

HDC Due Regard (Equality Analysis) Template

Due Regard (Equality Analysis) is an on-going proactive process which requires us to consider the effect our decisions are likely to have on local communities, service users and employees, particularly those most vulnerable and at risk of disadvantage.

This template has been designed to assist in the collation of information and evidence required to support the 'Due Regard' process when introducing new policies/procedures/functions and services or reviewing existing ones.

For help with this template please view the guidance document, which contains advice to assist you when you are considering the impact (both positive and negative) of the proposed actions on each of the protected equality characteristics.

Name of policy/procedure/function/service being analysed:

Department and section: Community Safety

Name of lead officer: Sarah Pickering

Other people involved (assisting or reviewing – including any service users or stakeholder groups etc.):

Date assessment completed: 24 August 2021

Step 1: Defining the policy/procedure/function/service

Is this a new, amended or reviewed policy? What are the aims, objectives and purpose and how will they be achieved? What are the main activities and which communities are likely to be affected by these activities? What are the expected outcomes?

A Public Space Protection Order (PSPO) allows a local authority to introduce a series of measures into a defined area. The proposed PSPO will bring in measures to control and restrict certain activities, PSPO's already exist in the district to tackle dog fouling and alcohol in public places. This new PSPO is being sought to reduce the impact of the misuse of psychoactive substances on our communities. The order will be enforceable throughout the district.

This is a legal order that can last for up to three years and it will prohibit a number of activities. If an element of this order is breached, the outcome could be that the individual is issued with a fixed penalty notice for £100 or fined up to a maximum of £1000 if at court.

A public consultation was held between the May and June 2021. The outcome of which is presented in the PSPO report to Cabinet as appendix 3.

It is not expected that this order will have any negative effect on any aspect of our communities, but should help the partnership to address the issues around misuse of psychoactive substances, such as discarded paraphernalia, e.g silver cannisters which can be found in the hundreds around the district.

This order should have a positive impact on;

- raising awareness of the Psychoactive substance misuse and the law,
- reducing fly tipping and rubbish left by users in communities especially parks and open spaces,
- reducing the risk of harm to young people and other users,
- reducing levels of associated Anti-social behaviour (ASB)

The order will give local authorities and police new powers to stop people using Psychoactive substances within the District.

Step 2: Data collection & evidence

What relevant evidence, research, data and other information do you have and is there any further research, data or evidence you need to fill any gaps in your understanding of the potential or known effects of the policy on different communities? Include quantitative data as well as qualitative intelligence such as community input and advice.

A Survey monkey consultation was completed by the Partnership between May and June in which communities were asked about their concerns of Psychoactive substance misuse in the district and whether they considered this an issue. They were also asked how they were aware of it being a problem. The survey results are in appendix 3.

We prior to this piece of work researched other local authorities to find examples of such orders and any potential issues and did not find there to be any concerns about negative impacts of such an order.

Step 3: Consultation and involvement

Have you consulted and if so outline what you did and who you consulted with and why.

Survey monkey consultation on the issue of psychoactive substances and ways to tackle the issues - full results can be found in appendix 3.

We have consulted with all partnership agencies as defined as statutory under the Crime and Disorder Act 94.

Consultation with Turning Point our drug treatment services about any potential impact on the drug using population, has been completed during the development of this order. They all support this order.

Step 4: Potential impact

Considering the evidence from the data collection and feedback from consultation, which communities will be affected and what barriers may these individuals or groups face in relation to Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, current and ex-armed forces personnel (Veterans), deprived or disadvantaged communities and also the potential impact on Community Cohesion. Remember people have multiple characteristics so the impact of a policy on a particular community may impact people within the community differently. Where possible include numbers likely to be affected.

These have been considered and form appendix 7 attached to this report.

Step 5: Mitigating and assessing the impact

If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons. If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately. If you have identified adverse impact or discrimination that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people. Consider what barriers you can remove, whether reasonable adjustments may be necessary and how any unmet needs have identified can be addressed.

Non have been identified.

Step 6: Making a decision

Summarise your findings and give an overview of whether the policy will meet Harborough District Council's responsibilities in relation to equality, diversity and human rights. Does it contribute to the achievement of the three aims of the Public Sector Equality Duty – eliminate unlawful discrimination, harassment, victimisation; advance equality of opportunity and foster good relations?

We believe that this new policy/order will meet the needs of Harborough District Council's responsibility under our public Sector Duty.

Communities will see less impact from the result of people using psychoactive substances and feel more aware about the issue and how to challenge its use.

Step 7: Monitoring, evaluation & review of your policy/procedure/service change

What monitoring systems will you put in place to promote equality of opportunity, monitor impact and effectiveness and make positive improvements? How frequently will monitoring take place and who will be responsible?

We will monitor and record all data in relation to the use of this new order, such as the age, ethnicity of anyone issued a Fixed Penalty Notice (FPN). Every 6 months we will review this data to understand how it is being used and if necessary make adaptations to the policy or review training to officer who have the powers to enforce the order.

Equality Improvement Plan

Equality Objective :

Action: Consistency in the use of the order - ensure training is available and undertaken by all enforcement officers about who to use the powers appropriately.

Officer Responsible: Sarah Pickering

By when: 2 months from the order

Equality Objective :

Action: To know the equality profile of every occasion where the order has been applied - by monitoring the use of the order, and collecting data on those who receive enforcement action.

Officer Responsible: Sarah Pickering

By when: Every 6 months

Equality Objective :

Action: To ensure that all communities understand the order and its application – ensure that communication about the new order is accessible to all by using appropriate languages, and social media.

Officer Responsible: Sarah Pickering
implementation

By when: Within 2 months of the order

Equality Objective :

Action:

Officer Responsible:

By when:

Signed off by:

Date:

Once signed off, please forward a copy for publication to Julie Clarke, Equality and Diversity Officer
e-mail: j.clarke@harborough.gov.uk , telephone: 01858 821070.