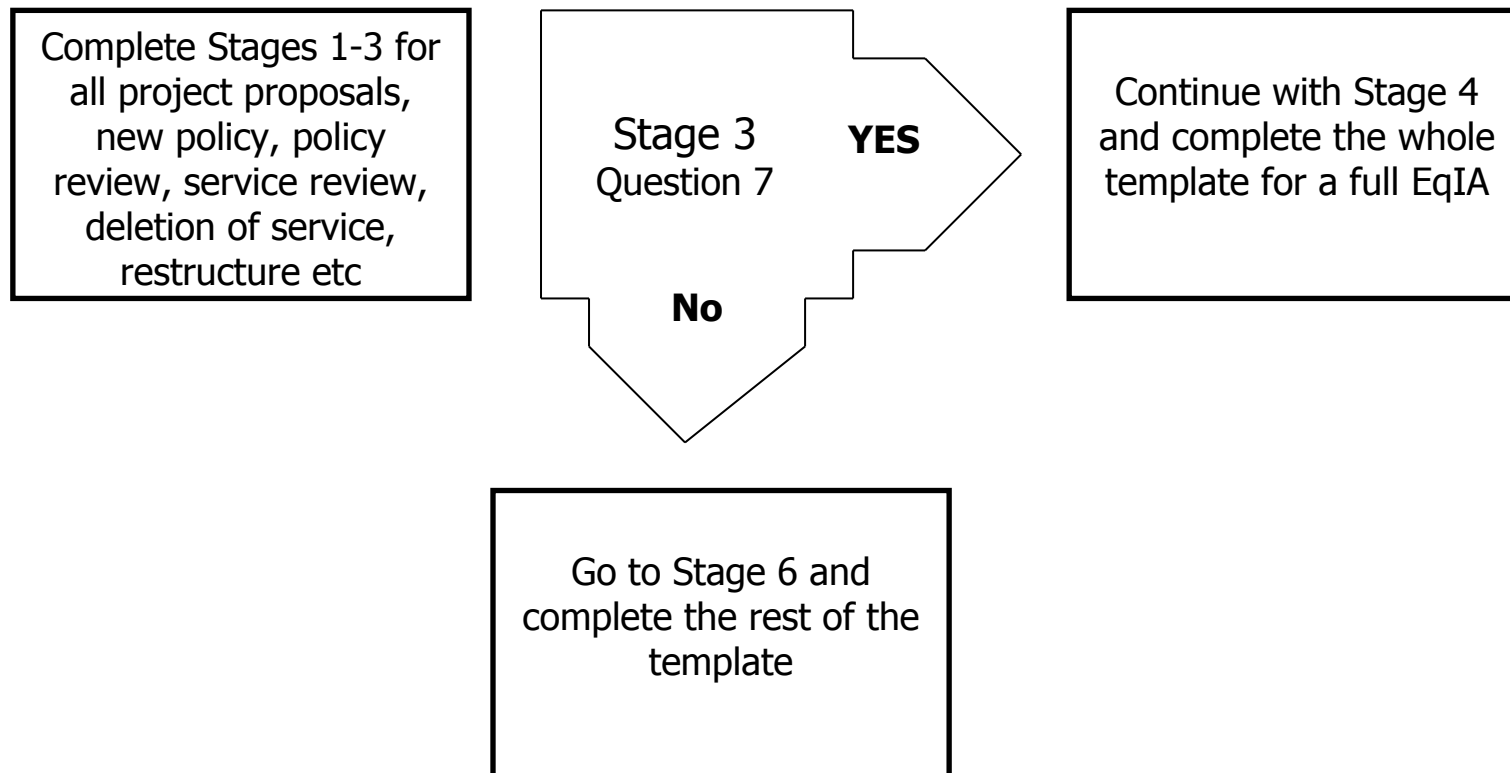


## Equality Impact Assessment Template

The Council has revised and simplified its Equality Impact Assessment process. There is now just one Template. Project Managers will need to complete **Stages 1-3** to determine whether a full EqIA is required and the need to complete the whole template.



# Equality Impact Assessment (EqIA) Template

In order to carry out this assessment, it is important that you have completed the EqIA E-learning Module and read the Corporate Guidelines on EqIAs. Please refer to these to assist you in completing this assessment.

It will also help you to look at the EqIA Template with Guidance Notes to assist you in completing the EqIA.

Type of Project / Proposal:	Tick ✓	Type of Decision:	Tick ✓				
Transformation		Cabinet	✓				
Capital		Portfolio Holder					
Service Plan	✓	Corporate Strategic Board					
Other		Other					
Title of Project:		Introduction of Fixed Penalty Notices for Low Level Environmental Non-Compliances					
Directorate / Service responsible:		E&E / PUBLIC PROTECTION					
Name and job title of lead officer:		Richard Le-Brun. Environmental Services Manager (Public Protection)					
Name & contact details of the other persons involved in the assessment:							
Date of assessment:		6 <sup>th</sup> August 2014					
<b>Stage 1: Overview</b>							
<b>1. What are you trying to do?</b>  (Explain proposals e.g. introduction of a new service or policy, policy review, changing criteria, reduction / removal of service, restructure, deletion of posts etc)		Introduce a set of Fixed Penalty Notices that cover matters of low level environmental crime, which allow flexibility of enforcement approach and prevents the need to consider prosecution as the sole means to address the matters covered.					
<b>2. Who are the main people / Protected Characteristics that may be affected by your proposals? (✓ all that apply)</b>		Residents / Service Users	✓	Partners	✓	Stakeholders	✓
		Staff	N/A	Age	✓	Disability	✓
		Gender Reassignment	N/A	Marriage and Civil Partnership	N/A	Pregnancy and Maternity	N/A
		Race	✓	Religion or Belief	N/A	Sex	N/A

	Sexual Orientation	N/A	Other		
<b>3.</b> Is the responsibility shared with another directorate, authority or organisation? If so: <ul style="list-style-type: none"> <li>Who are the partners?</li> <li>Who has the overall responsibility?</li> <li>How have they been involved in the assessment?</li> </ul>	No				

## Stage 2: Evidence / Data Collation

**4.** What evidence / data have you reviewed to assess the potential impact of your proposals? Include the actual data, statistics reviewed in the section below. This can include census data, borough profile, profile of service users, workforce profiles, results from consultations and the involvement tracker, customer satisfaction surveys, focus groups, research interviews, staff surveys; complaints etc. Where possible include data on the nine Protected Characteristics.

**(Where you have gaps (data is not available/being collated), you may need to include this as an action to address in your Improvement Action Plan at Stage 7)**

Age (including carers of young/older people)	Historical evidence shows that matters of graffiti and littering tend to be carried out by younger persons. In reality, all ages could carry out the majority of the offences, and will have to be reviewed after a suitable period to understand if there are any trends.
Disability (including carers of disabled people)	No data available to demonstrate a specific issue related to FPNs and disability
Gender Reassignment	No data available to demonstrate a specific issue related to FPNs and gender reassignment
Marriage / Civil Partnership	No data available to demonstrate a specific issue related to FPNs and marriage / civil partnership
Pregnancy and Maternity	No data available to demonstrate a specific issue related to FPNs and pregnancy and maternity
Race	Historical evidence of enforcement in Harrow shows that language can be a barrier to enforcement and compliance. Harrow has a high proportion of ethnic minorities, and these could be impacted. Again, this is to be reviewed after a suitable period to understand if there are any trends.
Religion and Belief	No data available to demonstrate a specific issue related to FPNs and religion / belief

Sex / Gender	No data to demonstrate a specific issue related to FPNs and sex / gender
Sexual Orientation	No data to demonstrate a specific issue related to FPNs and sexual orientation
Socio Economic	No data available to demonstrate a specific issue related to FPNs and socio economic impact

**5. What consultation have you undertaken on your proposals?**

Who was consulted?	What consultation methods were used?	What do the results show about the impact on different groups / Protected Characteristics?	What actions have you taken to address the findings of the consultation? (This may include further consultation with the affected groups, revising your proposals).
Borough Wide Consultation	On line survey Communication with Community Champions	Results still to be collated (ends the end of August 2014)	Initial actions are being introduced as a result of work done by other Councils in this area

**6. What other (local, regional, national research, reports, media) data sources that you have used to inform this assessment?**

List the Title of reports / documents and websites here.

DEFRA Guide to Fixed Penalty Notices  
Various Council reports into the introduction of FPNs

**Stage 3: Assessing Potential Disproportionate Impact**

**7. Based on the evidence you have considered so far, is there a risk that your proposals could potentially have a disproportionate adverse impact on any of the Protected Characteristics?**

	Age (including carers)	Disability (including carers)	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity	Race	Religion and Belief	Sex	Sexual Orientation
Yes	✓					✓			

No		✓	✓	✓	✓		✓	✓	✓
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**YES** - If there is a risk of disproportionate adverse Impact on any **ONE** of the Protected Characteristics, continue with the rest of the template.

- **Best Practice:** You may want to consider setting up a Working Group (including colleagues, partners, stakeholders, voluntary community sector organisations, service users and Unions) to develop the rest of the EqIA
- It will be useful to also collate further evidence (additional data, consultation with the relevant communities, stakeholder groups and service users directly affected by your proposals) to further assess the potential disproportionate impact identified and how this can be mitigated.

**NO** - If you have ticked 'No' to all of the above, then go to **Stage 6**

- Although the assessment may not have identified potential disproportionate impact, you may have identified actions which can be taken to advance equality of opportunity to make your proposals more inclusive. These actions should form your Improvement Action Plan at Stage 7

### Stage 4: Collating Additional data / Evidence

<p><b>8.</b> What additional data / evidence have you considered in relation to your proposals as a result of the analysis at Stage 3?</p> <p>(include this evidence, including any data, statistics, titles of documents and website links here)</p>	<p>General investigation and benchmarking against local authorities who have introduced such schemes. Unfortunately, each council is unique and can only give a general overview of potential issues.</p>
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**9.** What further consultation have you undertaken on your proposals as a result of your analysis at Stage 3?

Who was consulted?	What consultation methods were used?	What do the results show about the impact on different groups / Protected Characteristics?	What actions have you taken to address the findings of the consultation? (This may include further consultation with the affected groups, revising your proposals).
Borough Wide	Website consultation, which was also sent to neighbourhood champions.	Not available as ends start of September	N/A

Stage 5: Assessing Impact and Analysis				
10. What does your evidence tell you about the impact on different groups? Consider whether the evidence shows potential for differential impact, if so state whether this is an adverse or positive impact? How likely is this to happen? How you will mitigate/remove any adverse impact?				
Protected Characteristic	Adverse ✓	Positive ✓	Explain what this impact is, how likely it is to happen and the extent of impact if it was to occur.  <b>Note – Positive impact can also be used to demonstrate how your proposals meet the aims of the PSED Stage 9</b>	What measures can you take to mitigate the impact or advance equality of opportunity? E.g. further consultation, research, implement equality monitoring etc (Also Include these in the Improvement Action Plan at Stage 7)
Age (including carers of young/older people)			<p>Findings of other Councils that have introduced FPNs have indicated that young mothers particularly in fine weather meet up to browse shops and market areas with their young children in prams/buggy's, littering particularly cigarette ends are being thrown upon the floor resulting in the offenders being issued with a FPN.</p> <p>Fixed Penalty Notices are not aimed at any one particular age group, but based solely on the offence being committed.</p> <p>The impact will not be able to be assessed until the introduction, but the Service will be carrying out a 3 month period of education on introducing FPNs to ensure the message gets to all sectors of the community, working with community engagement to ensure this.</p>	<p>The Service will be carrying out a minimum 3 month period of education on introducing FPNs to ensure the message gets to all sectors of the community, working with community engagement to ensure this.</p> <p>Additional work will take place with the Police School Officers to help get the message into schools.</p> <p>The scheme will be well advertised on the Council website as well as within Council facilities.</p> <p>Work will also take place with the Harrow Town Centre Team. This includes promotional activities, including a "don't feed the pigeons" awareness campaign in the town centre on the 29<sup>th</sup> August 2014.</p> <p>The Operational Policy will be developed to clearly covers issues of age, especially in terms of enforcement against 10-18 year olds</p>
Disability (including carers of disabled people)			<p>There is a need for the Officer to evaluate each situation taking into account not only physical impairment but mental health and learning difficulties also. The expertise of the officers who will have had full training on dealing with people with disabilities determines the course of action and the advice given.</p>	<p>The Service would look to record disability on the FPN ticket.</p> <p>The service takes into account any disability before issuing an FPN, e.g. if a blind person was to drop litter they recognise that they would not be able to see a bin due to their impairment and no formal action would be</p>

				taken, however advice would be given to the individual.
Gender Reassignment			No impact is assessed	As with sexual orientation, such an aspect is not known by the service and is not a barrier or target for enforcement work to be carried out. There is no data available to indicate this aspect. Sufficient data does not exist to monitor any patterns and gender reassignment does not have any impact upon offences committed
Marriage and Civil Partnership			No impact is assessed	Marriage and civil partnership is not a barrier or target for enforcement work to be carried out. Sufficient data does not exist to monitor any patterns and these factors do not have any impact upon offences committed
Pregnancy and Maternity			No impact is assessed	Pregnancy or maternity is not a barrier or target for enforcement work to be carried out.. Sufficient data does not exist to monitor any patterns and these factors do not have any impact upon offences committed
Race			<p>Due to the multi cultural community of Harrow, it is envisaged that language could be a potential issue in communicating the requirements and the issuing of the FPN.</p> <p>The impact will not be able to be assessed until the introduction, but the Service will be carrying out a 3 month period of education on introducing FPNs to ensure the message gets to all sectors of the community, working with community engagement to ensure this.</p>	<p>The Fixed Penalty Notice (ticket issued by the Officers) will only be available in English. It would not be cost effective for patrollers to carry the ticket in different languages in case they needed to issue to a non English speaking member of the community.</p> <p>It is envisaged that Officers will occasionally meet language barriers due to the multi cultural community of Harrow. Officers would seek an English speaking family member or friend to translate to the offender. Ethnicity is in itself not a barrier to issuing of FPNs it is a language issue.</p>
Religion or Belief			No impact is assessed	Religious belief is not a barrier or target for enforcement work to be carried out and does not impact upon offences committed.

Sex			No impact is assessed	The issuing of FPN's is not gender specific but offender specific
Sexual orientation			No impact is assessed	A person's sexuality is not known by the service and is not a barrier or target for enforcement work to be carried out. There is no data available to indicate a person's sexuality. Sufficient data does not exist to monitor any patterns and sexuality does not have any impact upon offences committed

<b>11. Cumulative Impact</b> – Considering what else is happening within the Council and Harrow as a whole, could your proposals have a cumulative impact on a particular Protected Characteristic?  If yes, which Protected Characteristics could be affected and what is the potential impact?	Yes		No	✓
<b>11a. Any Other Impact</b> – Considering what else is happening within the Council and Harrow as a whole (for example national/local policy, austerity, welfare reform, unemployment levels, community tensions, levels of crime) could your proposals have an impact on individuals/service users socio economic, health or an impact on community cohesion?  If yes, what is the potential impact and how likely is to happen?	Yes	✓	No	
	At a time of financial cut backs in the Council, the introduction of FPNs addresses community concerns over increased littering and environmental impacts that may increase with a decrease in Council street services.			

**12.** Is there any evidence or concern that the potential adverse impact identified may result in a Protected Characteristic being disadvantaged?  
 (Please refer to the Corporate Guidelines for guidance on the definitions of discrimination, harassment and victimisation and other prohibited conduct under the Equality Act) available on Harrow HUB/Equalities and Diversity/Policies and Legislation

	Age (including carers)	Disability (including carers)	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity	Race	Religion and Belief	Sex	Sexual Orientation
Yes									
No	✓	✓	✓	✓	✓	✓	✓	✓	✓

If you have answered "yes" to any of the above, set out what justification there may be for this in Q12a below - link this to the aims of the proposal and whether the disadvantage is proportionate to the need to meet these aims. (You are encouraged to seek legal advice, if you are



concerned that the proposal may breach the equality legislation or you are unsure whether there is objective justification for the proposal)

If the analysis shows the potential for serious adverse impact or disadvantage (or potential discrimination) but you have identified a potential justification for this, this information must be presented to the decision maker for a final decision to be made on whether the disadvantage is proportionate to achieve the aims of the proposal.

- If there are adverse effects that are not justified and cannot be mitigated, you should not proceed with the proposal. **(select outcome 4)**
- If the analysis shows unlawful conduct under the equalities legislation, you should not proceed with the proposal. **(select outcome 4)**

### Stage 6: Decision

**13.** Please indicate which of the following statements best describes the outcome of your EqIA ( ✓ tick one box only)

<b>Outcome 1</b> – No change required: the EqIA has not identified any potential for unlawful conduct or disproportionate impact and all opportunities to advance equality are being addressed.	✓
<b>Outcome 2</b> – Minor adjustments to remove / mitigate adverse impact or advance equality have been identified by the EqIA. <i>List the actions you propose to take to address this in the Improvement Action Plan at Stage 7</i>	
<b>Outcome 3</b> – Continue with proposals despite having identified potential for adverse impact or missed opportunities to advance equality. In this case, the justification needs to be included in the EqIA and should be in line with the PSED to have 'due regard'. In some cases, compelling reasons will be needed. You should also consider whether there are sufficient plans to reduce the adverse impact and/or plans to monitor the impact. <b>(Explain this in 13a below)</b>	
<b>Outcome 4</b> – Stop and rethink: when there is potential for serious adverse impact or disadvantage to one or more protected groups. (You are encouraged to seek Legal Advice about the potential for unlawful conduct under equalities legislation)	

**13a.** If your EqIA is assessed as **outcome 3 or you have ticked 'yes' in Q12**, explain your justification with full reasoning to continue with your proposals.

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### Stage 7: Improvement Action Plan

**14.** List below any actions you plan to take as a result of this Impact Assessment. This should include any actions identified throughout the EqIA.

Area of potential adverse impact e.g. Race, Disability	Action required to mitigate	How will you know this is achieved? E.g. Performance Measure / Target	Target Date	Lead Officer	Date Action included in Service / Team Plan

All	Educational campaign to be carried out using a 3 <sup>rd</sup> Party Company, in line with the requirements as set out in the Cabinet Report	Contracted 3 <sup>rd</sup> Party recruitment and activities	September to December 2014	Richard Le-Brun	Integral to cabinet report going to Cabinet in September
All	A review of the use of FPNs after a reasonable period of time to assess what other action can be taken if any impact is seen against any one particular characteristic	Review of FPNs issued, where issued and any subsequent issues	September 2015	Richard Le-Brun	Will form part of future plans

### Stage 8 - Monitoring

The full impact of the proposals may only be known after they have been implemented. It is therefore important to ensure effective monitoring measures are in place to assess the impact.

<b>15.</b> How will you monitor the impact of the proposals once they have been implemented? What monitoring measures need to be introduced to ensure effective monitoring of your proposals? How often will you do this? <i>(Also Include in Improvement Action Plan at Stage 7)</i>	Officers issuing FPNs will be collecting basic information on those being issued to, include date of birth, disability and ethnicity
<b>16.</b> How will the results of any monitoring be analysed, reported and publicised? <i>(Also Include in Improvement Action Plan at Stage 7)</i>	Annual review as part of any service plan, policy and / or procedure review
<b>17.</b> Have you received any complaints or compliments about the proposals being assessed? If so, provide details.	Consultation taking place until end of August 2014.

### Stage 9: Public Sector Equality Duty

**18.** How do your proposals contribute towards the Public Sector Equality Duty (PSED) which requires the Council to have due regard to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between different groups.

(Include all the positive actions of your proposals, for example literature will be available in large print, Braille and community languages, flexible working hours for parents/carers, IT equipment will be DDA compliant etc)

Eliminate unlawful discrimination, harassment	Advance equality of opportunity between	Foster good relations between people from
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and victimisation and other conduct prohibited by the Equality Act 2010	people from different groups	different groups
Clear enforcement policy and operational policy related to Fixed Penalty Notices	Clear enforcement policy and operational policy related to Fixed Penalty Notices	Clear enforcement policy and operational policy related to Fixed Penalty Notices

**Stage 10 - Organisational sign Off (to be completed by Chair of Departmental Equalities Task Group)**

**The completed EqIA needs to be sent to the chair of your Departmental Equalities Task Group (DETG) to be signed off.**

<b>19.</b> Which group or committee considered, reviewed and agreed the EqIA and the Improvement Action Plan?			
Signed: (Lead officer completing EqIA)	Richard Le Brun	Signed: (Chair of DETG)	Hanif Islam
Date:	12 <sup>th</sup> August 2014	Date:	20/8/14
Date EqIA presented at the EqIA Quality Assurance Group		Signature of ETG Chair	Hanif Islam