

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	Q1 of 2023/2024
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 e-scooters, e-bikes and other motorised vehicles on the pedestrianised parts of the Thames Path.</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 the use of e-bikes, e-scooters and other motorised vehicles along the Thames Path.</p>
Lead Officer	<p>Name: Beth Morgan Position: Community Safety Manager Email: beth.morgan@lbhf.gov.uk</p>
Date of completion of final EIA	23.6.2023

Section 02	Scoping of Full EIA						
Plan for completion	<p>Timing:</p> <p>Resources:</p>						
Analyse the impact of the policy, strategy, function, project, activity, or programme	<p>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.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Protected characteristic</th> <th style="width: 60%;">Analysis</th> <th style="width: 20%;">Impact: Positive, Negative, Neutral</th> </tr> </thead> <tbody> <tr> <td>Age</td> <td>The implementation of the proposed PSPO will have a positive impact upon individuals on the basis of age. Those of an older age will be able to walk down</td> <td>Positive</td> </tr> </tbody> </table>	Protected characteristic	Analysis	Impact: Positive, Negative, Neutral	Age	The implementation of the proposed PSPO will have a positive impact upon individuals on the basis of age. Those of an older age will be able to walk down	Positive
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Age	The implementation of the proposed PSPO will have a positive impact upon individuals on the basis of age. Those of an older age will be able to walk down	Positive					

	the Thames Path more safely due to there being a smaller number of vehicles that cause obstructions and pass at high speeds. Children are also more likely to be safer and less likely to be at risk of a collision. Parents or carers transporting children using an e-bike to transport children are exempt from this order.	
Disability	The implementation of the proposed PSPO is expected to have a positive impact on individuals with certain disabilities. Those with restricted mobility will be able to walk down the Thames Path more safely due to there being a smaller number of vehicles that cause obstructions and pass at high speeds. Exemptions are included in the Order that exclude those using motorised vehicles due to a disability or restricted mobility.	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

	<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>
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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>In 2021 the borough estimate population was 183,157 people. 17.4% of H&F’s residents are aged under 18 (31,802). 74.1% of H&F’s residents are of working age (135,735). There is a total of 19,101 people who above the age of 65 (10.4%). From 2011 to 2021 the elderly population has increased by 15.7%. Please see more information on age population data here: Hammersmith and Fulham population change, Census 2021 – ONS.</p> <p>Regarding disability, 12.5% (22,972) of H&F residents reported to have a long-term health problem or disability that limits their day-to-day activities (12.6% in 2021); this is lower compared to both London (13.2%) and England (17.3%). Please see more information on Disability population data here: Disability - Office for National Statistics (ons.gov.uk).</p> <p>From the 25 May 2023 to 5 June 2023 the council’s Law Enforcement Team conducted further operations along the pedestrianised parts of the Thames Path to observe any instances of dangerous or anti-social riding of e-scooters or e-bikes. During that period 44% of e-scooters or e-bikes observed were considered to be either travelling at excessive speed or riding in an anti-social manner. On 2 occasions officers reported that the actions of riders nearly resulted in an accident.</p> <p>Data was also collected as part of the public consultation outlined below.</p> <p>Following the consultation and EQIA process, the proposed exemption for those with a disability or mobility issues has also been amended, in order to ensure this is clearly defined. This will help ensure that enforcement of a breach of the order is a robust, objective exercise, rather than a subjective decision by an individual enforcement officer. Feedback from the consultation exercise highlighted that many residents with restricted mobility use e-bikes to assist them. As such, the council has adopted the definition used by London Councils, in accordance with the Transport Act 2000, in respect to transportation and eligibility for Freedom Passes. A further exemption has also been added in relation to the use of e-bikes to transport children following consultation feedback.</p>

Section 04	Consultation
Consultation	<ol style="list-style-type: none"> 1. Public consultation took place between 9 December 2022 and 5 February 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 consultation received 1,233 responses via the online portal, and of these; 68.2% of respondents were in favour of the prohibition of the use of E-scooters and E-bikes (27.3% voted no, 3.8% maybe and 0.7% unsure) and 66.8% were in favour of the proposed prohibition of reckless riding of pedal bikes along the Thames Path. (22.3% said no, 8.4% voted maybe and 1.5% unsure). The council also received 15 additional comments and feedback on the proposal email, which have been incorporated into the qualitative analysis presented below. 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 took place on 21 February 2022 and police were briefed on the council's intentions to introduce a PSPO. They raised that other pieces of legislation could be utilised and they will continue to enforce the law around how e-scooters should be used following the Road Traffic Act 1988 and about reckless riding of pedal cycles via the Road Traffic Act 1960. They also highlighted the difficult of the enforcement of this issue and that the council should have an enforcement plan in place for this. 4. The Community Safety Unit also consulted with the Highways Team and Law Enforcement Team regarding the proposed PSPO. 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 PSPO has been presented as the recommended option on the basis of this consultation and legal discussion.

Section 05	Analysis of impact and outcomes
Analysis	<p>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>We analysed our population data for the borough as it is likely most of the population of H&F will use the Thames Path due to its length and popularity.</p> <p>The overall impact of the proposed PSPO will be neutral, but positive for those of all ages and Disabled people.</p>

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	<p>As specified in the report, FPNs will be issued if an individual breaches the order after being asked to desist by an authorised person.</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. LET officers will also conduct a period of engagement as part of our enforcement plan to raise awareness of the new restrictions.</p>

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. • 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. • Including clear exemptions for Disabled residents and parents/carers using e-bikes to transport children.

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: 23.6.2023</p>
Equalities Lead (where involved)	<p>Name: Yvonne Okiyo Position: Strategic Lead Equity, Diversity and Inclusion Date advice / guidance given: 14.6.23 Email: Yvonne.Okiyo@lbhf.gov.uk Telephone No: 07824 836 012</p>