential impact?**

Landlord Associations / Agents will be encouraged to provide feedback with regard to any language barriers. RSW will evaluate the numbers and demographics to ascertain whether document translations are required.

Ethnicity monitoring is undertaken as part of the RSW application processes. This will be analysed to determine whether there is a need for information in additional languages.

### 3.7 Religion, Belief or Non-Belief

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist		x	
Christian		x	
Hindu		x	
Humanist		x	
Jewish		x	
Muslim		x	
Sikh		x	
Other		x	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

No differential impact has been identified at this time

**What action(s) can you take to address the differential impact?**

No actions identified at this time

### 3.8 Sex

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Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	Yes	No	N/A
Men		x	
Women		x	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

No differential impact has been identified at this time

**What action(s) can you take to address the differential impact?**

No actions identified at this time

### 3.9 Sexual Orientation

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual		x	
Gay Men		x	
Gay Women/Lesbians		x	
Heterosexual/Straight		x	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

No differential impact has been identified at this time

**What action(s) can you take to address the differential impact?**

No actions identified at this time

### 3.10 Welsh Language

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on Welsh Language?

	Yes	No	N/A
Welsh Language		x	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**



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**What action(s) can you take to address the differential impact?**

No actions identified at this time

**4. Consultation and Engagement**

What arrangements have been made to consult/engage with the various Equalities Groups?

Consultation has been undertaken with stakeholders in the development of the policy. Tai Pawb, Shelter, CAB and landlord / agent organisations were included. No specific equality comments were received. However, this document will be revisited with the benefit of operating the enforcement provisions as and when further impacts are identified to ensure consideration is given to the individual Protected Characteristics.

**5. Summary of Actions [Listed in the Sections above]**

Groups	Actions
Age, Disability, Pregnancy and Maternity	<ul style="list-style-type: none"> <li>The telephone service is available to provide help and support to offenders to help them comply at an early stage.</li> <li>An application can be made to the court to re-locate the hearing in exceptional circumstances. Form EX104 - Details of how to contact the court.</li> <li>Courts have their own legal obligations to comply with EA requirements. These can be met by methods such as video link</li> <li>The policy itself requires that each case is considered on merit to ensure that decisions made are appropriate to the circumstances. If additional assistance is identified, through the assessment process, it will be taken into account. (Decision documentation to record these additional needs).</li> <li>The policy itself can be made available in any format e.g. braille upon request</li> </ul>

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Gender Reassignment	
Marriage & Civil Partnership	
Race	Landlord Associations / Agents will be encouraged to provide feedback with regard to any language barriers. RSW will evaluate the numbers and demographics to ascertain whether document translations are required. Ethnicity monitoring is undertaken as part of the RSW application processes. This will be analysed to determine whether there is a need for information in additional languages.
Religion/Belief	
Sex	
Sexual Orientation	
Welsh Language	
Generic Over-Arching [applicable to all the above groups]	

**6. Further Action**

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

**7. Authorisation**

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By : Angharad Thomas	Date: 07.02.17
Designation: Group Leader; Enforcement and Training	
Approved By: Bethan Jones	
Designation: Operational Manager, Rent Smart Wales	Date: 07.02.17
Service Area: Rent Smart Wales	

- 7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate's Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

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For further information or assistance, please contact the Citizen Focus Team on 029 2087 3059 or email [citizenfocus@cardiff.gov.uk](mailto:citizenfocus@cardiff.gov.uk)