

# EQIA Form



Public Sector Equality Duty (PSED) – Section 149 of the Equality Act 2010

The General Duty requires Public Authorities to give due regard to the need to (in relation to the 9 protected characteristics):

- **Eliminate** (stop or prevent) discrimination, victimisation and harassment,
- **Advance** (keep working to improve and promote) equality of opportunity and
- **Foster** (create and maintain) good relations between people.

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The nine protected characteristics are:

Apply to everyone

- **Age, Gender, Race/ Ethnicity, Religion/ Belief and Sexual Orientation**

Only apply to people with those characteristics

- **Disability, Gender Re-assignment, Pregnancy/ Maternity and Marriage/ Civil partnership**

**Carers** and those on **Low incomes** can also be considered vulnerable groups as their circumstances can present barriers to access services and affect their life choices.

# Full Equality Impact Assessment Record

## Section 1: PURPOSE

Service Unit:

*Housing & Community Services*

Title of strategy, policy or service:

*Public Spaces Protection Orders*

Officers involved in the EQIA:

*Ian Cooke, Safer Communities Manager*

Date of assessment started:

*4<sup>th</sup> December 2017*

Date assessment completed:

*20<sup>th</sup> February 2018*

## **Q1 – What is the aim of the new/ changed strategy, policy, project, or service?**

**To tackle anti-social behaviour in parts of Poole it is the intention to introduce three Public Spaces Protection Orders (PSPO) in specified areas of the town. PSPOs were introduced in section 59 of the Anti-Social Behaviour, Crime & Policing Act 2014.**

- **Poole Town & Holes Bay**
- **Ashley Road**
- **Alexandra Park**

**The PSPOs are designed to tackle and prevent:**

- **Anti-social behaviour**
- **Street drinking**
- **Begging**
- **Shoplifting**
- **Drug use and dealing**
- **Obstructing doorways, car parks and public area.**

## **Q2 – Who is the new/ changed strategy, policy, project or service going to benefit & how?**

**The aim of the PSPOs is to protect the people of Poole from anti-social behaviour (ASB), drug use and dealing, shoplifting and begging. The beneficiaries are those who live in or visit the areas and those businesses and traders who operate in the areas affected by ASB and where the PSPOs will be introduced. There will also be an impact on tourism and investment as Poole becomes and feels to be much safer and welcoming. Those likely to be most affected by the Orders are those who cause a nuisance to others through their behaviour, this includes those rough sleepers and those who beg in high profile areas and who cause nuisance and distress due to their behaviour. The management of the PSPOs will be a twin track approach of support and enforcement for those who do not engage. . Support Includes:**

- **St Mungos – rough sleeper outreach, No Second Night Out.**
- **SMART – who offer a gateway to support and treatment for drug and alcohol misuse.**
- **Routes to Roots – who offer a drop-in with hot food and access to housing and health support.**
- **CMHT – some outreach work is undertaken with the street homeless.**
- **A soup kitchen is available under Seldown Bridge.**
- **Housing First – a principle of firstly providing accommodation then wrapping services around the individual to address their needs.**
- **Pivotal – who provide support to Housing First clients and some other outreach and who operate supported housing such as Langdon House. Formerly known as Pas Ltd.**
- **BCHA - provide housing related support for those experiencing complex behaviours due to mental ill-health.**
- **Housing Options – the council housing team help eligible people secure accommodation for those who eligible alongside**

- general help and advice. They offer rent deposit loans to those who qualify to help them into private rented accommodation.*
- *Social care, GP's, and health services also provide an array of support*

*Councillors and officers are engaged in an on-going conversation with the Faith Sector with the aim of increasing the support available to those who are street homeless.*

### **Q3 – What outcomes do you want to achieve with the new or changed policy/ service/ project?**

*To make Poole a safer and more welcoming place for those who live, visit and do business in the town by reducing the impact of ASB, drugs and begging. Encourage those on the streets to engage in support services.*

### **Q4 – How will you put this into practice? Who is involved in this?**

*The PSPOs will be introduced after consultation with the public and stakeholders followed by professionals meetings and involvement of ward councillors, senior managers and the portfolio holder.*

- *Dorset Police*
- *Housing Options*
- *St. Mungos*
- *Routes to Roots*
- *Faith Sector*
- *ECPS*
- *CYPL*
- *Tourism*
- *Poole BID*

### **Q5 – Are there barriers to doing delivering the new or changed policy/ service/ project?**

*There are varying views about the use PSPO and the perception that these will be used to manage rough sleeping in the Town Centre.*

*The Faith sector and those supporting the street homeless community have raised concern about the impact the PSPO will have on this community, emphasising the need to provide support to help people off of the streets. There are a number of support systems in place which will be utilised in managing potential breaches of PSPOs, with supporting changes in behaviour being the first priority. PSPO's will be utilised should engagement not be achieved .*

*Following feedback, the PSPO has been revised to remove any prohibition on rough sleeping. The Council is also working with the*

***Faith Sector to agree ways in which support may be extended through a range of projects. This work compliments the approach of the Council in seeking to manage ASB and criminal activity whilst supporting those who are street homeless to improve their situation.***

## **Section 2: IMPACT**

**Q6 - What does the existing information and data tell us about the likely scale of impact on different groups?**

***The Safer Communities Team and Dorset Police regularly receive reports of ASB, street drinking, drug dealing and drug use, begging and rough sleeping from the public and from local business which has a detrimental affect on their quality of life. The number of incidents can fluctuate and be seasonal in their peaks and troughs, but generally are showing a steady increase on previous years. The current and traditional hotspots of ASB include the High Street, The Quay, Poole Park, the Bus Station and Dolphin Centre, Old Orchard, Sterte, Tatnum Corner, Civic Centre, parts of Ashley Road particularly near Madeira Road and outside the supermarkets and Alexandra Park.***

***People of all ages, genders and ethnicity are impacted by ASB and its associated causes. Those with a disability, learning disability and who suffer mental ill health are often affected the most due to their vulnerabilities.***

***The public consultation on the Town centre and Holes Bay PSPO has had a mixed opinion on the prohibitions consulted on and the introduction of the PSPOs as a tool for tackling active begging and rough sleeping. Consultation with business organisations, residents groups and individual traders showed high levels of support. Much of the concern expressed by the public was around the need to support those who sleep on the streets. There are a wide range of services on offer to those who live in this community and we are working with the Faith Community to do more. The management of the PSPOs will be a twin-track approach of support allied to enforcement where there is a lack of engagement.***

***As a result of the consultation and subsequent professionals meeting the rough sleeper elements were amended.***

***The PSPOs for Ashley Road and Alexandra Park were fully supported by the public.***

Protected Characteristic	IMPACTS
<b>Age:</b>	The PSPO only relates to those aged 16 years old and over as the council's policy does not allow for the issuing of fixed penalty notices (FPN) for those under that age. Therefore, any one over this age who is found to be in breach of the order may be issued with a FPN or prosecuted in the Magistrates Court. The way we deal with young people in breach will be different to how we deal with adults and the team have well practised procedures for dealing with juveniles involved in ASB alongside Children's Services.
<b>Disability:</b>	<p>The PSPOs will aim to protect those with a disability as they are often the victims of ASB and prejudice and can be in fear of visiting certain areas of the town. Those with a disability will not be disadvantaged by the introduction of the PSPOs as this group are not generally involved in committing ASB. Those who do commit ASB will in the first instance be offered support and vulnerabilities identified through existing procedures.</p> <p>Some of those who may be impacted by the PSPO may have some elements of mental health, often undiagnosed. This may include anxiety, depression, personality disorders or more serious conditions. Any enforcement of the PSPOs will take into account any mental ill-health as a mitigating circumstance and an ability to understand actions and consequences. By incrementally stepping up enforcement it is hoped more people will engage with services. Referrals and signposting will be utilised.</p>
<b>Gender reassignment:</b>	In our experience those people who identify as transgender are more likely to report being the victim of a hate incident or hate crime than to be an offender of ASB. The PSPO will allow us to deal with identified perpetrators through the use of FPN or prosecution for breach of the PSPO.
<b>Pregnancy &amp; maternity:</b>	N/A
<b>Race:</b>	Those from ethnic minorities are rarely represented as offenders in the data around ASB, begging, rough sleeping in the proposed areas so will therefore not be specifically impacted by the proposals. If found to be committing breaches of the order they will be dealt with in the same manner as anyone else. People from an ethnic minority are also likely to experience prejudice and hate and so will be offered some protection under the PSPOs.
<b>Sex/ Gender:</b>	Our data shows that females are heavily represented as reported victims of ASB, whilst males are the majority of offenders. The street homeless community is heavily male weighted with only a couple of females recognised as currently rough sleeping in Poole, the same is true of those who beg on our streets. Therefore as offenders we are more likely to be seeing more males breaching the order than females. However, both sexes will be treated equally as offenders and victims in having access to our services.
<b>Religion or belief:</b>	Faith appears not to play a significant role in ASB, begging, drugs and rough sleeping in Poole. There are instances of hate and prejudice associated with faith, particularly affecting those who follow Islam and Judaism. The Ashley Road Mosque has previously been targeted, but this is in the PSPO area and will allow us to deal with any known offenders. Referring to DREC for support may be appropriate in some circumstances.

<b>Sexual orientation:</b>	Those who are openly Gay or Lesbian can be the target for abuse, threats and violence. The PSPOs will allow us to deal with known offenders through the use of FPN or prosecution for breach of the order. A person's sexual orientation will have no bearing on our decisions when considering legal action for a breach of the order. Signposting to appropriate services will always be considered.
<b>Socially excluded groups:</b>	Some of the impacts of the PSPOs will be on the street homeless and those who beg on the streets of Poole. This group is socially excluded, vulnerable, in poverty and generally difficult for services to meaningfully engage with. The number of rough sleepers in Poole varies between 12 and 20, with the official count at 13. The number of people begging in Poole is around 10 – 12, some who beg are street homeless yet others are housed and a small percentage classed as “professional beggars”. Many of those who beg do so because they need additional money to feed a drug habit, usually heroin. The proposal is to ban begging and people sitting on the ground with a hat for the purpose of collecting money from the public. The proposal will impact on this group as their income may be reduced which may push them into crime such as shoplifting. However, there is a PSPO prohibition to cover shoplifting. There will be a twin track response to those begging by offering support alongside enforcement. Alongside the prohibitions as above the PSPO also tackles street drinking, the leaving of unattended baggage, drug possession, drug dealing and anti-social behaviour.
<b>Staff &amp; HR considerations:</b>	N/A

### Section 3: Action planning

[Approved by:

Date:

Contact number:

Review date:

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If negative impacts have been identified in the table above, include them in the action plan below. What will be done to reduce these impacts? This could include a range of options from making adjustments, revising the policy or developing mitigating actions, to stopping the policy altogether. If no change or mitigation is to be made, explain your decision.

Issue	Objective/ Intended outcome	SMART action	Performance Target	Lead	Deadline
<b>General equality issues</b>	The main impact is on rough sleepers and those who beg. It will also impact those who	There will be a compassionate and understanding approach to enforcement allied to support from other services. The needs of the individual will be considered. There will be a soft launch of PSPOs	Involvement of St Mungos, Pivotal, Routes to Roots, faith sector, housing options, SMART, CMHT, CAB, Poole Forum, social care. Monitoring of the protected	<b>Ian Cooke</b>	<b>On-going</b>

	participate in ASB associated with drug misuse and heavy alcohol consumption	to allow time for us to engage, educate and support those most impacted by the measures.	characteristics of those where enforcement is carried out. Reduction in incidents of ASB, street drinking, drugs and begging.		
<b>Age</b>	Limited impact	Enforcement on young people should follow our normal procedures.	Involvement of YOS, CYPSC, YADAS, CYPL, Help & Care.	Ian Cooke	On-going
<b>Disability</b>	Impact neutral	Offer/signpost for support	Referral to Access Dorset	Ian Cooke	On-going
<b>Gender reassignment</b>	Impact neutral	Offer/signpost for support		Ian Cooke	On-going
<b>Pregnancy and maternity</b>	No impact	N/A			
<b>Race</b>	Impact neutral	Offer/signpost for support Where language is a barrier to understanding alternative language leaflets can be issued or interpreters engaged.	Referral to DREC	Ian Cooke	On-going
<b>Religion or belief</b>	Impact neutral	Offer/signpost for support	Referral to Faith Sector	Ian Cooke	On-going
<b>Sex</b>	Impact neutral	Offer/signpost for support		Ian Cooke	On-going
<b>Sexual orientation</b>	Impact neutral	Offer/signpost for support	Referral to Intercom Trust	Ian Cooke	On-going
<b>Socially excluded groups</b>	High impact	There will be a compassionate and understanding approach to enforcement allied to support from appropriate services.	Involvement of St Mungos, Pivotal, Routes to Roots, faith sector, housing options, SMART, CMHT	Ian Cooke	On-going