

Equality Impact Assessment: Food Law and Health and Safety Enforcement Service Plan

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name & date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive 3 October 2023 Council 17 October 2023	Food Law and Health and Safety Service Plan	Adoption of service plan	The Service Plan forms the basis of the business regulation enforcement functions for the authority and ensures that national food safety and health and safety priorities are addressed along with locally identified needs. It demonstrates our commitment to improving public safety and health outcomes, sets out our priorities and planned interventions for the current year and targets them to maximise their impact.

			<p>Exeter City Council has a duty to act as an enforcing authority in premises for which it is responsible. The plan outlines how the Council will undertake that function.</p> <p>It has been produced to ensure that local businesses, landlords, employers and employees, members of the public, council officers and Members understand the approach to regulatory enforcement adopted by the Council. The service plan will help to ensure that the actions of the Council are fair, consistent, open and effective.</p> <p>The Council recognises the important role it plays promoting and securing the safety and health of those who live, work and visit the City. The key aim of this plan is to demonstrate how the Council will fulfil its statutory obligations in accordance with national guidance set out by the respective regulatory agencies. It includes:</p> <ul style="list-style-type: none"> • the Council's aim and objectives; • information about the enforcement services provided by the Council; • details of the Council's performance management systems; • information on performance
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Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This is must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
<p>Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).</p>	<p>Neutral</p>		<p>There is no evidence that this will impact on any specific person based on this characteristic. Any incidental impact on those within this group is very likely to be positive – for example – promotion of the Food Standard Agency’s guidance for Chinese and Indian cuisines where appropriate.</p> <p>During our routine inspections, we will look for evidence of modern slavery and share this information with partner agencies such as the police. In these situations, unsafe working conditions or inadequate accommodation will be remedied using our enforcement powers as appropriate.</p>
<p>Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.</p>	<p>Positive</p>		<p>The Service Plan applies equally to all residents of Exeter irrespective of disability.</p> <p>Our service does seek to positively support those with disabilities through ensuring safe workplaces.</p> <p>Our food hygiene training courses are available as e-learning, which allow delegates to progress at their own pace and at any location; for our taught courses we offer an oral examination for persons unable to complete a written paper.</p> <p>Food businesses serving predominantly immuno-compromised persons (such as some care homes and hospital kitchens) are inspected at a more frequent interval.</p> <p>Some allergies can be persistent and life threatening; our inspections of food businesses include an assessment of allergen management and communication, with appropriate enforcement where necessary.</p>

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
			Safer workplaces are of particular importance to people with long-term health conditions – for example, our enforcement of smoke free legislation and the health and safety law pertaining to legionella and asbestos has a positive impact on persons with chronic lung disease.
Sex/Gender	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Gender reassignment	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Positive		<p>We work with the beauty industry to ensure that persons under the age of 18 do not use sunbeds or acquire a tattoo. We promote, when registering skin piercers, a policy of not piercing those under 16 without a parent/guardian present.</p> <p>Businesses serving food predominantly to vulnerable groups (including those under the age of 5 or over the age of 65) are inspected more frequently (typically annually) than other catering premises.</p>

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Pregnancy and maternity including new and breast feeding mothers	Neutral		There is no evidence that this will impact on any specific person based on this characteristic. We offer advice and guidance to employers on the health and safety requirements for new and expectant mothers at work.
Marriage and civil partnership status	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.

Actions identified that will mitigate any negative impacts and/or promote inclusion

The Council will consider Equalities and protected characteristics at all stages of any intervention.

All Authorised Officers will ensure that all persons dealt with receive fair and equitable treatment irrespective of their background or protected characteristics, as defined by the Equality Act 2010.

Officer: Simon Lane, Service Lead – Environmental Health and Community Safety

Date: August 2023