

## Equality Impact Assessment Tool

### Conducting an Equality Impact Analysis

An EIA 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 public sector equality duty (PSED) 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.

<b>Section 1: Overview</b>	<b>Details of Full Equality Impact Analysis</b>
<b>Financial Year and Quarter</b>	2015 – 2016 Quarter 3
<b>Name and details of policy, strategy, function, project, activity, or programme</b>	<p><b>Title of EIA:</b> Public Space Protection Order (PSPO) 2015</p> <p><b>State whether new or existing:</b> New</p> <p><b>Short summary:</b> Maidstone Borough Council is considering consulting on a Public Space Protection Order (PSPO) for a specific area including the town centre and parts of surrounding wards (Bridge, South, High Street, Fant, Bridge, East, North), to give the Council greater powers in relation to dealing with anti-social behaviour in public spaces within its town centre. The purpose of this PSPO is to prohibit street begging, sleeping in public spaces and the consumption of alcohol and legal highs in specified public spaces identified as suffering from anti-social street drinking.</p> <p>By virtue of Chapter 2 of the Anti-social Behaviour, Crime and Policing Act 2014, a</p>

	<p>local authority can make a PSPO if satisfied, on reasonable grounds that the following two conditions are met:</p> <p>(1) that activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in a public place within that area and that they will have such an effect.</p> <p>(2) that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature; is, or is likely to be, such as to make the activities unreasonable; and justifies the restrictions imposed by the notice.</p> <p><b>How do these fit with the wider aims of the organization?</b>  <b>Keeping Maidstone Borough an attractive place for all:</b> The introduction of a Public Space Protection Order will create safer communities and deter and reduce crime and anti-social behaviour. Perpetrators of ASB will be dealt with effectively and the victims of ASB are supported. This will support the achievement of lower levels of ASB and crime and in turn contribute to a safer town centre.  <b>Securing a successful economy for Maidstone:</b> the order would support the Purple Flag initiative and the ongoing policy to support and enhance the town centre through regeneration, investment and management.</p>
<b>Lead Officers</b>	<p>Sarah Robson  Housing and Community Manager  <a href="mailto:sarahrobson@maidstone.gov.uk">sarahrobson@maidstone.gov.uk</a>  01622 602827</p>
<b>Date of completion of final Full EIA</b>	<p>(before consultation starts) 30 September 2015</p>

<b>Section 2</b>	<b>Scoping of full EIA</b>
<b>Who will be affected by this strategy, policy, plan, project, contract or major change to your service?</b>	Residents, visitors and staff will be affected by the consultation exercise. However, if a PSPO is approved (following the consultation), the specific client groups to be affected will include street population, street drinkers, street beggars and consumption of legal highs in public spaces.
<b>What type of strategy, policy, plan, project, contract or major change to your service is this?</b>	New
<b>Responsible directorate and service</b>	<b>Directorate:</b> Regeneration and Communities <b>Service:</b> Housing and Community Services
<b>Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service?</b>	Yes. Kent Police, MBC Environmental Enforcement and Community Safety teams, voluntary and community sector.
<b>Plan for completion</b>	Undertake a public consultation exercise on the Council's proposal for a PSPO in order to gather evidence to support any future decision.
<b>Key Decision Report (if relevant)</b>	Date of report to Communities, Housing and Environment Committee: 17/11/15 Key equalities issues have been included: Yes
<b>Analysis of impact and outcomes</b>	The data from Maidstone Borough Council, Kent Police, Town Centre Management, community support services and customer complaints suggest the issue of anti-social street drinking, consumption of legal highs, street begging and rough sleeping, reduces the quality of life for those who live, work or visit in and around the town centre (High Street ward), Whatman Park (Bridge) and Riverside (Fant, South and Tovil) areas. The proposed PSPO would concentrate on these areas.
<b>Analyse the impact of the policy, strategy, function, project, activity, or programme</b>	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.  Please list and explain how this strategy, policy, plan, project, contract or major change to your service could <b>positively</b> or <b>negatively</b> affect individuals from the following equalities groups.

	<p>When answering this question, please think about:</p> <p>The results of relevant consultation that you or others have completed (for example with residents, people that work in or visit Maidstone, service users, staff or partner organisations).</p> <ul style="list-style-type: none"> <li>• Complaints information.</li> <li>• Performance information.</li> <li>• Information about people using your service (for example whether people from certain equalities groups use the service more or less than others).</li> <li>• Inspection results.</li> <li>• Comparisons with other organisations.</li> <li>• The implementation of your piece of work (don't just assess what you think the impact will be after you have completed your work, but also think about what steps you might have to take to make sure that the implementation of your work does not negatively impact on people from a particular equality group).</li> <li>• The relevant premises involved.</li> <li>• Your communications.</li> <li>• National research (local information is not always available, particularly for some equalities groups, so use national research to provide evidence for your conclusions).</li> </ul>
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<b>Protected characteristic</b>	<b>Potential impact</b>
<b>Age</b> (any group of people of a particular age, including younger and older people – in particular, please consider any safeguarding issues for children and vulnerable adults)	Impact neutral
<b>Disability</b> (including people with a physical impairment, sensory impairment, learning disability, mental health problem or other condition which has an impact on	The PSPO will affect those with poor physical and mental health, along with dependency issues (substance misuse), which are known problems for the street population community and can be the reason that led to someone becoming homeless.

their daily life)	
<b>Gender</b>	Impact neutral
<b>Pregnancy and maternity</b>	Impact neutral
<b>Transgender</b> (including gender re-assignment)	Impact neutral
<b>Marriage and Civil Partnership</b>	Impact neutral
<b>Race or Ethnicity</b>	<p>The notice may not be understood by those who language is not English, or who cannot read.</p> <p><b>It should be recognised that:</b></p> <ul style="list-style-type: none"> <li>• Both the police and council officers undergo diversity awareness training and are aware of their organisation’s equal opportunities and diversity policies and procedures.</li> <li>• Romany Gypsies and Irish Travellers are legally recognised as ethnic groups, and protected from discrimination by the Race Relations Act (1976, amended 2000) and the Human Rights Act (1998).</li> </ul>
<b>Religion or Belief</b>	Impact neutral
<b>Sexual Orientation</b>	Impact neutral
<b>Other factors that may lead to inequality</b> – in particular – please consider the impact of any changes on low income groups or those experiencing the impacts of poverty (please state):	<p>The PSPO targets the street population community, as it is aimed at addressing anti-social street drinking, consumption of legal highs and street begging, which, has a detriment on quality of life for those who live, work or visit the proposed PSPO area.</p> <p>The PSPO is aimed at an identified cohort of Maidstone’s street population, who play a detrimental part in reducing the quality of life, causing significant ASB and nuisance in the town centre, including defecation in public spaces, drunk and disorderly behaviour and used drug paraphernalia discarded in parks and children’s play areas, alongside damage and vandalism to business premises. This group has been identified and continues to be engaged with through the street outreach team, but with no success to date. Continued intervention and recovery support offered through the partners.</p>
<b>Additional comments</b>	The Council has already taken a number of steps to tackle street population anti-social behaviour in the town centre and surrounding areas and a range of services are provided by the Council and its partners to support those who are homeless or

	<p>who have alcohol and drug dependency problems. There has been much improvement in the last 2 years with anti-social behaviour incidents generally going down in the borough. However, anti-social behaviour linked to street population issues (monitored through data on alcohol, homeless, begging) remains an area of focus and complaint and continues to represent a high level of incidents in the identified locations.</p>
<p><b>Conclusions and next steps</b></p>	<ul style="list-style-type: none"> <li>• If you have not identified any negative impacts, please sign off this form.</li> <li>• If you have identified potential negative actions, you must complete the action plan at the end of this document to set out how you propose to mitigate the impact. If you do not feel that the potential negative impact can be mitigated, you must explain why that is the case.</li> <li>• If there is insufficient evidence to say whether or not there is likely to be a negative impact, please complete the action plan setting out what additional information you need to gather to complete the assessment.</li> </ul>

<p><b>Action Plan</b>  <b>EQIA Title: Public Spaces Protection Order</b> (town centre and parts of surrounding wards (Bridge, South, High Street, Fant, Bridge, East, North)  <b>Date of assessment:</b> 30 September 2015  <b>Note:</b> you will only need to use this section if you have identified actions as a result of your analysis.</p>	
<b>Age</b>	
<b>Disability</b>	<p><b>Details of possible disadvantage or negative impact:</b> The PSPO will affect those with poor physical and mental health, along with dependency issues (substance misuse), which are known problems for the street population community and can be the reason that led to someone becoming homeless.</p> <p><b>Action:</b> Ensure Street Population community have continued access to Maidstone Housing Assertive Outreach Officer and referrals into community services (e.g. CRI drug and alcohol support and the mental health support team)</p> <p><b>Officer responsible for progressing the action:</b> Nic Rathbone, Community Safety Partnerships Officer</p> <p><b>Date action to be completed by:</b> 31 March 2016 (to be reviewed 6 monthly)</p>
<b>Gender</b>	
<b>Pregnancy and maternity</b>	
<b>Transgender</b>	
<b>Marriage and Civil Partnership</b>	
<b>Race or Ethnicity</b>	<p><b>Details of possible disadvantage or negative impact:</b> Those who first language is not English or who cannot read will be unable to understand the notice</p> <p><b>Action:</b> The notice will have a clear pictorial representation showing that drinking alcohol is not permitted in the area.</p> <p><b>Officer responsible for progressing the action:</b> Nic Rathbone, Community Safety Partnerships Officer</p> <p><b>Date action to be completed by:</b> 31 March 2016 (to be reviewed 6 monthly)</p>
<b>Religion or Belief</b>	
<b>Sexual Orientation</b>	
<b>Other factors that may lead to inequality</b>	<p><b>Details of possible disadvantage or negative impact:</b> The PSPO targets the street population community.</p> <p><b>Action:</b> The prohibition on the consumption of alcohol, legal highs, begging or sleeping in the specified public spaces applies generally, though the actual</p>

	<p>enforcement of any breach of the PSPO (for example, a person has not stopped drinking or given up an alcoholic drink when asked to do so or a prolific rough sleeper will not engage with community support services being offered) will be down to the constable or enforcement officer, who will enforce proportionately, assessing each breach on a case-by-case basis.</p> <p><b>Officer responsible for progressing the action:</b> Nic Rathbone, Community Safety Partnerships Officer</p> <p><b>Date action to be completed by:</b> 31 March 2016 (to be reviewed 6 monthly)</p>
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