

General Equality Impact Assessment (EIA) Form

Support:

An [EIA toolkit](#), [workshop content](#), and guidance for completing an [Equality Impact Assessment \(EIA\) form](#) are available on the [EIA page](#) of the [EDI Internal Hub](#). Please read these before completing this form.

For enquiries and further support if the toolkit and guidance do not answer your questions, contact your Equality, Diversity, and Inclusion (EDI) Business Partner as follows:

- Economy, Environment and Culture (EEC) – [Chris Brown](#),
- Families, Children, and Learning (FCL) – [Jamarl Billy](#),
- Governance, People, and Resources (GPR) – [Eric Page](#).
- Health and Adult Social Care (HASC) – [Zofia Danin](#),
- Housing, Neighbourhoods, and Communities (HNC) – [Jamarl Billy](#)

Processing Time:

- EIAs can take up to 10 business days to approve after a completed EIA of a good standard is submitted to the EDI Business Partner. This is not considering unknown and unplanned impacts of capacity, resource constraints, and work pressures on the EDI team at the time your EIA is submitted.
- If your request is urgent, we can explore support exceptionally on request.
- We encourage improved planning and thinking around EIAs to avoid urgent turnarounds as these make EIAs riskier, limiting, and blind spots may remain unaddressed for the 'activity' you are assessing.

Process:

- Once fully completed, submit your EIA to your EDI Business Partner, copying in your Head of Service, Business Improvement Manager (if one exists in your directorate), Equalities inbox, and any other relevant service colleagues to enable EIA communication, tracking and saving.
- When your EIA is reviewed, discussed, and then approved, the EDI Business Partner will assign a reference to it and send the approved EIA form back to you with the EDI Manager or Head of Communities, Equality, and Third Sector (CETS) Service's approval as appropriate.
- Only approved EIAs are to be attached to Committee reports. Unapproved EIAs are invalid.

1. Assessment details

Throughout this form, 'activity' is used to refer to many different types of proposals being assessed.

Read the [EIA toolkit](#) for more information.

Name of activity or proposal being assessed:	Proposed Additional Housing in Multiple Occupation (HMO) Licensing Scheme for Brighton & Hove's private rented housing sector
Directorate:	Housing, Neighbourhoods & Communities
Service:	Housing
Team:	Private Sector Housing

Is this a new or existing activity?	New
Are there related EIAs that could help inform this EIA? Yes or No (If Yes, please use this to inform this assessment)	Yes – see page 153 to 171 of the housing & new homes committee report pack attached (15 November 2017) – for when a previous EIA was produced for the Additional Housing in Multiple Occupation (HMO) Licensing Scheme in 2017

2. Contributors to the assessment (Name and Job title)

Responsible Lead Officer:	Kelvin Woodward, Programme Manager
Accountable Manager:	Diane Hughes, Head of Housing Strategy & Supply
Additional stakeholders collaborating or contributing to this assessment:	None

3. About the activity

Briefly describe the purpose of the activity being assessed:

The activity is a licensing scheme for the city's private rented sector, for what are termed houses in multiple occupation (HMOs) of two or more storeys occupied by 3 or 4 people over 2 households or more. The scheme requires a licence to be in place, issued by the council, to landlords or agents. The licence sets conditions for management of HMOs and other requirements. The scheme also provides oversight for the council to consider if any Housing, Health and Safety Rating System hazards are present at a licensed property and any further action needed to make properties safe and healthy for occupation.

What are the desired outcomes of the activity?

See above – mostly to make HMOs safe and healthy for occupation and managed properly.

Which key groups of people do you think are likely to be affected by the activity?

Occupants or tenants of HMOs and persons or organisations required to hold HMO licences, and to a lesser extent communities or residents living in and around HMOs in the city.

4. Consultation and engagement

What consultations or engagement activities have already happened that you can use to inform this assessment?

- For example, relevant stakeholders, groups, people from within the council and externally consulted and engaged on this assessment. **If no consultation** has been done or it is not enough or in process – state this and describe your plans to address any gaps.

A public consultation on the proposed Additional Housing in Multiple Occupation (HMO) Licensing Scheme ran for 13 weeks, from Wednesday 4 October 2023 to midnight Wednesday 3 January 2024. Note, for current equality data then this will come from results of the consultation. In addition, results are limited to residents in the city only. There was no equalities monitoring for businesses. This includes housing landlords and letting or managing agents. We also have further data from office for national statistics 2021 United Kingdom, Population Census.

5. Current data and impact monitoring

Do you currently collect and analyse the following data to enable monitoring of the impact of this activity?
Consider all possible intersections.

(State Yes, No, Not Applicable as appropriate)

Age	YES
Disability and inclusive adjustments, coverage under equality act and not (see below under Another relevant group)	YES
Ethnicity, 'Race', ethnic heritage (including Gypsy, Roma, Travellers)	YES
Religion, Belief, Spirituality, Faith, or Atheism	YES
Gender Identity and Sex (including non-binary and Intersex people)	YES
Gender Reassignment	YES
Sexual Orientation	YES
Marriage and Civil Partnership	NO
Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum)	NO
Armed Forces Personnel, their families, and Veterans	YES
Expatriates, Migrants, Asylum Seekers, and Refugees	NO
Carers	YES
Looked after children, Care Leavers, Care and fostering experienced people	YES
Domestic and/or Sexual Abuse and Violence Survivors, and people in vulnerable situations (All aspects and intersections)	NO
Socio-economic Disadvantage	NO
Homelessness and associated risk and vulnerability	NO
Human Rights	NO
Another relevant group (please specify here and add additional rows as needed)	YES See below

Additional relevant groups that may be widely disadvantaged and have intersecting experiences that create exclusion and systemic barriers may include:

- Ex-offenders and people with unrelated convictions
- Lone parents
- People experiencing homelessness
- People facing literacy and numeracy barriers
- People on a low income and people living in the most deprived areas
- People who have experienced female genital mutilation (FGM)
- People who have experienced human trafficking or modern slavery
- People with experience of or living with addiction and/ or a substance use disorder (SUD)
- Sex workers

If you answered “NO” to any of the above, how will you gather this data to enable improved monitoring of impact for this activity?

See actions identified in the [action planning section](#) to address gaps and unknowns.

What are the arrangements you and your service have for monitoring, and reviewing the impact of this activity?

Any arrangements will be addressed subject to the activity being approved by the Housing and New Homes Committee in March 2024.

6. Impacts

Advisory Note:

- **Impact:**
 - Assessing disproportionate impact means understanding potential negative impact (that may cause direct or indirect discrimination), and then assessing the relevance (that is: the potential effect of your activity on people with protected characteristics) and proportionality (that is: how strong the effect is).
 - These impacts should be identified in the EIA and then re-visited regularly as you review the EIA every 12 to 18 months as applicable to the duration of your activity.
- **SMART Actions mean:** Actions that are (SMART = Specific, Measurable, Achievable, Realistic, T = Time-bound)
- **Cumulative Assessment:** [If there is impact on all groups equally, complete **only** the cumulative assessment section.](#)
- **Data analysis and Insights:**
 - In each protected characteristic or group, in answer to the question ‘If “YES”, what are the positive and negative disproportionate impacts?’, describe what you have learnt from your data analysis about disproportionate impacts, stating relevant insights and data sources.
 - Find and use contextual and wide ranges of data analysis (including community feedback) to describe what the disproportionate positive and negative impacts are on different, and intersecting populations impacted by your activity, especially considering for [Health inequalities](#), review guidance and inter-related impacts, and the impact of various identities.
 - For example: If you are doing road works or closures in a particular street or ward – look at a variety of data and do so from various protected characteristic lenses. Understand and analyse what that means for your project and its impact on different types of people, residents, family types and so on. State your understanding of impact in both effect of impact and strength of that effect on those impacted.
- **Data Sources:**
 - **Consider a wide range (including but not limited to):**
 - [Census](#) and [local intelligence data](#)
 - Service specific data
 - Community consultations
 - Insights from customer feedback including complaints and survey results
 - Lived experiences and qualitative data
 - [Joint Strategic Needs Assessment \(JSNA\) data](#)
 - [Health Inequalities data](#)
 - Good practice research
 - National data and reports relevant to the service
 - Workforce, leaver, and recruitment data, surveys, insights
 - Feedback from internal ‘staff as residents’ consultations

- Insights, gaps, and data analyses on intersectionality, accessibility, sustainability requirements, and impacts.
 - Insights, gaps, and data analyses on 'who' the most intersectional marginalised and excluded under-represented people and communities are in the context of this EIA.
- Learn more about the [Equality Act 2010](#) and about our [Public Sector Equality Duty](#).

6.1 Age

Does your analysis indicate a disproportionate impact relating to any particular Age group? For example: those under 16, young adults, with other intersections.	NO
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If "YES", what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.2 Disability:

Does your analysis indicate a disproportionate impact relating to Disability, considering our anticipatory duty?	NO
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If "YES", what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

What [inclusive adjustments](#) are you making for diverse disabled people impacted? For example: D/deaf, deafened, hard of hearing, blind, neurodivergent people, those with non-visible disabilities, and with access requirements that may not identify as disabled or meet the legal definition of disability, and have various intersections (Black and disabled, LGBTQIA+ and disabled).

6.3 Ethnicity, 'Race', ethnic heritage (including Gypsy, Roma, Travellers):

Does your analysis indicate a disproportionate impact relating to ethnicity?	NO
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If "YES", what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.4 Religion, Belief, Spirituality, Faith, or Atheism:

Does your analysis indicate a disproportionate impact relating to Religion, Belief, Spirituality, Faith, or Atheism?	NO
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.5 Gender Identity and Sex:

Does your analysis indicate a disproportionate impact relating to Gender Identity and Sex (including non-binary and intersex people)?	NO
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.6 Gender Reassignment:

Does your analysis indicate a disproportionate impact relating to Gender Reassignment ?	NO
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.7 Sexual Orientation:

Does your analysis indicate a disproportionate impact relating to Sexual Orientation ?	NO
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.8 Marriage and Civil Partnership:

Does your analysis indicate a disproportionate impact relating to Marriage and Civil Partnership?	NO
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.9 Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum):

Does your analysis indicate a disproportionate impact relating to Pregnant people, Maternity, Paternity, Adoption, Menopause, (In)fertility (across the gender spectrum)?	NO
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.10 Armed Forces Personnel, their families, and Veterans:

Does your analysis indicate a disproportionate impact relating to Armed Forces Members and Veterans?	NO
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.11 Expatriates, Migrants, Asylum Seekers, and Refugees:

Does your analysis indicate a disproportionate impact relating to Expatriates, Migrants, Asylum seekers, Refugees, those New to the UK, and UK visa or assigned legal status? (Especially considering for age, ethnicity, language, and various intersections)	YES
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

Data from the Office for National Statistics 2021 United Kingdom Population Census on migration for Brighton & Hove below shows a range of countries where non-UK residents were born.

- Italy: 2,997
- Poland: 2,484
- North Africa (Region): 2,797
- Spain: 2,382
- India: 1,956
- USA: 1,655
- China exc. Hong Kong: 1,433
- South Africa (country): 1,423
- Australia: 1,237
- Iran: 1,176

The positive aspects of this is that it brings difference, variety and contribution towards making Brighton & Hove a City for All, as per the Brighton & Hove City Council Plan 2023 to 2027.

The negative aspects of this, for the proposed Selective Licensing Scheme, which sets statutory requirements, are any language barriers. By housing landlords, letting or managing agents in understanding the scheme, and to a lesser extent housing tenants

6.12 [Carers](#):

Does your analysis indicate a disproportionate impact relating to Carers (Especially considering for age, ethnicity, language, and various intersections).	NO
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.13 Looked after children, Care Leavers, Care and fostering experienced people:

Does your analysis indicate a disproportionate impact relating to Looked after children, Care Leavers, Care and fostering experienced children and adults (Especially considering for age, ethnicity, language, and various intersections). Also consider our Corporate Parenting Responsibility in connection to your activity.	NO
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.14 Homelessness:

Does your analysis indicate a disproportionate impact relating to people experiencing homelessness, and associated risk and vulnerability? (Especially considering for age, veteran, ethnicity, language, and various intersections)	NO But, see below.
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

<p>The public consultation has identified significant objections to the proposed licensing scheme. For example, on proposed costs of the scheme due to licensing fees and costs of works to properties. It is inferred costs will be passed onto housing tenants by increasing housing rents. Plus, further concerns this will then shrink rented housing supply by landlords exiting the market. If housing supply shrinks then there may be an impact on homelessness.</p> <p>However, in view of requirements and associated costs for the scheme, there are no reasons indicating why private sector housing rents would increase. Properties requiring repairs or improvements would be expected to be funded by budgets set for cyclical works. Not by raising finance from increasing rents.</p> <p>Licensing fees are minimal, cover a period of five years and fully tax deductible.</p> <p>Letting a property is a business and requires certain investment, like with any venture. In addition, housing rents cannot be increased without good reason or by any amount. Certain rules must be followed if higher rents are requested by housing landlords. The Citizen’s Advice Bureau provides more information on rental increase rules: https://www.citizensadvice.org.uk/housing/renting-privately/during-your-tenancy/dealing-with-a-rent-increase/</p>

6.15 Domestic and/or Sexual Abuse and Violence Survivors, people in vulnerable situations:

Does your analysis indicate a disproportionate impact relating to Domestic Abuse and Violence Survivors, and people in vulnerable situations (All aspects and intersections)?	NO
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

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6.16 Socio-economic Disadvantage:

Does your analysis indicate a disproportionate impact relating to Socio-economic Disadvantage? (Especially considering for age, disability, D/deaf/ blind, ethnicity, expatriate background, and various intersections)	NO But, see below.
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If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

See points made on socio-economic disadvantage under 2. SMART Action 2 in the action plan.

6.17 Human Rights:

Will your activity have a disproportionate impact relating to Human Rights?

NO

If “YES”, what are the positive and negative disproportionate impacts?

Please share relevant insights from data and engagement to show how conclusions about impact have been shaped. Include relevant data sources or references.

6.18 Cumulative, multiple [intersectional](#), and complex impacts (including on additional relevant groups):

What cumulative or complex impacts might the activity have on people who are members of multiple Minoritised groups?

- For example: people belonging to the Gypsy, Roma, and/or Traveller community who are also disabled, LGBTQIA+, older disabled trans and non-binary people, older Black and Racially Minoritised disabled people of faith, young autistic people.
- Also consider wider disadvantaged and intersecting experiences that create exclusion and systemic barriers:
 - People experiencing homelessness
 - People on a low income and people living in the most deprived areas
 - People facing literacy and numeracy barriers
 - Lone parents
 - People with experience of or living with addiction and/ or a substance use disorder (SUD)
 - Sex workers
 - Ex-offenders and people with unrelated convictions
 - People who have experienced female genital mutilation (FGM)
 - People who have experienced human trafficking or modern slavery

Please see comments above for [6.14 Homelessness](#)

7. Action planning

What SMART actions will be taken to address the disproportionate and cumulative impacts you have identified?

- Summarise relevant SMART actions from your data insights and disproportionate impacts below for this assessment, listing appropriate activities per action as bullets. (This will help your Business Manager or Fair and Inclusive Action Plan (FIAP) Service representative to add these to the

Directorate FIAP, discuss success measures and timelines with you, and monitor this EIA's progress as part of quarterly and regular internal and external auditing and monitoring)

<p>1. Improved and inclusive communication to be carried out with appropriate support provided to diverse customers.</p> <ul style="list-style-type: none"> A key theme of property licensing is communication. Therefore, offer of support for translation or interpretation of the licence application form or any other parts of licensing will be made available to customers (landlords, letting agents or housing tenants) by way of email and telephone number (for the Private Sector Housing Team). Customers can then contact the Team if support is needed. The email and telephone number will be displayed on licensing web pages.
<p>2. Improved implementation, data monitoring and gathering to be carried out with mitigations identified implemented in considered ways for diverse and differently impacted residents, ensuring outcomes are implemented in local team or appropriate plans.</p> <ul style="list-style-type: none"> Another key theme of property licensing is implementation. Therefore, there will be a commitment to enhanced data and equality monitoring at the licence application stage. This will then be reviewed periodically to inform any adjustments needed on communication of property licensing to customers (landlords, letting agents or housing tenants). <p>For any socio-economic disadvantage presented by the licensing process to landlords, agents or housing tenants then currently it is not considered any disadvantage would arise. However, this will be reviewed periodically and co-inside with the review on equality monitoring. Further work on identifying any perceived socio-economic disadvantage will then follow and any adjustments implemented.</p> <p>Outcomes of all reviews will be incorporated into the EIA business plan.</p>

Which action plans will the identified actions be transferred to?

- For example: Team or Service Plan, Local Implementation Plan, a project plan related to this EIA, FIAP (Fair and Inclusive Action Plan) – mandatory noting of the EIA on the Directorate EIA Tracker to enable monitoring of all equalities related actions identified in this EIA. This is done as part of FIAP performance reporting and auditing. Speak to your Directorate's Business Improvement Manager (if one exists for your Directorate) or to the Head of Service/ lead who enters actions and performance updates on FIAP and seek support from your Directorate's EDI Business Partner.

FIAP and/ or local implementation plan as appropriate.

8. Outcome of your assessment

What decision have you reached upon completing this Equality Impact Assessment? (Mark 'X' for any ONE option below)

Stop or pause the activity due to unmitigable disproportionate impacts because the evidence shows bias towards one or more groups.	
Adapt or change the activity to eliminate or mitigate disproportionate impacts and/or bias.	
Proceed with the activity as currently planned – no disproportionate impacts have been identified, or impacts will be mitigated by specified SMART actions.	
Proceed with caution – disproportionate impacts have been identified but having considered all available options there are no other or proportionate ways to achieve the aim of the activity (for example, in extreme cases or where positive action is taken).	X

Therefore, you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision.

If your decision is to “Proceed with caution”, please provide a reasoning for this:

The EIA is not about assessing the impacts of property licensing. Rather, there is uncertainty on some aspects of equality and not knowing what may arise if licensing is introduced. Therefore, the action plan provides measures to address that uncertainty.

Summarise your overall equality impact assessment recommendations to include in any committee papers to help guide and support councillor decision-making:

This EIA identifies key themes that the council must focus on in regard to the licensing process. They are inclusive and improved communication and implementation of property licensing. The action plan incorporates those themes and provides commitment on relevant pieces of work. Outcomes will feed back into the EIA business plan. Mitigations to ensure equity and fairness of impact where necessary will be provided and considered for.

9. Publication

All Equality Impact Assessments will be published. If you are recommending, and choosing not to publish your EIA, please provide a reason:

10. Directorate and Service Approval

Signatory:	Name and Job Title:	Date: DD-MMM-YY
Responsible Lead Officer:	Kelvin Woodward, Programme Manager	01-Mar-24
Accountable Manager:	Diane Hughes, Head of Housing Strategy & Supply	01-Mar-24

Notes, relevant information, and requests (if any) from Responsible Lead Officer and Accountable Manager submitting this assessment:

EDI Review, Actions, and Approval:

Equality Impact Assessment sign-off

EIA Reference number assigned: [HNC-103-Feb-24-Additional-HMO-Licensing-Scheme](#)

For example, HNC##-25-Dec-23-EIA-Home-Energy-Saving-Landlord-Scheme

EDI Business Partner to cross-check against aims of the equality duty, public sector duty and our civic responsibilities the activity considers and refer to relevant internal checklists and guidance prior to recommending sign-off.

Once the EDI Business Partner has considered the equalities impact to provide first level approval for by those submitting the EIA, they will get the EIA signed off and sent to the requester copying the Head of Service, Business Improvement Manager, [Equalities inbox](#), any other service colleagues as appropriate to enable EIA tracking, accountability, and saving for publishing.

Signatory:	Name:	Date: DD-MMM-YY
EDI Business Partner:	Jamarl Billy	01-Mar-24
EDI Manager:	Sabah Holmes	01-Mar-24
Head of Communities, Equality, and Third Sector (CETS) Service: <i>(For Budget EIAs/ in absence of EDI Manager/ as final approver)</i>	N/A	

Notes and recommendations from EDI Business Partner reviewing this assessment:

Notes and recommendations (if any) from EDI Manager reviewing this assessment:

Notes and recommendations (if any) from Head of CETS Service reviewing this assessment:

