

Addressing Inequalities

Equalities Impact Assessment Template

Surrey County Council Equality Impact Assessment Template

Stage one – initial screening

(Please refer to pages one to twelve of the guidance before completing this screening)

What is being assessed?	Investigations
Service	Trading Standards
Name of assessor/s	Neil McLoughlin Andy Pollard
Head of service	Peter Denard
Date	12 November 2009
Is this a new or existing function or policy?	Existing

Write a brief description of your service, policy or function. If this screening is part of a project it is important to focus on the service or policy the project aims to review or improve.

Trading Standards is a law enforcement body that is responsible for enforcing criminal and civil legislation in the broad consumer protection arena. This involves investigating alleged breaches of civil and criminal legislation. This investigation process itself is regulated by legislation and related codes of practice. Further information about the work of Trading Standards can be found on [our website](#).

We enforce legislation covering a wide range of matters including animal health, product safety, food quality, doorstep crime, underage sales, fraud and counterfeiting. Details of some of previous investigations that resulted in a prosecution can be found on our website [here](#).

Indicate for each equality strand whether there may be a positive impact, negative impact, or no impact.

Equality Strand	Positive	Negative	No impact	Reason
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Age	X			Specific emphasis on the protection of young persons and older adults. (See the separate EIAs on Underage Sales and Vulnerable Persons for further information).
Race	X			Recognition of specific needs and perceptions.
Disability	X			Aim to protect vulnerable persons. See the separate EIA on Vulnerable Persons.
Gender			X	
Belief / Faith			X	
Sexual Orientation			X	
Other equality issues – please state				
HR issues			X	

If you find a negative impact on any equality group you will need to complete stage one and move on to stage two and carry out a full EIA.

A full EIA will also need to be carried out if this is a high profile or major policy that will either effect many people or have a severe effect on some people.

Is a full EIA required?	Yes (go to stage two)	No
If no briefly summarise reasons why you have reached this conclusion, the evidence for this and the nature of any stakeholder verification of your conclusion.		

Briefly describe any positive impacts identified that have resulted in improved access or services

For screenings only:

Review date	
Person responsible for review	
Head of Service signed off	
Date completed	27.4.2010

- Signed off electronic version to be kept in your team for review
- Electronic copy to be forwarded to Equality and Diversity Manager for publishing

Stage 2 – Full Equality Impact Assessment

Page 14 of the guidance

Introduction and background

Using the information from your screening please describe your service or function. This should include:

- **The aims and scope**
- **The main beneficiaries or users**
- **The main equality, accessibility, social exclusion issues and barriers, and the equality strands they relate to (not all assessments will encounter issues relating to every strand)**

If this EIA is part of a project it is important to focus on the service or policy the project aims to review or improve.

Trading Standards is responsible for enforcing a range of criminal and civil legislation with a view to protecting consumers and legitimate businesses from unscrupulous traders. The service investigates alleged breaches of civil and criminal legislation and provides advice to businesses on compliance. Consumer advice is provided in limited circumstances. The service also operates an approved trader scheme

known as “Buy With Confidence” in conjunction with neighbouring authorities.

Consumers and businesses come from all social and ethnic backgrounds consequently the service has contact with a broad range of people representing various ages, races, beliefs etc.

Certain subject areas tend to be associated with higher percentages of particular groups. Likewise, regional and national surveys have shown that white single females over the age of 80 represent a high percentage of doorstep crime victims.

It is recognised that specific ethnic groups may not engage with the service for varying reasons that could include mistrust, a lack of awareness, misconceptions, etc.

Now describe how this fits into ‘the bigger picture’ including other council or local plans and priorities.

The work of Trading Standards is closely aligned to the council’s key aims and objectives.

The council has as one of its key aims the protection of vulnerable children and young people. Clearly our underage sales work contributes to this by reducing access by children to inappropriate and harmful products such as alcohol, tobacco, adult films and knives. (*“Please see our EIA for Underage sales for further information”*)

In order to protect the child volunteers, we follow national guidance when working with children. We also ensure that children not from the area where they carry out checks. All Trading Standards Officers are CRB checked at an enhanced level. All underage test purchasing work is undertaken in partnership with the police.

Another core aim of the council is helping adults to live independently and safely. Our doorstep crime work and No Cold Calling Zones protect older or vulnerable adults from predatory criminals and provides support and reassurance enabling them to live safely in their own homes and reduces the fear of crime and actual instances of crime.

By ensuring a level playing field for all businesses and by helping to promote legitimate businesses through our approved trader scheme, known as Buy With Confidence, Trading Standards contributes to the council’s objective of working to keep Surrey’s economy successful. All legitimate businesses are eligible to apply to join our Buy With Confidence scheme. Businesses are admitted if they meet published criteria and applications are welcomed from businesses representing all cultures, beliefs and ethnicities.

Evidence gathering and fact-finding

(Page 15 of the guidance)

What evidence is available to support your views above? Please include:

- A summary of the available evidence
- Identification of where there are gaps in the evidence (this may identify a need for more evidence in the action plan)
- Information on contributing factors to inequality.
- What information is currently captured with respect to usage and take up of services.
- What the current situation is in relation to equality and diversity monitoring (where relevant)

All investigations are undertaken in accordance with statutory requirements and the service's own enforcement policy. Our enforcement policy is available to view on [our website](#). Decisions are based on fact and against defined criteria. Proactive investigations are intelligence driven. Investigations are monitored and scrutinised to ensure compliance with all legal and procedural requirements. Strict adherence to these rules ensures that all investigations are conducted fairly and all individuals treated equally. Our investigation and intervention policy can be found on [our website](#).

Regular surveys are sent to consumers and traders. Consumer surveys include questions about ethnicity which enables us to monitor the usage and provision of our services across the various groups. In a recent survey 91% of respondents felt that they were treated fairly by the service. The results of our surveys indicate that the proportion of our customers from ethnic minorities, at around 5%, is very much comparable to the ethnic distribution of the population of Surrey as a whole according to the 2001 census figures.

Traders who have been the subject of enforcement action are surveyed regarding the fairness of their treatment. Although surveys sent to businesses do not specifically include ethnic monitoring information there is an opportunity for any concerns or complaints to be raised should an individual feel that they have been treated unfairly. No complaint has ever been made that alleged discrimination either via a survey or independently.

Sources of evidence may include:

- Service monitoring reports including equality monitoring data
- User feedback
- Population data – census, state of the county, Mosaic
- Complaints data
- Published research, local or national.
- Feedback from consultations and focus groups

- Feedback from individuals or organisations representing the interests of key target groups
- Evidence from partner organisations, other council departments, district or borough councils and other local authorities

How have stakeholders been involved in this assessment? Who are they, and what is their view?

The regular surveys and attendance at meetings have provided useful insight into the perceptions of the service. While there is no room for complacency the feedback is encouraging. The service actively seeks the views of its users and encourages and welcomes feedback and suggestions. The external website provides a facility for feedback, comments or suggestions to be submitted and these are reviewed and actioned, where appropriate.

Stakeholders such as the Police, the Equalities and Diversity Representative, and the Corporate Equalities and Diversity Group have been involved in shaping our policy.

Analysis and assessment

Given the available information, what is the actual or likely impact on minority, disadvantaged, vulnerable and socially excluded groups? Is this impact positive or negative or a mixture of both? (Refer to page 17 of the EIA guidance for full list of issues to consider when making your analysis)

The service aims to treat all users fairly and equally with exceptions being made solely to make an extra effort for groups or individuals who may be regarded as vulnerable or in some way deserving of greater attention.

What can be done to reduce the effects of any negative impacts? Where negative impact cannot be completely diminished, can this be justified, and is it lawful?

There is a perception amongst certain members of the travelling community that some of the legislation enforced by Trading Standards discriminates against them. They feel that the legal requirements regarding contracts entered into at a person's home impinge on the way that they have traditionally sought business, namely, by cold calling door to door. Trading Standards have tried to reassure the travelling community that the law applies equally to all businesses and have attended meetings to provide advice. Trading Standards have tried to

encourage members of the travelling community to adapt to changing times and adopt modern business practices to seek work, for example, through the use of websites.

Complaints about doorstep crime are usually responded to with little or no details about the trader allegedly involved. All complaints are responded to and actioned on the basis of the facts of the case and not influenced by the ethnicity or other trait of the trader.

Proactive attempts at tackling doorstep crime are carried out jointly with the Police and other agencies. Intelligence is used to identify high doorstep crime areas and traders operating in that area are spoken to. All traders involved in a particular business activity are spoken to regardless of their cultural background, religious beliefs, etc.

In some areas where doorstep crime is identified as a problem through the use of Police and Trading Standards statistics, No Cold Calling Zones have been introduced. These are areas where the local residents themselves have expressed a collective desire not to have uninvited callers knocking on their door. No Cold Calling Zones operate in a partnership agreement between Trading Standards, Police, local residents groups, Neighbourhood Watch, and district, borough or parish councils. No Cold Calling Zones do not discriminate between the type of business that is unwelcome and they apply equally to all traders who may seek to make uninvited sales visits to local homes irrespective of their cultural background, religious beliefs, gender, etc.

Trading Standards have contributed to the “Gypsy and Traveller Package” developed by Surrey Police.

Trading Standards operates an approved trader scheme known as “Buy With Confidence” which traders from all sections of society can apply to join. There are published membership criteria and any business meeting those may become a member. We have members who represent a diverse range of backgrounds including the travelling community.

All staff received Equalities and Diversity training in December 2007. All new recruits since then have participated in the corporate induction programme, which includes Equalities & Diversity training.

Where there are positive impacts, what changes have been or will be Made, who are the beneficiaries and how have they benefited?

The service provides advice and assistance to any adults who may regard themselves as being vulnerable because of age or disability. The service has specially trained officers to carry out video interviews with vulnerable witnesses.

The work around underage sales helps to ensure that vulnerable

children are protected from harmful products such as alcohol and tobacco.

A formal partnership with agencies such as social services and the police ensures that vulnerable persons, whether consumers or traders, are offered any appropriate advice and support.

Interpreters are often used to facilitate communication with individuals for whom English may be a second language. Written information can be translated into other languages, on request.

A Chinese language letter was introduced in response to the relatively high number of Chinese nationals encountered selling counterfeit DVDs.

A high number of traders engaged in cold-calling home repair work have stated to us that they emanate from within the travelling community. In recognition of this, attempts have been successfully made to engage with the travelling community. Officers regularly attend meetings and have delivered presentations and provided advice. A Traveller Liaison Officer has been appointed to provide a nominated contact for all business advice requests.

Recommendations

Please summarise the main recommendations arising from the assessment. If it is impossible to diminish negative impacts to an acceptable or even lawful level the recommendation should be that the proposal or the relevant part of it should not proceed.

Provide refresher training for all staff on Equalities and Diversity issues.

Ensure that staff especially those who enforce food legislation receive the Food Standards Agency's cultural awareness guidance on working with ethnic communities.

Action Plan – actions needed to implement the EIA recommendations

Issue	Action	Expected outcome	Who	Deadline for action
Provide refresher training for all staff on Equalities and Diversity issues.	Work with E&D groups to identify suitable training for staff	SCC Trading Standards Service is provided by knowledgeable and well-trained staff who are equipped to meet the diverse needs of local communities.	Head of Service	Q4 2010/11
Ensure that staff who visit retail and licensed premises have access to a copy of the Food Standards Agency's cultural awareness guidance on working with ethnic communities.	Staff are made aware and given a copy of the FSA guide	SCC Trading Standards Service is provided by knowledgeable and well-trained staff who are equipped to meet the diverse needs of local communities.	Andy Pollard	Q1 2010/11

- Actions should have SMART Targets

- Actions should be reported to the Directorate Equality Group (DEG) and incorporated into the Equality and Diversity Action Plan, Service Plans and/or personal objectives of key staff.

Review date	
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Head of Service signed off	
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Date forwarded to EIA coordinator for publishing	

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