

# Equality Impact Assessment

Title:	Anti-Social Behaviour Service	
Version:	2.1	
Date of draft:	July 2016	
Date approved by Equalities Group	<b>21 July 2016</b>	

## Section 1A: Overview

<b>Name of Policy, Procedure, Practice, Strategy or Service:</b>	<p>This review incorporates the introduction of Community Protection Notices as part of the Anti-Social Behaviour, Crime and Policing Act 2014.</p> <p>The Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) received royal assent on the 13 March 2014, with the majority of its provisions coming into force on the 20 October 2014. The Act introduced new powers under Part 4 called Community Protection Notices (CPNs) which help regulate a range of anti-social behaviours. Failure to comply with a CPN can result in a number of actions including the service of a FPN.</p> <p>CPNs provide a power to stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community’s quality of life. The process for the use of CPNs is that</p>
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	<p>in the first instance a written warning would be issued; if the behaviour persists then the person or organisation is served with a CPN requiring the behaviour to stop. A breach of the order is a criminal offence and in those circumstances the council can take the following action:</p> <ul style="list-style-type: none"> <li>• serve notice or carry out work to remedy a breach of a CPN;</li> <li>• issue fixed penalty notices for failure to comply with a CPN;</li> <li>• prosecute for failure to comply with a CPN.</li> </ul> <p>In the majority of cases, the behaviour in question will have been ongoing for some time. Informal interventions, all involving relevant partners in most cases will have been exhausted by the time the council decides to go down the formal route of issuing a CPN.</p>
<b>Service, Group, Team:</b>	Community Safety Team, Community Services
<b>Equality Assessment Lead Officer:</b>	Katherine Thornhill, Community Safety Manager
<b>Head of Service</b>	Lorraine Poyser

<b>1B: Please state the intended outcomes of the policy</b>	<b>How will you know these have been achieved? <i>What performance monitoring is in place?</i></b>
<p>The service forms part of the work that the Community Safety Team provide to meet the objectives within the Partnership Plan 2014-2017 and the Corporate Plan 2016/2017. Priorities include addressing issues of anti-social behaviour raised within the community and fear of crime, associated with anti-social behaviour.</p> <p>Within the Plan for 2014-17 the objectives relating to anti-social behaviour are:</p> <ul style="list-style-type: none"> <li>• To prevent incidents of ASB, to include diversionary, education and engagement activities.</li> </ul>	<p>The actions at each stage of the incremental process will be monitored. The outcomes will be achieved if the complaints about the behaviour that lead to the</p>

<ul style="list-style-type: none"> <li>• Tackle incidents of ASB, to include focussing on hotspot areas, responding to community concerns and improving perceptions.</li> <li>• Take enforcement action against perpetrators of ASB where necessary, to include voluntary and legislative measures.</li> </ul> <p>The use of Community Protection Notices will support this by aiming to stop the anti-social behaviour. In order to achieve this, the legislation will be used to persuade an individual or organisation to cease the behaviour. In the first instance, the first outcome is that a written warning is issued to the person committing anti-social behaviour. The written warning is likely to:</p> <ul style="list-style-type: none"> <li>• outline the behaviour that is considered anti-social as this will ensure there is little doubt over what needs to be done to avoid the CPN being issued;</li> <li>• outline the time by which the behaviour is expected to have changed in order to give the alleged perpetrator a clear understanding of when the CPN might be served;</li> <li>• set out the potential consequences of being issued with a CPN – namely the potential sanctions on breach which could act as an incentive for the individual to change their behaviour before a formal CPN is issued.</li> </ul> <p>Further to this, if the individual continues to behaviour in the same way causing the same concerns, a CPN can be issued requiring the behaviour to stop. As with the warning, the CPN will include outline details of the behaviour that is considered anti-social, and the consequences of failing to comply with the CPN. Failure to comply is a criminal offence and will be taken forward for prosecution.</p> <p>It is worth noting that before a CPN warning is issued, various informal and voluntary interventions are likely to have been tried and a CPN will be a last resort. The interventions that the team undertake are done with relevant partner organisations.</p>	<p>CPN being issued cease following the process being followed. The number of warning letters, CPNs and then failure to comply with the CPN will be recorded and reported.</p>
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**Section 2A: The policy. How will the policy/plan/strategy impact on residents, visitors, businesses or other agencies that we work with? *What work has been undertaken to advise these groups about the changes planned in the policy/plan/strategy?***

It is anticipated that the policy will have a positive effect on residents, visitors and businesses across Erewash. The policy is looking at using existing, albeit new legislation to ensure that individuals or organisations are unable to have a disproportionate effect on local communities by

behaving in an anti-social manner. The impact will be a reduction in incidents of ASB, crime and fear of crime.

It is also hoped that the policy will have an indirectly positive effect on the individuals that it is used upon, in that it prevents the individual from committing further anti-social behaviour which could lead to further criminal offences and /or prosecutions. In using the legislation, the individuals will be given a number of opportunities to modify their behaviour before a written warning will be issued. The detail in the warning will also give clear instruction on what is deemed to be anti-social and what needs to be done to prevent escalation of the policy.

As this policy includes a level of enforcement action, the Council's Enforcement Policy and associated EIA should be viewed in line with this.

**2B: What needs is the policy/service designed to meet?** *You could also refer to your current Service Plans and how the policy/service fits into EBC's Corporate Plan Priorities. How does the policy, procedure, practice, strategy or service align with Corporate Priorities*

Anti-social behaviour is a key resident priority and features highly in Erewash Community Safety Partnership's Plan (under its objective to tackle anti-social behaviour). Under the Erewash Borough Council's Corporate Plan the council has identified that it will work in partnership to reduce crime and the fear of crime associated with anti-social behaviour, under its priority of 'A clean, safe and welcoming borough'.

The introduction of CPNs is designed to ensure that when a resident is experiencing concerns around anti-social behaviour, the Community Safety Team have the tools and powers when necessary to deal with it effectively and stop the behaviour from repeatedly reoccurring.

**2C: Is the service provided subject to any element of outsourcing? *Is the service delivered in part, or in its entirety by an outside company or organisation? If challenged about a service delivered on our behalf you must show that the organisation meets the expectations with regard to equalities in its customer service and recruitment and retention of staff.***

The service is not subject to any outsourcing.

### **Section 3A: Gathering Information**

**What equality monitoring information do you gather and how is this information used to develop services, functions and policies at the current time. *You could look at the take up of services, customer satisfaction (complaints and compliments) and enforcement action.***

Currently the service will gather equality information from those reporting anti-social behaviour issues. A customer satisfaction questionnaire is sent out once an ASB case has been closed. The information is used to inform the Team about the take up of the service and is used to inform where more interaction and promotion needs to be undertaken.

The service also takes some information from customers at the time of reporting the ASB complaint, although this does differ with the individual cases. Information is also gathered and shared between partners at the time of reporting and throughout the cases dependant on the individual situation.

Information relating to those individuals and businesses who are committing anti-social behaviour and with whom the team are working with are usually collected by other agencies, such as the Police etc.

**3B: What does available data and the results of any consultations show about the take up of services? What is the impact on different groups? (qualitative and quantitative).** *You could look at previous community consultation exercises, customer reviews, census data, staff feedback etc.*

**Remember:** by law you are required to be able to demonstrate, through data analysis and evidence, that you have considered the impact of your service on **ALL** of the relevant protected groups. This document is just a short summary of this process and a tool to help you to check that you have taken the Equality Act 2010 and the Council's equality objectives into consideration.

The new use of CPNs will be a purely reactive tool to deal with complaints and issues around anti-social behaviour. It is designed to only be used when necessary and when all other interventions have been exhausted. Therefore, no particular groups will be targeted.

In addition, each case will be considered on its merits, and because each one will have had intervention and interaction with other partners and organisations, it can be ensured that the needs of each individual and wider family / community can be taken into consideration during the CPN process.

As this is a new power to be introduced under the Anti-Social Behaviour, Crime and Policing Act 2014, there is no data available for its use presently. There is no previous power that compares under repealed legislation.

**Section 4: Impact Assessment** *Here you need to analyse the needs of different groups and the possible impacts the service may have on them. How is the policy or decision likely to affect the **promotion of equality** and the **elimination of discrimination** in each of the groups?*

Stake Holder Group	Is this group likely to be affected in a positive way?	In what way will they be affected?	Is this group likely to be affected in a negative way?	In what way will they be affected?
Age (older people, young people)	<b>Yes</b>	ASB complaints from residents will be dealt with in a positive manner and solutions put into place to ensure that	<b>Yes</b>	It could be that particular groups ie. Older people complain about younger people disproportionately. The checks and

		<p>the behaviour they are experiencing will not continue.</p> <p>Vulnerable older residents also have access to the Handy Van Scheme which provides practical help.</p>		<p>balances to ensure that CPNs are not being used disproportionately come through the interventions and involvement of partners.</p>
<p>People with Disabilities (Both physical and mental impairments)</p>	<b>Yes</b>	<p>The use of CPNs will provide additional reassurance to vulnerable residents reporting incidents of ASB that action can be taken.</p> <p>The service would be able to identify a person who is susceptible to harm (PSH) to be able to provide support through the process. Data collected will be used to identify trends to develop services and signpost residents in need of support from other agencies.</p>	<b>Yes</b>	<p>Residents will need to be provided with information in a format that allows them to access and understand the process for reporting ASB incidents and action that will be taken.</p>
<p>Gender (Women, Men, Transgender, Transsexuals)</p>	<b>Yes</b>	<p>The use of CPNs will provide additional reassurance to transgender residents that ASB that targets them will be acted upon.</p>	<b>No</b>	
<p>Race (Black, Asian, Minority Ethnic groups. Include people whose first language is not English)</p>	<b>Yes</b>	<p>The use of CPNs will provide additional reassurance to vulnerable residents reporting incidents of ASB that action will be taken.</p> <p>The service would be able to identify a person who is susceptible to harm (PSH) to be able to provide support through the process. Data collected will be used to identify trends to</p>	<b>Yes</b>	<p>Residents whose first language is not English will require access to translated information to ensure that they understand the process for reporting ASB incidents and action that will be taken.</p>

		develop services and signpost residents in need of support from other agencies.		
Sexual Orientation	<b>Yes</b>	The use of CPNs will provide reassurance to residents reporting ASB that	<b>No</b>	
Religion and belief	<b>Yes</b>	ASB complaints from residents will be dealt with in a positive manner and solutions put into place to ensure that the behaviour they are experiencing will not continue.  The service would be able to identify a person who is susceptible to harm (PSH) to be able to provide support through the process. Data collected will be used to identify trends to develop services and signpost residents in need of support from other agencies.	<b>No</b>	
Dignity, Human Rights and Socio-economic disadvantage	<b>No</b>		<b>No</b>	
Marriage and Civil partnerships	<b>No</b>		<b>No</b>	
Pregnancy and maternity/paternity	<b>No</b>		<b>No</b>	



<b>Section 5A: Actions How will you monitor the ongoing effect of the policy/strategy/plan?</b>	<b>When will this be undertaken?</b>	<b>Expected outcomes / performance measures</b>	<b>Which Corporate Plan aim will this action meet?</b>
<p>The ongoing effects of the CPNs and who they are issued to will be monitored. The impact that they have will also be monitored through any further reporting of incidents from professionals or the public.</p> <p>The review of who CPNs and warning letters are issued to will need to identify any issues for groups with protected characteristic, to identify any other council strategies that can support and address issues identified.</p>	<p>This will be done on an ongoing basis.</p>		<p>A clean, safe and welcoming borough.</p>

<b>5B: If you have identified any negative impacts on any of the groups in section 4 how will you mitigate the effect?</b>					
<b>Negative impact</b>	<b>Action required to mitigate any potential negative impact</b>	<b>Outcome / performance measure</b>	<b>Lead Officer – who will the monitoring of this action be reported to?</b>	<b>Date that the monitoring will be undertaken, how often will it be done?</b>	<b>Which of the current Equality Objectives does this action meet? (State number *)</b>
<p>It could be that particular groups ie. Older people complain about younger people disproportionately.</p>	<p>Monitoring of referrals will identify any issues that mean individual residents get the</p>	<p>n/a</p>	<p>K Thornhill (Community Safety Manager)</p>	<p>Ongoing as issues may be identified as individual referrals are made and any patterns of ASB will</p>	<p>Objective 1</p>

	support required.			identify targeted support.	
Residents who need information in a different format will have these provided	Each referral will be monitored to identify any issues that require information to be provide in a different format due to a disability or language issue	n/a	K Thornhill (Community Safety Manager)	Ongoing as issues may be identified as individual referrals are made and any patterns of ASB will identify targeted support and campaigns	Objective 1 and Objective 2

\*The objectives are:

1. **Provide a welcoming and safe place for our communities, visitors and businesses which embraces equality and is free from discrimination.**
2. **Provide relevant services that are free from discrimination and delivered in a way that is responsive and accessible.**
3. **Understand and value the diversity of our communities through community engagement**
4. **Foster an accessible and inclusive working environment for all our staff and strive to achieve a workforce that is representative and diverse.**