

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).

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Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	Q4 of 2022/2023
Name and details of policy, strategy, function, project, activity, or programme	<p>Title of EIA: ADOPTION OF A PUBLIC SPACES PROTECTION ORDER (PSPO) Responsible Dog Ownership</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 particular 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 certain behaviours related to dog owners. This includes creating dog free spaces, areas where dogs must be on leads, putting a dog on the lead at the request of an officer, only 4 dogs can be walked at any one time by a single person, that when walking with other dog walkers the combined number of dogs should not exceed 4, ensuring no dog fouling, and that dog owners should carry a clean-up bag with them when walking the dog.</p>
Lead Officer	<p>Name: Charis Champness</p> <p>Position: Service Transformation Lead for Community Safety</p> <p>Email: charis.champness@lbhf.gov.uk</p> <p>Telephone No: 07554222722</p>
Date of completion of final EIA	14/02/2023

Section 02	Scoping of Full EIA		
Plan for completion	Timing: Completed throughout February 2023		
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	There could be negative implications for those of an older age with reduced mobility and dexterity who may struggle to remove dog fouling and the ability to	Positive and Negative

	<p>restrain a dog and keep it on a lead. However, to mitigate this it will be included in the exemptions section of the Order.</p> <p>There could positive implications for people (in particular under 5) will have less potential to be harmed by un-cleared faeces or distressed by coming into contact with it. Accidental trips from uncontrolled dogs may be reduced.</p>	
Disability	<p>The implementation of the proposed PSPO is expected to have a positive impact on Disabled people as the PSPO exempts assistance dogs in certain circumstances, thus preventing working assistance dogs from being distracted by other dogs wishing to interact.</p> <p>The implementation of the proposed PSPO could also have negative impacts on Disabled people. This may be for those who have the inability to remove dog fouling or reduced ability to restrain a dog on lead due to a physical impairment), some may lack the ability to know/understand about the restrictions (sensory and cognitive impairment) and some may have reduced ability to communicate with officers when asked to action one of the conditions (i.e. hearing impairment and/or speech impairment). However, to mitigate this it will be included in the exemptions section of the Order.</p>	Positive and Negative
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 may negatively impact upon individuals on the basis of pregnancy and maternity as any heavily pregnant individual may be less able to remove dog fouling.	Negative
Race	The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of race. There could be issues with understanding English wording on signs but there will images and maps to ensure clarity.	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
	<p>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</p> <p>Will it affect Human Rights, as defined by the Human Rights Act 1998? No</p> <p>Will it affect Children’s Rights, as defined by the UNCRC (1992)? No</p>		

Section 03	<p>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.</p>
Documents and data reviewed	<p>The Community Safety Unit has included data in our initial policy brief that led us to confirm there are a large number of dog issues reported from residents across the borough. The Law Enforcement Team have recorded complaints, engagement and enforcement related to the behaviours recorded in the PSPO.</p>

Section 04	Consultation
Consultation	<ol style="list-style-type: none"> 1. Public consultation took place for a period of 61 days, from the 16th November 2022 until 15th January 2023. The consultation was done through Have Your Say and was advertised online on the council’s website, advertised through community groups, councillors, and ward panel meetings. 2. The public consultation received 856 responses via the Have Your Say Platform. There were – extra responses that came through via email. 55.8% were in favour, 26.5% of these were against, 13.0% maybe, 4.7% unsure on the implementation of the propose PSPO. All of these 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 chief of police for the area. This consultation has taken place and police have confirmed they are in support of the proposed Order.

	<p>4. The Community Safety Unit also consulted and worked closely with the Parks and Law Enforcement Team regarding the proposed PSPO.</p> <p>5. Legal, Finance, Equalities, Risk Management, Business, Procurement and Information & Risk Management Officers have also been consulted on the proposed policy.</p>
Analysis of consultation outcomes	<p>The proposed PSPO has been presented as the recommended option on the basis of this consultation. This is due to majority of respondents being in favour of introducing the order and are in favour of the proposed areas. Those that left comments and voted maybe were overall also in support with a few queries on how we are going to enforce and questions on specific areas. We are going to address this by creating a Q&A page for residents.</p>

Section 05	Analysis of impact and outcomes
Analysis	<p>The overall impact of the proposed PSPO will be neutral, with potential negative impact for individuals with mobility impairments and positive impacts for the overall community. 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.</p> <p>As there may be negative implications for some individuals, we have reduced this impact by having exemptions. We have therefore included the following exemptions: Exemptions apply to:</p> <ul style="list-style-type: none"> - Nothing in Schedule 1, 5 & 6 applies to a Disabled person who uses a dog in which they rely upon for assistance.

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	<p>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 prohibition.</p> <p>Signage will also 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.</p>

Section 07	Action Plan
Action Plan	<p>General actions to reduce the risk of adverse impacts on any specific groups include:</p> <p>Clear PSPO enforcement plan and protocol to be developed to ensure the powers are being enforced appropriately and fairly.</p> <p>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.</p> <p>Clear training to be provided to authorised enforcement officers, including service managers and supervisors, to ensure the powers are being enforced appropriately and fairly.</p> <p>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).</p> <p>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.</p>
Section 08	Agreement, publication and monitoring
Chief Officers' sign-off	<p>Name: Matthew Hooper Position: Chief Officer, Safer Neighbourhoods & Regulatory Services Email: matthew.hooper@lbhf.gov.uk Date:</p>
Equalities Lead (where involved)	<p>Name: Yvonne Okiyo Position: Strategic Lead Equity, Diversity and Inclusion Date advice / guidance given: 08.02.23 Email: Yvonne.Okiyo@lbhf.gov.uk Telephone No: 07824 836 012</p>