

APPENDIX 3 - H&F Equality Impact Analysis Tool

Conducting an Equality Impact Analysis

An EqIA is an improvement process which helps to determine whether our policies, practices, or new proposals will impact on, or affect different groups or communities. It enables officers to assess whether the impacts are positive, negative, or unlikely to have a significant impact on each of the protected characteristic groups.

The tool has been updated to reflect the new public sector equality duty (PSED). The Duty highlights three areas in which public bodies must show compliance. It states that a public authority must, in the exercise of its functions, have due regard to the need to:

- 1. Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited under this Act;**
- 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;**
- 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.**

Whilst working on your Equality Impact Assessment, you must analyse your proposal against the three tenets of the Equality Duty.

General points

1. In the case of matters such as service closures or reductions, considerable thought will need to be given to any potential equality impacts. Case law has established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, it should demonstrably inform the decision, and be made available when the decision is recommended.
2. Wherever appropriate, the outcome of the EIA should be summarised in the Cabinet/Cabinet Member report and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense, and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.
5. If you already know that your decision is likely to be of high relevance to equality and/or be of high public interest, you should contact the Equality Officer for support.
6. Further advice and guidance can be accessed from the separate guidance document (on the intranet) or [ACAS - EIA](#). Or you can contact the councils Equalities Lead (see below)

Equality Lead
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Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	22/23 Q1
Name and details of policy, strategy, function, project, activity, or programme	<p>Title of EIA: ADOPTION OF A PUBLIC SPACES PROTECTION ORDER (PSPO) PROHIBITING THE USE OF AMPLIFIERS IN CERTAIN PARTS OF HAMMERSMITH TOWN CENTRE</p> <p>Short summary: The Anti-Social Behaviour, Crime & Policing Act 2014 allows local authorities to introduce Public Spaces Protection Orders (PSPOs). These are intended to deal with nuisances or problems in defined areas that are detrimental to the local community's quality of life, by imposing conditions on the use of that area.</p> <p>A PSPO has been proposed to prohibit amplified street noise within a defined area of Hammersmith Town Centre.</p>
Lead Officer	<p>Name: Sina Moini Position: Community Safety Officer Email: Sina.Moini@lbhf.gov.uk Telephone No: 07825385699</p>
Date of completion of final EIA	15/06/2022

Section 02	Scoping of Full EIA		
Plan for completion	Timing: Resources:		
Analyse the impact of the policy, strategy, function, project, activity, or programme	Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral, or negative impact on equality, giving due regard to relevance and proportionality.		
	Protected characteristic	Analysis	Impact: Positive, Negative, Neutral
	Age	The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of age.	Neutral

Disability	The implementation of the proposed PSPO is expected to have a positive impact on individuals with particular disabilities. Part of the reason for the proposed PSPO is because of concerns raised by residents and visitors with visual and hearing impairments conveying their difficulty in navigating the area due to noise levels.	Positive
Gender reassignment	The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of gender reassignment.	Neutral
Marriage and Civil Partnership	The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of marriage and civil partnership.	Neutral
Pregnancy and maternity	The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of pregnancy and maternity.	Neutral
Race	The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of race.	Neutral
Religion/belief (including non-belief)	The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of religion/belief.	Neutral
Sex	The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of sex.	Neutral
Sexual Orientation	The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of sexual orientation.	Neutral

Human Rights or Children's Rights

If your decision has the potential to affect Human Rights or Children's Rights, please contact your Equality Lead for advice

Will it affect Human Rights, as defined by the Human Rights Act 1998?

No

Will it affect Children's Rights, as defined by the UNCRC (1992)?

No

Section 03	Analysis of relevant data Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.
Documents and data reviewed	The Community Safety Unit has included data in our initial policy brief that led us to confirm the noise issue remains in the area. The Law Enforcement Team have recorded complaints, engagement and enforcement related to the PSPO and related noise nuisance. The LET team have recorded complaints from June 2021 when they first started their engagement in the local community. In their first 6 months 25 cases of busking and public speaking issues.

Section 04	Consultation
Consultation	<ol style="list-style-type: none"> 1. Public consultation took place between 25th March and 8th May 2022. The public consultation received 73 responses. 2. The consultation analysis shows us 67 responses (91.8%) were in favour of banning amplified noise completely. 48 (65.8%) of responses agreed to keeping the current restrictions the same. All responses came via the council's online portal, Have Your Say. 3. It is specified within the legislation that before making a PSPO the council must consult with the police for the area. This consultation has taken place and police have confirmed they are in support of the proposed Order. 4. The Community Safety Unit also consulted with the Noise and Nuisance Team and the Law Enforcement Team regarding the proposed PSPO. 5. Legal, Finance, Equalities, Risk Management, Business, Procurement and Information & Risk Management Officers have also been consulted on the proposed policy.
Analysis of consultation outcomes	The proposed extension of the current PSPO to increase the amount of time the order shall remain in place, for a period of up to three years, has been presented as the recommended option. This is due to majority of respondents being in favour of renewing the order and keeping the restrictions the same.

Section 05	Analysis of impact and outcomes
Analysis	The overall impact of the proposed PSPO will be neutral, but positive for the visually and hearing impaired. During our consultation we ensured that we contacted our equality team to ensure that the consultation could be promoted widely and specifically to those residents of whom this affects directly.

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	As specified in the report, FPN's will only be issued if an individual continues to breach the order after being asked to desist by an authorised person. As such, any individual breaching the order will be issued with a warning and will only be issued an FPN if they knowingly continue the activity. This is to mitigate against any individual being issued with a fine as a result of them being unaware of the PSPO.

Section 07	Action Plan
Action Plan	<p>General actions to reduce the risk of adverse impacts on any specific groups include:</p> <ul style="list-style-type: none"> - Clear PSPO enforcement plan and protocol to be developed to ensure the powers are being enforced appropriately and fairly. - PSPO enforcement plan to follow an explain, engage, encourage, enforce model. This 4 'E' Model promotes transparency and ensures enforcement action is only taken as a last resort. - Clear training to be provided to authorised enforcement officers, including service managers and supervisors, to ensure the powers are being enforced appropriately and fairly. - The issuing of PSPO warnings and FPNs will be captured by Law Enforcement Officers on body worn video to ensure the safety of authorised officers and residents and to provide evidence and transparency (and enforcement monitoring). - Signage will be installed across the area included in the prohibition to make individuals aware of the order. The order will also be posted on the LBHF website.

Section 08	Agreement, publication and monitoring
Chief Officers' sign-off	Name: Matthew Hooper Position: Chief Officer, Safer Neighbourhoods & Regulatory Services
Key Decision Report (if relevant)	Date of report to Cabinet/Cabinet Member: Key equalities issues have been included: Yes
Equalities Lead (where involved)	Name: Yvonne Okiyo Position: Business Partner for EDI Date advice / guidance given: 15.06.22 Email: Yvonne.okiyo@lbhf.gov.uk Telephone No: 07824 836 012