



Demonstrating Compliance with the Public-Sector Equality Duty (PSED)

Due regard must be shown:

- ✓ Decision-makers must be made aware of their duty to have ‘due regard’ and to the aims of the duty
- ✓ Due regard is fulfilled before and at the time a particular policy or operational activity, that will or might affect people with protected characteristics is under consideration, as well as at the time a decision is taken. It is not a box ticking exercise.
- ✓ Due regard involves a conscious approach and state of mind. The duty must be exercised with rigour and an open mind.
- ✓ The duty cannot be delegated to another body and will always remain on the body subject to it.
- ✓ The duty is a continuing one.
- ✓ It is good practice for the public body to keep an adequate record showing that they have considered their equality duties and considered relevant questions.

1. Public Consultation on the personal emergency evacuation plans (PEEPs) recommendations following the Grenfell Tower Inquiry Phase 1 (the Inquiry) Report

Background

In October 2019 the Grenfell Tower Inquiry published its report following Phase 1 of its Inquiry into the tragic events at Grenfell Tower on 14 June 2017.

11 of the Inquiry’s recommendations suggested a change in the law (Annex A of the FSC pg. 97 - 98)¹. The Government intends to implement these recommendations through secondary legislation using the existing power in Article 24 of the Regulatory Reform (Fire Safety) Order 2005 (FSO). Article 24(4) of the FSO place a duty on the Government to consult before making such regulations. The Fire Safety Consultation² (FSC) was published on 20 July 2020. The Government response was published on 17 March 2021³.

In the FSC Proposals 22, 23 and 24 set out how the Government initially proposed to implement the Inquiry’s recommendations (33.22(e) and 33.22(f)) which were specific to PEEPs. These are set out below:

¹ [Fire Safety Consultation July 2020](#)

² [Fire Safety Consultation July 2020](#)

³ [Fire Safety Consultation: Government Response](#)

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33.22(e) - (...) that the owner and manager of every high-rise residential building be required by law to prepare personal emergency evacuation plans for all residents whose ability to self-evacuate may be compromised (such as persons with reduced mobility or cognition);

33.22 (f) - (...) that the owner and manager of every high-rise residential building be required by law to include up-to-date information about persons with reduced mobility and their associated PEEPs in the premises information box.⁴ (pg.777)

After the consultation closed, in October 2020, an application for a judicial review (JR) was made challenging the way that the FSC proposals on PEEPs were developed. In November 2020, the Government committed to run a new consultation concentrating on proposals to implement the Inquiry's recommendations relating to PEEPs and the application was withdrawn.

In line with the PSED, this Equality Impact Assessment (EIA) considers the likely equalities impact of the Government's consultation proposals to implement the Inquiry's recommendations on PEEPs.

What is a PEEP?

We take the view that the purpose of a PEEP is to provide people who would have difficulty self-evacuating in the event of a fire with a tailored evacuation plan in case they need to do so in a fire emergency. The aim of the PEEP is for residents and those responsible for the management of fire safety in the building (the Responsible Person⁵ or RP) to think through the available options and consider how that resident can evacuate safely in light of fire safety information and the existing fire strategy for that building.

PEEPs are routinely put in place in workplaces such as offices, hospitals, and care homes. In a workplace an employer (the 'Responsible Person' or RP) is required under the Equality Act to make reasonable adjustments to ensure employees and visitors (relevant persons under the FSO) do not face discrimination by not being provided with a safe evacuation plan from a building. In a workplace or other commercial building an RP is likely to have full control of the building and additional resources available to identify and implement measures to take account of individual requirements.

⁴ [Grenfell Tower Inquiry Phase 1 Report](#)

⁵ A Responsible Person is defined in Article 3 of the FSO. For the purpose of the consultation it will generally be the owner or manager of the high-rise residential building.

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Currently, PEEPs are not routinely in place in multi-occupied residential buildings. Unlike workplaces, under the FSO, RPs are only responsible for the common parts of a residential building. Also, in residential buildings generally there are limited or no additional resources to assist an RP in their duties. Additionally, an RP is unlikely to know who is present in their building or the individual specialist needs of each resident without undertaking specific engagement with residents.

The Consultation Proposals

We intend to consult on four proposals to implement recommendations 33.22(e) and 33.22(f) of the Phase 1 Report.

The intent of these proposals is to support the safe evacuation of those residents of high-rise residential buildings, whose ability to self-evacuate may be compromised.

Proposal 1: We propose to require the Responsible Person to prepare a PEEP for every resident in a high-rise residential building who self-identifies to them as unable to self-evacuate (subject to the resident's voluntary self-identification) and to do so in consultation with them.

The consultation seeks views on requiring an RP to prepare a PEEP with any resident of their building who self-identifies as being unable to self-evacuate. All residents will therefore have the same opportunity to self-identify for this purpose.

Not all residents will require or want a PEEP to be completed - it is their choice. If the resident is confident that they may leave the building without any assistance during a fire, then they may choose not to contact the Responsible Person or otherwise self-identify.

The proposal needs for there to be meaningful and sustained engagement between them and an RP. It is expected that an RP will, where appropriate, actively encourage residents to come forward if they (the resident) feel they need a PEEP.

As part of the wider package of regulations to implement the Inquiry's recommendations we intend to require RPs to provide fire safety instructions (including instructions for evacuation) in a form the occupants can easily understand. Work to develop this policy is ongoing.

Proposal 2: We propose to provide a PEEP template (Annex A in the consultation document) to assist both the Responsible Person and the

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residents in completing the PEEP, and to support consistency at a national level.

The consultation seeks views on a draft template to assist an RP and resident in completing the PEEP.

Proposal 3: We propose to require the Responsible Person to complete and keep up to date information about residents in their building who would have difficulty self-evacuating in the event of a fire (and who have voluntarily self-identified as such), and to place it in an information box on the premises to assist effective evacuation during a rescue by the fire service.

The consultation seeks views on what information related to individuals who have a PEEP should be securely kept in a building's information box to assist an FRS response to an incident.

Proposal 4: We propose, in order to assist the Responsible Person and support consistency at a national level, to provide a template, most likely in a one-page format, to capture the key information to be provided in the information box.

The consultation seeks views on a draft template provided in the consultation document to capture the information referred to in Proposal 3.

Guidance will be provided to support these proposals and assist with compliance and enforcement activity.

Equality Considerations

The consultation proposals require a PEEP to be produced by an RP where a resident self-identifies as being unable to self-evacuate. There may be reasons for this that are unrelated to a protected characteristic, however it is reasonable to expect that a majority of PEEPs are likely to be produced by RPs for those residents whose self-identification is related to one or more protected characteristics; notably age, disability or pregnancy and maternity. We expect therefore that the proposals will have a greater impact on those groups due to the nature of these protected characteristics than other groups who do not share these characteristics. This, however, is due to these groups being disproportionately likely to need a PEEP when compared to others and therefore to self-identify.

Guidance produced to support the implementation of the Article 24 regulations will need to be clear that an RP should produce a PEEP for any person who

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self-identifies as being in need of assistance to self-evacuate even where this need is unrelated to a protected characteristic.

Proposals 1 and 3

These proposals rely on the initial actions of an RP to provide the residents of their building with the relevant information on how to identify themselves to the RP and with the resident themselves self-identifying.

RPs when actively engaging with their residents will need to take care not to single out those who they assume will need or want a PEEP. RPs should not make assumptions, based on protected characteristics, that an individual's ability to self-evacuate is compromised, or that they need – or want – a PEEP.

As an RP will, through other related regulations, have a requirement to share with residents, fire safety information in a form that they are able to understand it is reasonable to assume that a resident should become aware that they are able to self-identify and request a PEEP from an RP.

Where a resident, either as a result of one or more of the protected characteristics, is unable to understand the information provided by an RP or grant the consent needed again it is reasonable to assume that the resident is likely to have someone legally responsible for their care who is able to identify on their behalf and request a PEEP from an RP. Supporting guidance will also be produced to assist an RP with preparing a PEEP.

We consider, therefore, the risk of residents who may need a PEEP being unaware of the need to self-identify to be minimal and mitigated by the production of supporting guidance.

Proposals 2 and 4

We do not consider that these proposals will have an impact on any of the protected characteristics with regard to the PSED.

The standard format templates shall apply to all who self-identify regardless of the reason for that self-identification, and for Proposal 4 are content for that information to be placed in the information box and will be completed by an RP.

The proposals we are consulting on, if implemented, will place requirements on RPs of high-rise residential buildings. These requirements are determined by the type and size of building an RP is responsible for and not by the

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protected characteristics of an RP. The duties that would be imposed on RPs by the proposals in the consultation will be the same for all RPs who are responsible for a building within the scope of the final regulations.

Other considerations

Most of the Inquiry's recommendations including those relating to PEEPs, are applicable to high-rise residential buildings. Whilst the Inquiry did not take a position on a height threshold for high-rise buildings, the FSC included proposals to provide clarity as to which buildings would fall within scope of the proposed new regulations. Where a proposal is applicable to a high-rise residential building, we intend to define this in regulations as a building at least 18 metres in height or having at least seven storeys.

We know that as buildings get taller evacuation plans become more complicated as more people can live in taller buildings. This complexity means that any interventions that may be required by FRSs can also be more challenging. Building Regulations also establish 18 metres as the height when it is necessary to adopt additional standards for fire protection in buildings⁶. Consideration has been given as to the equality impact by the decision to align the definition of high-rise with that used for high-risk buildings in Part 4 the Building Safety Bill (BSB).

Our proposals are intended to ensure consistency in our approach to implementing the Inquiry's recommendations (who recommended that PEEPs be required in all "high-rise" buildings) but also that we are targeting those who reside in the buildings of greatest risk and complexity when it comes to evacuation.

We do not currently possess the data needed to make assumptions about the make-up of residents of high-rise, or other multi-occupied residential properties. Whilst we consider seeking legislative consistency to be important we are aware that there is the potential for excluding those who may wish to benefit from a PEEP by limiting the proposal and our consultation to residents (and RPs) of high-rise residential buildings. To address this, we have asked in the consultation for views from residents and RPs from non-high-rise residential buildings. The implementation of a duty on RPs to put in place a PEEP where a resident self-identifies in high-rise building would not however prevent RPs in other buildings from doing so.

⁶ [Building Regulations: Approved Document B](#)

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We consider the equalities impacts from the proposals in non-high-rise buildings will, in most cases, mirror those in high-rise buildings. We will revisit this assessment following the consultation and revise this EIA accordingly.

Summary of the evidence considered in demonstrating due regard to the Public-Sector Equality Duty.

The following evidence has been considered as part of the PSED.

- [Grenfell Tower Inquiry Phase 1 Report](#), October 2019, including written evidence.
- Responses to the [Fire Safety Consultation](#), July 2020, and subsequent engagement with stakeholders.
- [Impact Assessment to the Fire Safety Consultation](#), July 2020.
- Impact Assessment to the PEEPs Consultation, May 2021.
- Responses to the [Fire Safety Order: Call for Evidence](#), June 2019, and subsequent engagement with stakeholders.
- [Draft Building Safety Bill and explanatory notes](#) published on 20 July 2020.
- Equality and Human Rights Commission report "[Housing and disabled people: Britain's Hidden Crisis](#)", May 2018.
- [Detailed Analysis of Fires Attended by Fire and Rescue Services](#), England April 2019 – March 2020.
- [English Housing Survey Fire and Fire Safety 2016 – 17](#).
- [English Housing Survey Variations in Housing Circumstances 2016 – 17](#).
- [MHCLG Building Safety Programme Monthly Data Release England: Feb 2021](#).
- GOV.UK Ethnicity Facts and Figures – [Housing](#).
- GOV.UK Ethnicity Facts and Figures – [State Support](#).
- Home Office [Fire Statistics Data Tables](#).
- [Equalities Act 2010](#) and associated [guidance](#).

We have engaged with external stakeholders; independent academics, other experts, groups representing residents, and reached out to Grenfell victims' groups; we have also engaged with representatives from the fire sector - all of whom could be affected by the proposals. This engagement has explicitly informed the development of the consultation proposals and will (along with all the responses to the consultation) continue to inform the development of policy, where relevant, once the consultation has concluded.

We plan to continue this engagement with a balanced range of appropriate stakeholders during the consultation.

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The accompanying Impact Assessment to the consultation estimates the number of vulnerable residents of high-rise buildings who could potentially self-identify as requiring a PEEP as being between 131,00 and 248,900⁷. Not all those who could potentially use a PEEP will self-identify to obtain one or need one at all⁸. These figures are also derived from the number of homes in the United Kingdom which have at least one adaptation for a person with a disability. To be clear however, these proposals will allow anyone who may require assistance to evacuate to request a PEEP, not just those who need assistance as a result of a protected characteristic. In addition, it should be noted that the proposals only extend to England, not the whole of the United Kingdom.

In the year ending September 2020, fire and rescue services attended 27,797 dwelling fires, of which 742 occurred in purpose built high-rise (10+ storeys) flats. There were 3 fire-related fatalities in purpose built high-rise (10+ storeys) flats in the year ending September 2020⁷.

A very small proportion of fires resulted in a fire-related fatality: 217 out of the 65,513 primary fires (0.33%) in the year ending September 2020. Three of the 179 fire-related fatalities in dwelling fires, occurred in purpose built high-rise (10+ storeys) flats, compared to six the previous year, and five occurred in purpose built medium-rise flats (4-9 storeys).⁹

In 2019/20 there were 1,884 evacuations from dwelling fires, meaning around 7% of dwelling fires resulted in an evacuation. In almost all evacuations (99%) up to 5 people were evacuated. Almost three quarters of evacuations (72%) were in houses, bungalows, converted flats and other properties. The remaining evacuations were in purpose-built flats, with 19% in low-rise (1-3 storeys) purpose-built flats, 6% in medium-rise (4-9 storeys) purpose-built flats, and 2% in purpose built high-rise flats (10+ storeys).

In 2019/20 there were 2,324 rescues from dwelling fires, which comprised 8% of dwelling fires. Nearly two-thirds of rescues (65%) were in houses, bungalows, converted flats and other properties. The remainder of rescues were in purpose-built flats of which 25% were in low-rise (1-3 storeys) flats, 7% in medium-rise (4-9 storeys) flats and 3% in high-rise (10+ storeys) flats.¹⁰

⁷ Pg. 11 Home Office Impact Assessment Personal Emergency Evacuation Plans Consultation May 2021 for methodology.

⁸ Pg. 11 Home Office Impact Assessment Personal Emergency Evacuation Plans Consultation May 2021 assumes this to be 35% of the previous figure. Impact Assessment contains methodology.

⁹ [Home Office \(2021\): FIRE STATISTICS](#) TABLE 0205b: Fatalities in dwelling fires attended by fire and rescue services in England, by dwelling type

¹⁰ Home Office (2021): Dwelling fires dataset, incident level datasets

3a. Consideration of limb 1 of the duty: Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act.

The proposals seek to ensure that all residents of high-rise residential buildings are equally able to evacuate if needed, regardless of their personal circumstances or protected characteristics.

The proposals outlined in the consultation document should not result in less favourable treatment for those who share a protected characteristic in comparison to those who do not. Whilst the proposals will result in individuals being treated differently in relation to evacuation from buildings in the event of a fire, the difference is only to the extent that it assists in them being able to evacuate a building along with those who might not need assistance. Whilst the proposals will likely impact those with certain protected characteristics more than others this is only as a result of those individuals being disproportionately likely to require a PEEP and therefore be provided with the support they need to evacuate safely. We do not consider it to be likely that those with protected characteristics will be subject to less favourable treatment when requesting a PEEP when compared to those without who may also require a PEEP due to injury or any another reason effecting their ability to self-evacuate.

Obligations under, inter alia, the Equality Act 2010 may also be relevant in the context of PEEPs.

The FSO currently requires RPs to assess the risk to which relevant persons are exposed. Relevant persons are those lawfully on the premises. These proposals should mitigate any disadvantage someone requiring assistance to evacuate might face currently in comparison to those who do not.

The proposals are based on self-identification and all residents will have the opportunity to self-identify. RPs would not be required to assess and determine the need for a PEEP based on an subjective assumption that an individual with one or more of the protected characteristics would want one – this would neither be appropriate nor an effective method of determining who required and wanted a PEEP. An RP would act only on a request received by the individual (or their legal carer) themselves.

Circumstances where direct or indirect discrimination may result in light of the proposals based on a protected characteristic are considered in detail below.

Age

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Consideration has been given to the impacts of the proposals and whether it will or will not be likely to lead to discrimination or disadvantage, based on the protected characteristics of age as specified in the Equality Act 2010.

Direct Discrimination - It is likely that older individuals will be more likely to request and want to put in place a PEEP than younger individuals, and so are likely to be disproportionately impacted by proposals. The Home Office has no evidence that the proposals will adversely impact on people who share this protected characteristic though, beyond the increased likelihood that that they will self-identify as needing a PEEP. The proposals aim to reduce any disadvantage people with this protected characteristic have. The proposals will therefore not result in this group being treated less favourably.

Indirect Discrimination – It may not be evident to an RP that an individual who has self-identified as needing assistance in evacuation, needs assistance to do so. Equally it is important to note that not all residents who by virtue of their age will require or want a PEEP. It is intended that government guidance to RPs in support of the effective application of these proposals will assist in mitigating any disadvantage which such individuals may face and ensuring that they will have equal access to the opportunity to self-identify. This issue will be kept under consideration.

Disability

Consideration has been given to the impacts of the proposals and whether it will or will not be likely to lead to discrimination or disadvantage, based on the protected characteristics of disability as specified in the Equality Act 2010.

Direct Discrimination – It is likely that individuals with mobility disabilities will be more likely to self-identify as requiring a PEEP compared to those without these disabilities. This means that PEEPs could be disproportionately completed for these individuals. Under the proposals for consultation preparation of a PEEP relies on an individual self-identifying. The Home Office has no evidence to suggest that these proposals will directly discriminate against people on the basis of this characteristic. However, there will be the increased likelihood that they will self-identify as needing a PEEP. This group will therefore not suffer discrimination or less favourable treatment as a result of these proposals.

Indirect Discrimination – Those who through, for example cognitive impairment may be unable to understand the information provided by the RP for their building about the requirement to self-identify may find themselves at a disadvantage as a result of this proposal. However, it is reasonable to assume that these individuals are likely to have a carer or another individual

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who should be able to make the necessary referral on their behalf and assist with the production of the PEEP. Further it may not be evident to an RP that an individual who has self-identified as needing assistance in evacuation actually needs assistance to do so. Equally it is important to note that not all residents who have a disability or an impairment will require or want a PEEP. It is intended that government guidance to RPs in support of the effective application of these proposals will assist in mitigating any disadvantage which such individuals may face and ensuring that they will have equal access to the opportunity to self-identify. This issue will be kept under consideration.

Reasonable Adjustments – The FSO currently requires RPs to assess the risk to which relevant persons are exposed. These proposals should mitigate any disadvantage someone requiring assistance to evacuate might face in comparison to those who do not.

Gender Reassignment

Consideration has been given to the impacts of the proposals and whether it will or will not be likely to lead to discrimination or disadvantage, based on the protected characteristics of gender reassignment as specified in the Equality Act 2010.

The Home Office has no evidence that the changes will adversely impact on those who are undertaking gender reassignment.

Marriage and Civil Partnership

Consideration has been given to the impacts of the proposals and whether it will or will not be likely to lead to discrimination or disadvantage, based on the protected characteristics of marriage and civil partnership as specified in the Equality Act 2010.

There is nothing, at the present time, to suggest that these proposals will adversely impact upon people on the basis of these characteristics.

Pregnancy and Maternity

Consideration has been given to the impacts of the proposals and whether it will or will not be likely to lead to discrimination or disadvantage, based on the protected characteristics of pregnancy and maternity as specified in the Equality Act 2010.

Direct Discrimination – It is likely that individuals who are pregnant or post-partum will be more likely to self-identify as needing a PEEP as compared to those who are not pregnant or those who have not recently given birth. This means that PEEPs are more likely to be completed for these individuals than

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those not in this group. Under the proposals for consultation preparation of a PEEP relies on an individual self-identifying. The Home Office has no evidence to suggest that these proposals will directly discriminate against people on the basis of this characteristic. There is an increased likelihood that they will self-identify as needing a PEEP however this is for the purpose of putting them in a safer position than they would necessarily be otherwise.

Indirect Discrimination – It may not be evident to an RP that an individual who has self-identified as needing assistance in evacuation, needs assistance to do so. Equally it is important to note that not all residents who are pregnant will require or want a PEEP. It is intended that government guidance to RPs in support of the effective application of these proposals will assist in mitigating any disadvantage which such individuals may face and ensuring that they will have equal access to the opportunity to self-identify. This issue will be kept under consideration.

Race

Consideration has been given to the impacts of the proposals and whether it will or will not be likely to lead to discrimination or disadvantage, based on the protected characteristics of race as specified in the Equality Act 2010.

Direct Discrimination – None. Under the proposals for consultation preparation of a PEEP relies on an individual self-identifying. The Home Office has no evidence to suggest that these proposals will directly discriminate against people based on this characteristic.

Indirect Discrimination – Almost half of high-rise residential buildings are classified as social housing¹¹ and data shows that non-White British are more likely to rent social housing than those who are classed as White-British¹². It is possible that this means those who identify as non-White British could disproportionately have PEEPs completed for them. However, data suggests that there is no significant difference regarding race for families who claim disability living allowance¹³. Also, whilst there is a higher percentage of non-White British persons aged 65+ renting social housing¹⁴, in general there are more White British people of retirement age¹⁵. This suggests that for two of the main reasons for self-identification for a PEEP (age and disability) there may be limited impact on this characteristic. RPs will also need to have regard to potential cultural and/or language barriers within their buildings. The

¹¹ [MHCLG Building Safety Programme Monthly Release Feb 2021](#)

¹² [Ethnicity Facts and Figures – Housing](#)

¹³ [Ethnicity Facts and Figures – State Support](#)

¹⁴ [Ethnicity Facts and Figures – Housing](#)

¹⁵ [Ethnicity Facts and Figures – State Support](#)

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Inquiry's recommendation on information to residents (33.28 pg.778¹⁶) will make it a requirement for an RP to provide fire safety instructions (including instructions for evacuation) in a form the occupants can easily understand. Policy development is ongoing.

Religion or Belief

Consideration has been given to the impacts of the proposals and whether it will or will not be likely to lead to discrimination or disadvantage, based on the protected characteristics of religion or belief as specified in the Equality Act 2010.

There is nothing, at the present time, to suggest that these proposals will adversely impact upon people on the basis of these characteristics.

Sex

Consideration has been given to the impacts of the proposed change and whether it will or will not be likely to lead to discrimination or disadvantage, based on the protected characteristics of sex as specified in the Equality Act 2010.

Direct Discrimination - The Home Office has no evidence to suggest that these proposals will directly discriminate against people on the basis of this characteristic.

Indirect Discrimination – There may be cases where a female resident may feel uncomfortable in providing private information to a male RP which could declare her to be vulnerable with the outcome that they may choose not to benefit from a PEEP. We consider, however, the risk of this to be low. A PEEP is intended to help evacuate those who are unable to do so on their own. The information sought by an RP will be directed, under the proposals, by a standard template and is not to contain personal information other than what assistance is needed by an individual to evacuate the building in the event of a fire.

Sexual Orientation

Consideration has been given to the impacts of the proposals and whether it will or will not be likely to lead to discrimination or disadvantage, based on the protected characteristics of sexual orientation as specified in the Equality Act 2010.

¹⁶ [Grenfell Tower Inquiry Phase 1 Report](#)

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There is nothing, at the present time, to suggest that these proposals will adversely impact upon people on the basis of these characteristics.

3b. Consideration of limb 2: Advance equality of opportunity between people who share a protected characteristic and people who do not share it.

The FSO regulates premises and places requirements on RPs irrespective of the protected characteristics of the residents of the buildings they are responsible for or the RPs themselves.

The purpose of the FSO is to ensure the fire safety of the premises it regulates, and the safety of all relevant persons regardless of where they live, stay or work.

Both the FSO and statutory guidance cover how protected characteristics should be considered in respect of the safety of relevant persons from fire.

The consultation proposals are intended to ensure that all residents in a high-rise residential building are able to evacuate in the event of a fire.

Further consideration is given below to each of the protected characteristics.

Age – The proposals will promote the equality of opportunity for those in relation to age. The proposals are concerned with improving levels of fire safety for all.

In May 2018 the Equality and Human Rights Commission (EHRC) report ‘Housing and disabled people: Britain’s Hidden Crisis’ was published. The report outlined the difficulties faced by disabled people in the private rental market, including persuading landlords to make adjustments to the property they were renting. Evidence in the report from Age UK stated that “many older people were not aware of their rights, and in much the same way as they felt about asking for repairs there was reluctance to ask for adaptations where it might make them look like a ‘problem tenant’”¹⁷. (pg.43).

The recommendation on information to residents (33.28 pg.778¹⁸) will make it a requirement for an RP to provide fire safety instructions (including instructions for evacuation) in a form the occupants can easily understand. Whilst policy development is ongoing, we intend for it to be a requirement for RPs to provide information to their residents subject to new regulations being in force. This will include instructions on evacuation which will refer (subject to

¹⁷ [EHRC Housing and Disabled People: Britain’s Hidden Crisis](#)

¹⁸ [Grenfell Tower Inquiry Phase I Report](#)

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the outcome of the consultation) to how to self-identify to an RP to obtain a PEEP.

It is likely that older individuals will be more likely to get a PEEP than younger individuals, and so are likely to be disproportionately impacted by the proposals. Evidence suggests that stair movement times are likely to be slower in buildings which house older or mobility impaired individuals (Peacock et al 2016), meaning these individuals are more likely to require a PEEP

Disability – The proposals will promote the equality of opportunity for those in relation to disability. The proposals are concerned with improving levels of fire safety for all, and specifically those who are disabled.

In May 2018 the Equality and Human Rights Commission (EHRC) report ‘Housing and disabled people: Britain’s Hidden Crisis’ was published. The report outlined the difficulties faced by disabled people in the private rental market, including persuading landlords to make adjustments to the property they were renting. The report highlighted “a reluctance among disabled people to ask private landlords for adaptations”¹⁹ (pg.43).

The recommendation on information to residents (33.28 pg.778²⁰) will make it a requirement for an RP to provide fire safety instructions (including instructions for evacuation) in a form the occupants can easily understand. Whilst policy development is ongoing it will be a legal requirement for RPs to provide information to their residents. This will include instructions on evacuation which will refer (subject to the outcome of the consultation) to how to self-identify to an RP to obtain a PEEP.

It is likely that individuals with mobility and other disabilities will be more likely to self-identify as requiring a PEEP compared to those without disabilities. This means that PEEPs are more likely to be completed for these individuals and they could disproportionately benefit from the proposals in general.

Gender Reassignment – We do not have any evidence to suggest that people who have undergone gender reassignment have different needs that are relevant to the proposals. The proposals neither promote nor diminish equality of opportunity.

Maternity and Pregnancy – The proposals will promote the equality of opportunity for those in relation to pregnancy and maternity. The proposals are concerned with improving levels of fire safety for all.

¹⁹ [EHRC Housing and Disabled People: Britain’s Hidden Crisis](#)

²⁰ [Grenfell Tower Inquiry Phase I Report](#)

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It is likely that individuals who are pregnant or post-partum will be more likely to self-identify as requiring a PEEP compared to those who are not pregnant or those who have not recently given birth. This means that PEEPs are more likely to be completed for these individuals and they could disproportionately benefit from the proposals in general.

Race – We do not have any evidence to suggest that people of different races have different needs that are relevant to the proposals. The proposals neither promote nor diminish equality of opportunity. The Inquiry’s recommendation of information to residents (33,28 pg.778²¹) will make it a requirement for an RP to provide fire safety instructions (including instructions for evacuation) in a form the occupants can easily understand. Policy development is ongoing.

Religion or Belief – We do not have any evidence to suggest that people of different religions or beliefs have different needs that are relevant to the proposals. The proposals neither promote nor diminish equality of opportunity.

Sex – We do not have any evidence to suggest that people of different sexes have different needs that are relevant to the proposals. The proposals neither promote nor diminish equality of opportunity.

Sexual Orientation – We do not have any evidence to suggest that people of different sexual orientation have different needs that are relevant to the proposals. The proposals neither promote nor diminish equality of opportunity.

3c. Consideration of limb 3: Foster good relations between people who share a protected characteristic and persons who do not share it:

Where there are specific impacts based on protected characteristics these are considered below.

Disability – Through engagement with residents’ groups which include disabled leaseholders/tenants who have been impacted by building safety issues following the Grenfell fire, we are aware of anecdotal evidence that increased costs due to the provision of specialist equipment to assist in the evacuation of disabled tenants on all leaseholders could potentially be a source of resentment and tension between those who share this protected characteristic and those who do not. This could potentially be the case for those residents who share this protected characteristic who do not need or have not requested a PEEP to be put in place. We will continue to review this evidence.

Age – It is reasonable to assume that there is potential for similar feelings of resentment and tension resulting in increased costs where additional

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equipment is needed to assist the elderly. We will continue to review the position in this regard.

Maternity and Pregnancy – It is reasonable to assume that there is potential for similar feelings of resentment and tension where additional equipment is needed to assist those in need of assistance due to pregnancy. We will continue to review the position in this regard.

Gender Reassignment – There is no distinction between people who share the protective characteristic and persons who do not share it as this policy does not make exception to those in relation to gender reassignment.

Race – There is no distinction between people who share the protective characteristic and persons who do not share it as this policy does not make exception to those in relation to race.

Religion or Belief – There is no distinction between people who share the protective characteristic and persons who do not share it as this policy does not make exception to those in relation to religion or belief.

Sex – There is no distinction between people who share the protective characteristic and persons who do not share it as this policy does not make exception to those in relation to sex.

Sexual Orientation – There is no distinction between people who share the protective characteristic and persons who do not share it as this policy does not make exception to those in relation to sexual orientation.

4. Summary of foreseeable impacts of policy proposal, guidance or operational activity on people who share protected characteristics

| Protected Characteristic Group | Potential for Positive or Negative Impact? | Explanation | Action to address negative impact |
|--------------------------------|--|---|---|
| Age | High potential for positive impact; low potential for negative impact | <p>These proposals will place a duty on all RPs to complete a Personal Emergency Evacuation Plan with those residents in their building who are unable to self-evacuate in the event of a fire and to provide a regularly updated record of key information in the information box, subject to resident engagement, resident self-identification and resident consent.</p> <p>This will ensure that, in the event of a fire, every resident can evacuate the building safely and securely.</p> <p>There is anecdotal evidence that any increased costs to RPs is passed onto all residents through increased service charges which can result in negative feelings towards those who may need a PEEP.</p> <p>Ultimately, these proposals should benefit all relevant persons in the premises.</p> | Government approved templates and guidance will be produced to support RP compliance with and resident understanding of the new requirements. |
| Disability | High potential for positive impact; some potential for negative impact | <p>These proposals will place a duty on all RPs to provide a Personal Emergency Evacuation Plan for all residents in their building who is unable to self-evacuate in the event of a fire and to provide a regularly updated record of this in the information box.</p> <p>This will help ensure that, in the event of a fire, every resident can evacuate the building safely and securely.</p> <p>There is anecdotal evidence that any increased costs to RPs is passed onto all residents through increased</p> | Government approved templates and guidance will be produced to support RP compliance and resident understanding with the new requirements. |

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| | | <p>service charges which can result in negative feelings towards those who may need a PEEP.</p> <p>Ultimately, these proposals should benefit all relevant persons in the premises.</p> | |
| Gender Reassignment | No potential for any impact. | <p>These proposals will place a duty on all RPs to provide a Personal Emergency Evacuation Plan for all residents in their building who is unable to self-evacuate in the event of a fire and to provide a regularly updated record of this in the information box.</p> <p>This will ensure that, in the event of a fire, every resident can evacuate the building safely and securely.</p> <p>These proposals should not therefore have any positive or negative impacts on anyone whose gender identity is different from the gender assigned at birth.</p> | Government approved templates and guidance will be produced to support RP compliance and resident understanding with the new requirements. |
| Marriage and Civil Partnership | No potential for any impact. | <p>These proposals will place a duty on all RPs to provide a Personal Emergency Evacuation Plan for all residents in their building who is unable to self-evacuate in the event of a fire and to provide a regularly updated record of this in the information box.</p> <p>This will ensure that, in the event of a fire, every resident can evacuate the building safely and securely.</p> <p>These proposals should not therefore have any positive or negative impacts on any couples, regardless of their relationship status.</p> | Government approved templates and guidance will be produced to support RP compliance and resident understanding with the new requirements. |
| Pregnancy and Maternity | High potential for positive impact; low potential for negative impact. | These proposals will place a duty on all RPs to provide a Personal Emergency Evacuation Plan for all residents in their building who is unable to self-evacuate in the event of a fire and to provide a | Government approved templates and guidance will be produced to support RP compliance and resident understanding with the new requirements. |

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| | | <p>regularly updated record of this in the information box.</p> <p>This will ensure that, in the event of a fire, every resident can evacuate the building safely and securely.</p> <p>There is anecdotal evidence that any increased costs to RPs is passed onto all residents through increased service charges which can result in negative feelings towards those who may need a PEEP.</p> <p>Ultimately, these proposals should benefit all relevant persons in the premises.</p> | |
| Race | Low potential for negative impact. | <p>These proposals will place a duty on all RPs to provide a Personal Emergency Evacuation Plan for all residents in their building who is unable to self-evacuate in the event of a fire and to provide a regularly updated record of this in the information box.</p> <p>This will ensure that, in the event of a fire, every resident can evacuate the building safely and securely.</p> <p>RPs will have a legal requirement to ensure that fire safety instructions, including on evacuation, are shared with residents in a form that they can understand. Whilst not part of this consultation we expect this to mitigate any negative impact as a result of this characteristic.</p> | Government approved templates and guidance will be produced to support RP compliance and resident understanding with the new requirements. |
| Religion or Belief | No potential for any impact. | <p>These proposals will place a duty on all RPs to provide a Personal Emergency Evacuation Plan for all residents in their building who is unable to self-evacuate in the event of a fire and to provide a regularly updated record of this in the information box.</p> | Government approved templates and guidance will be produced to support RP compliance and resident understanding with the new requirements. |

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| | | <p>This will ensure that, in the event of a fire, every resident can evacuate the building safely and securely.</p> <p>These proposals should not therefore have any positive or negative impacts on anyone regardless of their religion.</p> | |
| Sex | Low potential for negative impact. | It may be the case that in some circumstances a female resident may not want to share information that she could be vulnerable with a RP. | Government approved templates and guidance will be produced to support RP compliance and resident understanding with the new requirements. |
| Sexual Orientation | No potential for any impact. | <p>These proposals will place a duty on all RPs to provide a Personal Emergency Evacuation Plan for all residents in their building who is unable to self-evacuate in the event of a fire and to provide a regularly updated record of this in the information box.</p> <p>This will ensure that, in the event of a fire, every resident can evacuate the building safely and securely.</p> <p>These proposals should not therefore have any positive or negative impacts on anyone regardless of their sexual orientation.</p> | Government approved templates and guidance will be produced to support RP compliance and resident understanding with the new requirements. |

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5. In light of the overall policy objective, are there any ways to avoid or mitigate any of the negative impacts that you have identified above?

Further consideration will be informed by the responses to the consultation proposals and continued engagement with stakeholders.

Guidance will be produced in support of the regulations that will follow the consultation which should include information on avoiding or mitigating any negative impacts of the proposals.

A further EIA will be produced to consider the equalities impact of the final policy proposals.

6. Review date: July 2021

7. Declaration

I have read the available evidence and I am satisfied that this demonstrates compliance, where relevant, with Section 149 of the Equality Act and that due regard has been made to the need to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations.

SCS sign off:

Name/Title: Zoe Wilkinson, Deputy Director

Directorate/Unit: Fire Directorate, Fire Safety Unit

Lead contact: Ana.Popa@homeoffice.gov.uk

Date: 30 April 2021

For monitoring purposes all completed EIA documents **must** be sent to the PSED@homeoffice.gov.uk

Date sent to PSED Team: 27 April 2021

EIA enquires **must** also be sent to PSED@homeoffice.gov.uk