

Customer Access Review – Full Assessment

Assessment details	
Assessment area	Running a Business from Home Policy
Date of assessment	January 2025
Directorate and Service	Housing & Public Protection, Housing Services
Manager	Tenancy Services Manager / Housing Development & Policy Manager
Officer conducting assessment	Senior Housing Policy & Performance Officer
Step 1: Scoping the assessment	
1. What are the aims and objectives of the activity or proposal?	<p>The Home Enterprise Policy is an existing housing policy that sets out Dartford Borough Council’s approach to allowing businesses to be run in Council properties. This assessment has been undertaken in conjunction with a review of the policy which proposes the policy is renamed to ‘Running a Business from Home Policy’.</p> <p>The objective of the policy is to encourage residents to set up businesses from home as it is appreciated that home enterprise can have a positive impact by increasing residents’ income but also equipping them with experience and skills, which in turn can improve employment prospects for the future.</p> <p>The policy aims to clarify the conditions for Council tenants and leaseholders wishing to set up a business from home.</p> <p>The policy is relevant to the Public Sector Equality Duty aim to eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act in the context of ensuring that the application process to run a business from home does not discriminate against one or more protected characteristic groups.</p> <p>The policy is also relevant to the aim to advance equality of opportunity between persons who share a protected characteristic and those who do not in the context that everyone should have equality of opportunity to set up a business from home.</p>
2. Who will be affected by the activity or proposal?	Dartford Borough Council tenants and leaseholders.
3. How does the activity or proposal contribute to: a) any key performance indicators?	<p>a) There are no key performance indicators specific to the Running a Business from Home Policy.</p> <p>b) The Running a Business from Home Policy relates to the Corporate Plan’s housing ambition to provide a high quality and responsive housing service that’s built on respect for aspiring and exiting tenants. We want to be practical, honest and straightforward in all the information and advice we give.</p>

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Step 1: Scoping the assessment	
b) policies, values or objectives of Dartford Borough Council?	
<p>4. Which aspects of the activity or proposal are dictated by legislation/regulation and where do we have discretion in how they are delivered?</p>	<p>There are no legislative or regulatory requirements surrounding businesses being set up in Council tenanted and leasehold properties. The approach to home enterprise is usually determined through tenancy and lease agreements.</p> <p>For Council tenants, the tenancy agreement includes conditions that restricts the tenant to use their home solely as a private dwelling and not for the use of carrying out any trade, profession or business from the property, without the permission of the Council.</p> <p>For Council leaseholders, the lease agreement includes a condition that restricts the property from being used for any trade business or professional purpose. However, discretions is exercised in the policy by waiving the restriction if certain conditions are met.</p> <p>Discretion is also exercised in the policy on the circumstances where permission may or may not be given to run a business from home. Some circumstances are connected to conditions within the tenancy agreement, such as where permission is not given if the business is likely to cause nuisance to neighbours and/or is an illegal, improper, or immoral activity. Other circumstances are connected to health and safety considerations, for example, where permission is not given if the business involves storing a significant number of items within the property or involves stocking flammable products.</p>

Step 2: Information collection																	
<p>5. What do you know about the groups of people who will be affected? (i.e. demographic information in relation to the protected characteristic groups of age, disability, pregnancy and maternity, religion or belief, race, sex, sexual orientation, gender reassignment, marriage and civil partnership)</p>	<p>Tenant profile – The Council owns and manages a housing stock of 4,216 properties. Information in relation to profile of Council tenants (Tenant 1 data) is captured by the Council’s Housing Service, as follows:</p> <table border="1" data-bbox="658 1155 2114 1412"> <tr> <td rowspan="3">Sex</td> <td>Male</td> <td>33.85%</td> </tr> <tr> <td>Female</td> <td>66.03%</td> </tr> <tr> <td>Unknown</td> <td>0.12%</td> </tr> <tr> <td rowspan="4">Age</td> <td>18-24</td> <td>1.59%</td> </tr> <tr> <td>25-39</td> <td>20.41%</td> </tr> <tr> <td>40-59</td> <td>38.22%</td> </tr> <tr> <td>60+</td> <td>39.78%</td> </tr> </table>	Sex	Male	33.85%	Female	66.03%	Unknown	0.12%	Age	18-24	1.59%	25-39	20.41%	40-59	38.22%	60+	39.78%
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Step 2: Information collection			
	Race	White	67.72%
		Asian or Asian British	1.45%
		Black or Black British	1.47%
		Mixed	2.00%
		Chinese or other ethnic group	0.24%
		Unknown/ prefer not to say	27.12%
	Disability/ vulnerability	No disability/ vulnerability	79.16%
		Disability/ vulnerability	20.84%
<p>Leaseholder profile – There are currently 481 leasehold properties. The conveyancing process is managed by external bodies and legal transfers which do not collect personal data concerning the protected characteristics of new home owners. The Housing Service does not receive or hold any personal data regarding leaseholders other than name and address.</p> <p>Dartford business profile - There were 4,550 enterprises in Dartford as of March 2023. This is down 2.2% from the previous year. This decrease is higher than the national and Kent decrease of 1.5%.</p> <p>When compared with 2010, the number of enterprises in Dartford has grown by 60.8%. This increase is higher than the national increase of 30.4% and the Kent increase of 28.9%.</p> <p>Most enterprises in Dartford (89.9%) are micro enterprises with 0-9 employees.</p> <p>The highest proportion of enterprises in Dartford are within the construction industry (21.9%).</p> <p>(Source: UK Business Counts dataset, Office for National Statistics)</p> <p>Businesses run in Council properties – The number of applications to run businesses from home has been historically low. This may be due to many reasons, such a lack of awareness of the approach to allowing businesses to be set up from home, or a misconception that it is not allowed at all. There is also a potential for businesses to have been set up from home without the knowledge or approval of the Council, to which the policy outlines a process to assess whether to grant retrospective permission or to take enforcement action if a resident does not comply with the Council’s requirements.</p>			

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Step 2: Information collection	
<p>6. What consultation has taken place with affected groups? Please describe who was consulted and the key findings</p>	<p>Consultation will be carried out to inform the review of the Home Enterprise Policy, as set out below in question 7.</p>
<p>7. Are there any gaps in information? If so, what additional research and/or consultation is needed to ensure that affected groups needs and views are taken into account?</p>	<p>Internal consultation – Council officers within the Housing Service will be consulted in the review of the Running a Business from Home Policy.</p> <p>Tenant and leaseholder consultation – The Council is committed to ensuring the voice of its tenants and leaseholders is heard on matters that affect them. The Regulator of Social Housing places a requirement on social housing landlords to comply with the Transparency, Influence and Accountability Standard 2024, by ensuring that residents are given a wide range of opportunities to influence and be involved in the formulation of their landlord’s housing-related policies and strategies. Consultation with Council tenants and leaseholders will be undertaken, as follows:</p> <ol style="list-style-type: none"> 1. All Council tenants and leaseholders will be invited to comment on the proposed updated Running a Business from Home Policy. 2. The Dartford Tenants’ and Leaseholders’ Forum (DTLF) will be invited to comment on the proposed updated Running a Business from Home Policy. The DTLF aims to ensure that the services delivered by the Council are accessible to all. The Forum works as a group to ensure that the views and housing needs of residents are recognised and addressed by the Council, and that those needs and views are placed at the centre of housing services delivery. <p>Housing Advisory Board consultation – The Housing Advisory Board (HAB) will be invited to comment on the proposed updated Running a Business from Home Policy. The HAB considers reports on proposed policy, strategy and performance in relation to housing issues and makes recommendations to Cabinet as appropriate. The HAB includes representation from Council officers, elected Members and DTLF members.</p>

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Step 3: Assessing the equality impact

8. Consider whether the activity or proposal has or will have any positive or negative equality impacts on the protected characteristic groups in relation to the following aims of the Public Sector Equality Duty:

- a) tackling unlawful discrimination
- b) promoting equality of opportunity
- c) promoting good relations

NOTES:

- The Initial Screening will have identified which aims of the Public Sector Equality Duty are relevant to the activity or proposal for consideration
- For existing activities, consider how they are working in practice for each relevant protected group
- For new proposals, consider whether there is anything that could give rise to positive and negative equality impacts for each relevant protected group
- If there is no identified equality impact, please tick the 'No Impact' box and explain why in question 9
- If the equality impact is unclear, please tick the 'Unknown' box and explain why in question 9

Step 3: Assessing the equality impact

PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
Age	The Running a Business from Home Policy is relevant to working age residents. The overall benefits for residents running a business from home can include, for example, flexibility in being able to build a business around family life, balancing family commitments with making a living, and there is no commute to the workplace. There are also affordability benefits in low set-up costs, such as costs associated with work premises can be minimised by not needing to pay rent for business premises. By providing the opportunity to run a business from a Council property could improve employment prospects for a resident.	<p>While the Running a Business from Home Policy provides conditions where permission may or may not be given to run a small business from home, decisions on applications are determined based on individual circumstances on a case-by-case basis.</p> <p>To ensure that this discretion is exercised fairly and does not unintentionally discriminate, it is important for residents to have an opportunity to request a review of the decision where permission for running a business from home is not granted.</p> <p>The current policy states that if a tenant wishes to appeal a decision, then they can go</p>	<input type="checkbox"/>	<input type="checkbox"/>

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
		<p>through the Council's corporate complaints process. However, the complaints process is not the same as a review/appeal process. The complaints process considers dissatisfaction about the standard of service, actions or lack of action by the Council. Whereas a review/appeal process is an opportunity to look at an application afresh to reconsider the original decision.</p> <p>Action: It is recommended that the policy is amended to include a review/appeal mechanism where, on request, the application is reviewed by an officer senior and independent to the officer who made the original decision. This will increase assurance of impartiality and fairness in the process, also supported by good record keeping of the reasons/justifications for the original decision and the decision following the review/appeal process.</p> <p>The review/appeal process should not however prevent an applicant using the complaints process at any time in the process if they are dissatisfied with the level of service received or actions/lack of action, or where there is a complaint about the policy itself or its application.</p>		

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
Disability	The Council recognises that it is important that people with specific communication needs can obtain support for this when making an application to request permission to run a business from home. In accordance with the Council's Equality & Diversity Document Framework, information can be provided in alternative formats, including: Braille, audio tape and large print versions of documents. Sign Language interpreting services can be provided upon request. Calls can also be received via Relay UK.		<input type="checkbox"/>	<input type="checkbox"/>
Sex			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	The Council recognises that it is important that people with specific communication needs can obtain support for this when making an application to request permission to run a business from home. In accordance with the Council's Equality & Diversity Document Framework, information can be provided in alternative formats, including: documents translated into other languages. Telephone and face-to-face interpreting services can also be provided upon request.		<input type="checkbox"/>	<input type="checkbox"/>
Religion/Belief			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy/Maternity			<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
Marriage and Civil Partnership*			<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Regarding the protected characteristic of Marriage and Civil Partnership – public bodies need to comply with the first aim of the Public Sector Equality Duty and only in the context of employment.

Step 3: Assessing the equality impact	
9. If 'no impact' or 'unknown' was selected, please explain	This assessment does not consider the Running a Business from Home Policy and its application will have a differential impact on the basis of gender, gender reassignment, race, religion and belief, sexual orientation, pregnancy and maternity or marriage and civil partnership.
10. If Dartford Borough Council works with partners to deliver the activity or proposal, please describe any circumstances that could give rise to positive or negative equality impacts between different groups	The Council does not work with any external partners to deliver the Running a Business from Home Policy.
11. Any other comments	<p>Conclusion</p> <p>The Running a Business from Home Policy should have an overall positive impact on residents as it aims to provide opportunities for home enterprise and a transparent, proportionate, fair and consistent approach to the process. The assessment has made a recommendation to add a review/appeal process in the policy on decisions to refuse permission for a business to be run from home.</p>

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Step 4: Action plan

12. Based on the information in Steps 1 to 3, please list the actions that will be taken to address:

- a) any gaps in information and consultation
- b) how any negative impacts on equality will be mitigated or eradicated

a) If additional information and/or consultation is required or the impact is still unclear, what actions will you put in place to gather the information you need?

Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
Views from all Council tenants and leaseholders on the draft Running a Business from Home Policy	Invite views on the draft policy from all Council tenants and leaseholders	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	28 February 2025	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Senior Housing Policy & Performance Officer
Views from the Dartford Tenants' and Leaseholders' Forum on the draft Running a Business from Home Policy	Invite views on the draft policy from the Dartford Tenants' and Leaseholders' Forum	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	28 February 2025	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Senior Housing Policy & Performance Officer
Views from the Housing Advisory Board on the draft Running a Business from Home Policy	Invite views on the draft policy from the Housing Advisory Board	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	28 February 2025	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Senior Housing Policy & Performance Officer

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b) If any negative impacts on equality were found, what actions will you put in place to mitigate or eradicate these impacts?

Identified impacts (and who is affected)	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
There is no dedicated review/appeal process in the existing policy other than to use the corporate complaints process	Add a review/appeal process in the policy on decisions to refuse permission for a business to be run from home	Increased assurance of impartiality and fairness in the decision making process	31 January 2025	Number, nature and reasons for a review/appeal, including any equality issues raised	Tenancy Services Manager

Step 5: Decision making and future monitoring

13. Which decision making process does this Customer Access Review need to go through? i.e. who does this need to be approved by?	Director of Housing & Public Protection
14. Is the subject of the Customer Access Review going to committee? If yes, include your findings in the committee report and attach this assessment to the report	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
15. How will you continue to monitor the activity or proposal on protected characteristic groups?	<p>Activity on the application of the policy will be monitored through:</p> <ul style="list-style-type: none"> • Number of businesses run from home recorded on the One Housing system • The number, nature and reasons for a review/appeal of an application, including any equality issues raised • Complaints received about the level of service received in the application of the policy
16. When will you review this Customer Access Review?	The Council will review the Running a Business from Home Policy every three years or earlier to address legislative, regulatory, best practice or operational issues. New assessments will be undertaken in conjunction with the review of the Running a Business from Home Policy.

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Step 6: Final steps

17. Once this Customer Access Review has been approved, send this assessment to the Policy & Projects Officer
18. Implement the actions identified from this Customer Access Review and ensure progress is monitored and recorded

Reviewed by Legal Services: J.Wenham – 13.1.2025

Reviewed by Director of Housing & Public Protection:

9.1.2025

