

Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	18 per cent of Torbay residents are under 18 years old. 55 per cent of Torbay residents are aged between 18 to 64 years old. 27 per cent of Torbay residents are aged 65 and older.	There are potential barriers to the ability to complain or respond to an enforcement complaint via an online form, a written letter or email for those who are unable to access the internet or for those who are unable to provide a written response. Those making a complaint or subject to a complaint who are elderly may become distressed at the presence of an Enforcement Officer. A young person / child may be present / home alone and become distressed at the presence of an Enforcement Officer.	The on-line form has been updated to ensure that it is jargon free and simple to use. A written form is available. Complaints can still contact the team via the telephone if required. The Officers are aware of the need to be patient and professional. Communication needs to be meaningful and effective given the	Implemented

			potential seriousness of an allegation. If the carer was not in the property then a return visit would be arranged.	
Carers	At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.	There may be occasions where, potentially due to the isolated location of the site, the occupants may feel uncomfortable or threatened by the presence of an Enforcement Officer especially if they are of the opposite sex.	Visits should be agreed via phone or email if necessary before entering a site. There may be instances where this is not possible or unavoidable so Officers need to be clear on their intentions, patient and professional.	
Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.	Potential barriers to the ability to complain or respond to an enforcement complaint via an online form, a written letter or email for those who are unable to access the internet or provide a written response because of a physical impairment or learning disability. Those making a complaint or subject to a complaint who have a physical impairment of learning disability may become distressed at the presence of an Enforcement Officer.	The complaint form is jargon free and simple to use. A written form is available. Complaints can still contact the team via the telephone if required. The Officers are aware of the need to be patient and professional. Communication needs to be meaningful and	

			effective given the potential seriousness of an allegation. Officers need to be aware of the importance of reasonable adjustments and the needs of people with disabilities and learning disabilities.	
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	There is no differential impact		
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	There is no differential impact		
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since	There may be occasions where, potentially due to the isolated location of the site, the occupants may feel uncomfortable or threatened by the presence of an Enforcement Officer especially if they are of the opposite sex.		

	the middle of the last decade across all geographical areas.			
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	Potential barriers via online form and written form for those who are unable to access the internet or provide a written response because English is not their first language. In some cultures it is prohibited for a woman to be alone in their home with a man if he is not a family member.	The written form is available. Complaints can still contact the team via the telephone if required. The Officers are aware of the need to be patient and professional. Communication needs to be meaningful and effective given the potential seriousness of an allegation.	
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.		The written form is available. Complaints can still contact the team via the telephone if required. The Officers are aware of the need to be patient and professional. Communication needs to be meaningful and effective given the potential seriousness of an allegation. Officers do need to be culturally aware and ask about the needs of	

			customers before meeting.	
Sex	51.3% of Torbay's population are female and 48.7% are male	There may be occasions where, due to the occupants being of a certain sex, they may feel uncomfortable/threatened by the presence of an Enforcement Officer especially if they are of the opposite sex.	The Officers are aware of the need to be patient and professional. Communication needs to be meaningful and effective given the potential seriousness of an allegation.	
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	There is no differential impact		
Armed Forces Community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.	Occupants may feel uncomfortable or threatened by the presence of an Enforcement Officer. This could have an impact if there is an underlying historical issue with stress or figures in authority.	The Officers are aware of the need to be patient and professional. Communication needs to be meaningful and effective given the potential seriousness of an allegation.	
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)	Census 2021 data demonstrates levels of deprivation in Torbay in terms of education, employment, health and housing. Torbay	Planning enforcement can be a complex process with considerable implications for building owners and complainants. Customers may feel uncomfortable or threatened if the language used to	The Officers are aware of the need to be patient and professional. Communication needs to be meaningful and	

	has higher levels of deprivation with 57.9% of households being deprived in terms of 1 or more dimension, compared to 51.7% of households in England and Wales. The percentage of children living in poverty in Torbay is higher than the averages for the UK, the South West and for Exeter, and relatively similar to the average for Plymouth.	communicate is not at an appropriate level.	effective given the potential seriousness of an allegation.	
Public Health impacts (Including impacts on the general health of the population of Torbay)	Life expectancy in Torbay is slightly lower than the England average. Over the plan period, life expectancy in Torbay has decreased by 0.7% from 83.1 to 82.5 for females, and by 0.6% from 79.1 to 78.6 for males. The general health of the Torbay population is slightly worse than the England and Wales population, with 79.1% describing their general health as good or very good (compared to 81.6% for England and Wales) and 6.4% describing their general health as bad or very bad (compared	There is a potential to cause stress or anxiety throughout an on-going planning enforcement investigation. This relates to both complainant or those under investigation.	The Officers are aware of the need to be patient and professional. Communication needs to be meaningful and effective given the potential seriousness of an allegation.	

	to 5.4% for England and Wales).			
Human Rights impacts	Under the Human Rights Act 2010 Section 149 requires public authority decision makers to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between those with a protected characteristic and other parts of the community. This is commonly called the “public sector equality duty”. Public authorities, which includes local planning authorities by definition, are prohibited from acting in a way which is incompatible with any of the human rights described by the Convention (Section 6 (1)), unless legislation makes this unavoidable.	Article 1 of the First Protocol, Article 8 and Article 14 of the Human Rights Act, are relevant when considering enforcement action. There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control. In some instances there is a clear public interest in taking rapid action to address breaches of planning control. To ensure that this is a proportionate approach, before serving a some notices, the local planning authority must be satisfied that there has been a breach of planning control and “it is expedient that the activity which amounts to the breach is stopped immediately” There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by	Enforcement Officers need to be aware of the Human Rights implications.	

		the proposed action, and those who are affected by a breach of planning control.		
Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	There is a potential to cause stress or anxiety throughout an on-going planning enforcement investigation. This relates to both complainant or those under investigation.	The Officers are aware of the need to be patient and professional. Communication needs to be meaningful and effective given the potential seriousness of an allegation.	

The above completed EIA should read in conjunction with the following Customer Service Standards:

<https://www.torbay.gov.uk/council/policies/corporate/customer-service-standards/#:~:text=Be%20courteous%2C%20helpful%2C%20open%20and,that%20we%20can%20help%20you>
