

Community and Equality Impact Assessment

As an authority, we have made a commitment to apply a systematic equalities and diversity screening process to both new policy development or changes to services.

This is to determine whether the proposals are likely to have significant positive, negative or adverse impacts on the different groups in our community.

This process has been developed, together with **full guidance** to support officers in meeting our duties under the:

- Equality Act 2010.
- The Best Value Guidance
- The Public Services (Social Value) 2012 Act

About the service or policy development

Name of service or policy	Internal Enforcement Agent Service
Lead Officer	Karl Smith
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Why is this service or policy development/review needed?

The Internal Enforcement Agent (Bailiff) Service was agreed at Cabinet in January 2019 and through CSG on 19th March 2020.

Setting up the Internal Enforcement Agent Service is part of the Core support service review. The service will comprise the collection of Council Tax, Business Rates and Parking incomes

The new internal service will support the above strategy through:

- An increased emphasis on ethical collection forming a key component particularly aligned and integrated with the broader work of Community Solutions providing better outcomes for residents and supports earlier intervention for vulnerable households.
- Closer strategic alignment with other LBBB services and increased control over enforcement activities.
- Increased income collection and reduced debt.
- An improved customer experience when dealing with internal Enforcement Agents. The Agents are bound by the National Standards for Certificated Enforcement Agents and introducing methods of working closer with residents to resolve their situation, giving agents greater incentive to minimise the impact of the debt and signposting vulnerable residents to appropriate services will create a better resident experience.

1. Community impact (this can be used to assess impact on staff although a cumulative impact should be considered).

What impacts will this service or policy development have on communities?
Look at what you know. What does your research tell you?

Please state which data sources you have used for your research in your answer below

Consider:

- National & local data sets
- Complaints
- Consultation and service monitoring information
- Voluntary and Community Organisations
- The Equality Act places a specific duty on people with 'protected characteristics'. The table below details these groups and helps you to consider the impact on these groups.
- It is Council policy to consider the impact services and policy developments could have on residents who are socio-economically disadvantaged. There is space to consider the impact below.

The main community impact is in creating a service which places a greater emphasis on balancing the need of the Council to recoup debt with the need to support the resident and enable them to access support and payment plan options which will assist them to pay while not causing further negative impact on them. This is set out in more detail in the body of the report.

In summary, while traditional enforcement agents are incentivised to collect payment in full as quickly as possible, the proposed service involves agents trained in an alternative model which encourages communication with the resident and flexibility to offer payment plans. The proposed service includes an emphasis on reminders and clear referral pathways to the CAB and other agencies to discuss their needs around debt, which can also identify and begin to address and any other issues they are experiencing – as debt can be a symptom of a wider more holistic problem. The communications templates have been developed in consultation with behavioural scientists who suggested how to make these more approachable to encourage residents to engage.

There is a range of data to demonstrate that debt is not experienced equally across society and that nationally and locally there are some protected characteristics for whom debt is more likely to be experienced than others. However, the new service aims to minimise the negative impacts of debt and help residents to access support they need, understanding their holistic needs and supporting them to pay in an appropriate way rather than making demands which could cause further negative impacts. So while some demographics may be more likely to incur debt, the service aims to help everyone in the ways which are most appropriate for them.

Demographics

During this century Barking and Dagenham has become one of the fastest-changing communities in Britain:

- Between the 2001 and 2011 censuses the population rose from 164,000 to 186,000 and is projected by the Office for National Statistics (ONS) to rise to 228,000 people by 2043. The most recently available provisional population estimate from ONS is 212,906 as of 30 June 2019.
- The age of the community is changing with the highest birth rate in London, and a large number of young people – Barking and Dagenham has the highest proportion of under 16-year olds in the UK.
- The borough becomes more diverse each year – the proportion of the population identifying as coming from black and minority ethnic backgrounds increased from 19.1% to 50.5% between the 2001 and 2011 censuses, whilst those identifying as White British reduced from 80.9% to 49.5%. Ethnic projections available from the GLA forecast 66% of the borough population identifying as coming from black and minority ethnic backgrounds in 2020 compared to 34% identifying as White British.

Barking and Dagenham had the highest overall deprivation score in London according to the 2019 indices of deprivation published by the Ministry for Housing, Communities and Local

Government (MHCLG). This is because Barking and Dagenham had people in the borough die earlier, have poorer health and lower levels of education and skills than across London whilst too many residents are in low paid work and struggle to find suitable homes they can afford.

More nationalities, cultures and faiths are represented than ever before. The 2011 Census which showed 18.7% of the population aged 3 and over did not have English as their first language with 3.6% unable to speak English well or at all. More recent data taken from the council's latest School Census as of January 2020 shows that the main household language for 51.4% of pupils in Barking and Dagenham was not English (LBBD School Census January 2020).

Diversity is an asset and a strength, but it also brings challenges. As a commissioner and provider of public services we must keep up to date with demographic changes and adapt our approach to meet the needs and expectations of our residents. We must value diversity and understand that residents are individuals. As such we must evolve how we plan and deliver services that are inclusive, accessible, outcomes focussed, and personalised.

Age

The Borough has the highest proportion of 0-16 year old in the UK. The over 60 population accounts for one of the smallest percentages of population in England and Wales (Census 2011).

Disability

Approximately 9,030 people of working age (16-64 years) are claiming disability allowance (DWP Nomis 2020). According to the latest ONS data, 16.9% of Barking and Dagenham residents aged 16-64 years were EA core (includes those who have a long-term disability which substantially limits their day-to-day activities), or work-limiting disabled as at December 2019 (ONS, 2020).

Gender

51.5 % of the Borough's residents are female, and 49.6% are male (Census 2011)

Gender reassignment

We estimate that there may be approximately 40 people in the Borough who have or who will undergo gender reassignment (Gender Identity Research and Education Society advice 2016).

Marriage and civil partnership

41.9% of the population aged 16 and above are married, 38.8% are single and never married, and 0.2% are in a same-sex civil partnership (Source: Census 2011).

Ethnicity

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The proportion of the population identifying as coming from black and minority ethnic backgrounds increased from 19.1% to 50.5% between the 2001 and 2011 censuses, whilst those identifying as White British reduced from 80.9% to 49.5%. Ethnic projections available from the GLA forecast 66% of the borough population identifying as coming from black and minority ethnic backgrounds in 2020 compared to 34% identifying as White British (GLA Population Projections). More specifically, the most recent population estimates suggest LBBD's population is made up 24.6% Black (African, Caribbean and Black Other) residents; 15.5% Asian (Bangladeshi, Indian and Pakistani); and 8% from other or mixed ethnic groups (Source: GLA population projections).

Religion or belief

56% of the population identify as Christian. 18.9% identify with no religion. 13.7% identify as Muslim (Census 2011).

Sexual orientation

Between 10,000 – 14,000 people in Barking and Dagenham are lesbian, gay and bisexual (Stonewall estimates).

The table below provides an indication of some of the impacts identified for the Internal Enforcement Agent Service predictive modelling system:

Potential impacts	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
Local communities in general	X			Positive – Greater engagement with those with outstanding debt will assist in finding the right structured path or plan to reduce their debt. In the longer term this will improve their quality of life. Vulnerable residents that are identified will be referred where possible with the correct lifecycles of ComSol	By using ethical enforcement, approachable enforcement agents and working with residents to reduce their debt can have a positive impact on their lives. Visiting resident and business properties may identify those who are vulnerable and have not been on the Council's radar previously. Using a service which is connected to support services means that these residents will be referred to the most relevant service(s) to support them and/or their families.

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				<p>Reducing the amount of outstanding debt owed to the Council and generating additional income will allow the volume and breadth of services across the Council to be increased, supporting an increased number of residents. But it is also important to do this in a way which does not worsen the situation of people in need in the Borough, who could then fall into requiring support.</p>
Age		X	<p>All residents that are passed to the department are sent a Notice of Enforcement (NoE) to advise them that unless payment or a payment plan is agreed an enforcement agent will visit. The statutory time frame is 7 days. To assist those that are digitally excluded this will be increased to 21 days as standard. The NoE will have various contact methods available to them including direct phone.</p>	<p>The Borough has the highest population percentage of 0-19 year olds in the country at 31%. The over 60 population accounts for one of the smallest percentages of population in England and Wales (Source: Census 2011).</p> <p>The vast majority of this 31% (0-17 years old) cannot be enforced against.</p> <p><i>The Taking Control of Goods Regulations 2013</i></p> <p><i>(1) The enforcement agent may not take control of goods of the debtor where—</i></p> <p><i>(a) the debtor is a child</i></p> <p>Older people may have barriers to communication such as electronic reminders, text or email and less likely than other groups to not be online*. Virtually all adults aged 16 to 44 years in the UK were recent internet users (99%) in 2019, compared with 47% of adults aged 75 years and over. Taking Control of Goods: National Standards document the elderly as being possibly vulnerable. The agent has a duty to contact the</p>

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				<p>creditor and report the circumstances in situations where there is evidence of a potential cause for concern. If necessary, the enforcement agent will advise the creditor if further action is appropriate.</p> <p>*https://www.ons.gov.uk/businessindustryandtrade/itandinternetindustry/bulletins/internetusers/2018</p>
Disability		X	<p>Where a resident with a disability is identified and not known to the Council, they will be referred through the relevant channel to support them and offer guidance where needed</p>	<p>Residents with a disability are more likely to be indebted or out of work*</p> <p>Known disabilities are recorded in the Council's source system i.e. for blue badges.</p> <p>Motobility vehicles (3rd party) and those displaying blue badges are exempt from removal and items for everyday living are exempt from being taken into control.</p> <p>Under the Taking Control of Goods Regulations 2013 – Section 4, Exempt Goods</p> <p><i>(vii)any item or equipment reasonably required for—</i> <i>(aa)the medical care of the debtor or any member of the debtor's household;</i> <i>(bb)safety in the dwelling-house;</i></p> <p><i>(ix)any item or equipment reasonably required for the care of—</i> <i>(aa)a person under the age of 18;</i> <i>(bb)a disabled person; or</i> <i>(cc)an older person;</i></p> <p><i>(d)a vehicle on which a valid disabled person's badge is displayed because it is used for, or in relation to which there are reasonable grounds for</i></p>

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				<p><i>believing that it is used for, the carriage of a disabled person;</i></p> <p><i>*Disability facts and figures / Disability charity Scope UK</i></p> <p>People with disabilities are within the potentially vulnerable group and the agent has a duty to contact the creditor and report the circumstances where there is evidence of a potential cause for concern. If necessary, the enforcement agent will advise the creditor if further action is appropriate.</p> <p>The difference between internet use in disabled and non-disabled adults was greater in the older age groups. For adults aged 75 years and over, 41% of disabled adults and 54% of non-disabled adults were recent internet users. In comparison, there was little difference in recent internet use for disabled and non-disabled adults in the 16 to 24 age group; 98% of disabled adults and 99% of non-disabled adults in this age group were recent internet users.</p>
Gender reassignment		X	There is no direct evidence to suggest a differential impact (direct or indirect) of the proposals on transgender people	No impact.
Marriage and civil partnership		X	There is no evidence to suggest a differential impact (direct or indirect) of the proposals based upon marital status.	41.9% of the population aged 16 and above are married, 38.8% are single and never married, and 0.2% are in a same-sex civil partnership (Source: Census 2011).

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Pregnancy and maternity		X	There is no evidence to suggest a differential impact (direct or indirect) of the proposals based on pregnancy or maternity related issues.	N/A
Race (including Gypsies, Roma and Travellers)		X	<p>People from Black, Asian and other minority ethnic communities are most at risk from debt as a result of the economic impact of the coronavirus pandemic, new analysis by Institute for Public Policy Research (IPPR) has found.</p> <p>Among borrowers, those from Black communities had the highest relative debt levels, with an average equivalent to 18% of their annual gross income, compared with 12% across all groups. The service has been structured to provide 3 times the amount of time to gain debt advice. Direct telephone referrals will be provided to the advice sector to reduce the time taken to obtain advice and reduce associated stress.</p> <p>https://www.ippr.org/files/2020-11/helping-households-in-debt-nov20.pdf</p>	The use of an ethical enforcement aims to provide a balance between enforcement and support for those who are in debt to the Council. While there may be inequality in people who fall into debt, this more supportive approach aims to work better for everyone, aiming to alleviate the negative impact of debt, which is felt disproportionately in some communities. Enforcement agents and Compliance Officers have undergone a level 3 training course that includes an understanding of the Equalities Act, Human Rights Act and cultural differences including holidays and festivals.
Religion or belief		X	There is no evidence to suggest a differential impact (direct or indirect) of the proposals based on religion or belief.	N/A
Sex		X	There is no evidence to suggest a differential impact on the likelihood of debt and requiring the service based on gender.	N/A.
Sexual orientation		X	There is no evidence to suggest a differential impact (direct or indirect) of the proposals based on sexual orientation.	N/A

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<p>Socio-economic Disadvantage</p>	<p>X</p>		<p>People at a socio-economic disadvantage are self-evidently more likely to incur debt. This approach aims to support people in debt to pay and balance the Council's need to recoup money against the needs of the person who has incurred debt. This is a positive move away from more traditional bailiffs who would prioritise payment in full, which can further impact people at a socio-economic disadvantage.</p>	<p>Rather than a traditional approach where an enforcement agent/agency is paid for payment in full (creating pressure on residents and agents to give full payment as soon as possible), this model works as outlined above to give residents appropriate time to respond and incentivises accessing appropriate support, along with using agents who receive training in an alternative model to encourage communication and flexibility to offer payment plans rather than paid in full cases.</p>
<p>Any community issues identified for this location?</p>			<p>None identified</p>	

2. Consultation.

Provide details of what steps you have taken or plan to take to consult the whole community or specific groups affected by the service or policy development e.g. on-line consultation, focus groups, consultation with representative groups.

If you have already undertaken some consultation, please include:

- Any potential problems or issues raised by the consultation
- What actions will be taken to mitigate these concerns

This project was approved by cabinet in January 2019 as part of the Council's Core Support Services Workstream 1, Elevate Services. Consultation has taken place across a range of key officers and Heads of service through the business case, meetings and presentations outlining the benefits to the Council and the residents.

Internal Consultation

- Director of Transformation
- Chief Executive Officer
- Chief Information Officer
- Head of Support Lifecycle
- Head of Service Development
- Head of IT Projects
- Head of Insight & Innovation
- Behavioural Insight Lead
- Community Solutions Strategy Board
- IT and Transformation Leads
- The Council's political leadership

External Consultation

External stakeholders have been consulted on their views to gather information on this matter. Through the Welfare Stakeholder Board input has been obtained from Citizens Advice Bureau Dagenham.

Citizens Advice Bureau have through consultation, agreed to set up a direct referral scheme where Enforcement Agents and Compliance Officers identify vulnerable residents. This approach assists in keeping the level of debt to a minimum by intervening at an early stage before enforcement agent fees are applied. As such, making it easier to come to an agreement on paying the debt off in a structured, affordable manner.

3. Monitoring and Review

How will you review community and equality impact once the service or policy has been implemented? <i>These actions should be developed using the information gathered in Section 1 and 2 and should be picked up in your departmental/service business plans.</i>		
Action	By when?	By who?
Review actions of enforcement agents for quality assurance. Through body worn camera reviews, observations and through the Council's complaints and enquiry procedures.	Ongoing	Enforcement service team
Report the outcomes from the above reviews to the Community Solutions Board	Ongoing	Enforcement service team
Report and embed practice which responds to any identified equalities issues	Ongoing	Enforcement service team

4. Next steps

It is important the information gathered is used to inform any Council reports that are presented to Cabinet or appropriate committees. This will allow Members to be furnished with all the facts in relation to the impact their decisions will have on different equality groups and the wider community.

Take some time to summarise your findings below. This can then be added to your report template for sign off by the Strategy Team at the consultation stage of the report cycle.

Implications/ Customer Impact
<p>Project already agreed at Cabinet in Jan 2019</p> <p>The rollout of the in-house bailiff enforcement service will generally have a positive impact. Applying an ethical approach to collections will provide greater flexibility to enforcement agents that will allow them to work with residents in managing repayments, reduce their debt and improving their situation.</p> <p>Where vulnerable residents are identified enforcement agents will refer them to the most appropriate departments. This is an ongoing piece of work to develop and continually review how residents are signposted to the most relevant departments. Feedback will also be provided to manage any equality discrepancies.</p>

5. Sign off

The information contained in this template should be authorised by the relevant project sponsor or Divisional Director who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role (e.g. project sponsor, head of service)	Date
Karl Smith	Enforcement Agent Service Manager	6 May 2021
Mark Fowler	Strategic Director	6 May 2021