

LONDON BOROUGH OF HAMMERSMITH AND FULHAM

Appendix 1 – Equalities Impact Assessment

H&F Equality Impact Analysis Tool

Conducting an Equality Impact Analysis

An EqlA 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.

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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	23/24, Q1
Name and details of policy, strategy, function, project, activity, or programme	<p>Title of EIA: RENEWAL OF THE PUBLIC SPACES PROTECTION ORDER (PSPO), CONSUMPTION OF ALCOHOL</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 in existence to tackle the irresponsible consumption of alcohol in public spaces in H&F since 2017, with one renewal already occurring in 2020.</p>
Lead Officer	<p>Name: Roisin Conroy</p> <p>Position: Community Safety Projects and Commissioning Officer</p> <p>Email: roisin.conroy@lbhf.gov.uk</p> <p>Telephone No: 07387099855</p>
Date of completion of final EIA	19 th April 2023

Section 02	Scoping of Full EIA
Plan for completion	Timing:

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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.

The enforcement of this PSPO must ensure that we do not adversely impact or show bias towards those who use substances. As part of our ongoing enforcement plan for the PSPO, we will ensure that the LET receive adequate training, from our commissioned Drugs and Alcohol service, to be able to appropriately manage engagements with potentially vulnerable people. The LET will be able to sign post these individuals to the appropriate services. The model of the 'four E' enforcement will be upheld to ensure that counterproductive fines for vulnerable individuals, for instance members of the street population, are not taken and that alternative enforcement approaches are used.

Protected characteristic	Analysis	Impact: Positive, Negative, Neutral
Age	<p>The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of age.</p> <p>The PSPO renewal will have positive impacts for all groups that share protected characteristics as it helps deal with particular nuisances and ASB caused by irresponsible street drinking that is detrimental to the local community's quality of life.</p>	Neutral
Disability	<p>The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of disability. The PSPO enforcement plan will need to ensure that Disabled or long term conditions are provided with appropriate and accessible information, guidance and support. This will be incorporated into officer training to ensure that Disability and mental and physical wellbeing is taken into account by officers when assessing individual cases.</p>	Neutral

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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. Pregnancy and maternity will be taken into account by officers when assessing individual cases. This will be incorporated into the PSPO enforcement plan and guidance and training will be given to officers to ensure that those who are pregnant are referred into the appropriate safeguarding mechanisms and provided with appropriate offers of support.	Neutral
Race	The implementation of the proposed PSPO will not negatively impact upon individuals on the basis of race. The PSPO enforcement plan will need to ensure information is accessible and inclusive information, guidance and support e.g. by providing options for information in different languages where required.	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

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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 this Cabinet Member Briefing report that led us to confirm the ongoing need for continuing with the Consumption of Alcohol PSPO. The Law Enforcement Team, CCTV and the Police have recorded complaints, engagement and enforcement related to the PSPO. The public consultation that was launched on Have Your Say received 184 responses, with 90.8% of respondents in favour of renewing the PSPO, 6.0% not sure and 4.3% against the renewal. A focus group was also held with service users and staff from our commissioned Drug and Alcohol Support Services (DAWS/ Turning Point), to ensure co-production is embedded in this renewal.

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Section 04	Consultation
Consultation	<ol style="list-style-type: none"> 1. The public consultation took place for a period of 37 days, from the 24 February 2023 to the 2 April 2023. The consultation was hosted on Have Your Say and was advertised online on the council's website, advertised through H&F's resident newsletter, social media and widely shared with ward panels, relevant partners, internal staff and e-mailing lists. 2. The consultation received 184 responses, 90.8% of respondents are in support of renewing the Consumption of Alcohol PSPO, 6.0% are against the renewal and 4.3% were unsure. 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. 4. The Community Safety Unit also consulted with the Public Health, EDI and Co-Production officers regarding the proposed PSPO. DAWS/ Turning Point staff and service users were also engaged in the consultation process. 5. Legal, Finance, Equalities, Risk Management, Business, Procurement and Information & Risk Management Officers have also been consulted on the proposed renewal of the PSPO.
Analysis of consultation outcomes	The extension of the PSPO has been presented as the recommended option on the basis of the available data, this consultation findings, and the support of key enforcement stakeholders. This is due to majority of respondents being in favour of renewing the order.

Section 05	Analysis of impact and outcomes
Analysis	The overall impact of the proposed PSPO will be neutral. During our consultation we ensured that we contacted our colleagues in public health and in our commissioned Drug and Alcohol Services to ensure that the consultation could be promoted widely and specifically to those residents of whom this affects directly or indirectly.

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Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	<p>As specified in the report, FPNs 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. Enforcement officers are trained in how to appropriately engage with potentially vulnerable residents and receive training from DAWS/ Turning Point. This training will cover safeguarding and welfare considerations and will ensure that officers know where to signpost and refer individuals to, to ensure they receive appropriate help and support.</p> <p>Signage already exists across the borough to make individuals aware of the order. The order will also be posted on the LBHF website, with an easy read version also available.</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, and to ensure that appropriate referrals for individuals concerned about their drinking can be made.</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 exists across the borough to make individuals aware of the order. The order will also be posted on the LBHF</p>

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website, easy read versions of these documents online will be provided.

Section 08	Agreement, publication and monitoring
Chief Officers' sign-off	Name: Matthew Hooper Position: Chief Officer, Safer Neighbourhoods & Regulatory Services Email: matthew.hooper@lbhf.gov.uk Date: 19.04.23
Equalities Lead (where involved)	Name: Yvonne Okiyo Position: Strategic Lead Equity, Diversity and Inclusion Date advice / guidance given: 18.4.23 Email: Yvonne.Okiyo@lbhf.gov.uk Telephone No: 07824 836 012