



Equality Impact Assessment

The purpose of an assessment is to understand the impact of the Council's activities* on people from protected groups and to assess whether unlawful discrimination may occur. It also helps to identify key equality issues and highlight opportunities to promote equality across the Council and the community. The assessment should be carried out during the initial stages of the planning process so that any findings can be incorporated into the final proposals and, where appropriate, have a bearing on the outcome.

(*Activity can mean strategy, practice, function, policy, procedure, decision, project or service)

Name of person completing the assessment	Yasmine Makin	Date of assessment	24/02/2022
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Name of the proposed activity being assessed	Public Spaces Protection Order (PSPO)	Is this a new or existing activity?	Amended PSPO
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Who will implement the activity and who will be responsible for it?	Communication and awareness of the amended PSPO will be the responsibility of the Strategy and Communications Service. Enforcement of the PSPO is the responsibility of authorised council officers (primarily under Regulatory Services) and the Police. The Safer Guildford Partnership will have responsibility for monitoring the PSPO and its effects.
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1. Determining the relevance to equality

What are the aims, objectives and purpose of the activity?	The aim of the PSPO is to reduce antisocial behaviour (ASB) that causes alarm and distress by providing powers to officers with delegated authority and the Police to enforce against such behaviour or behaviour that is likely to cause ASB.
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Is this a major activity that significantly affects how services or functions are delivered?	No. PSPOs are one of a number of ASB tools available to the Council to effectively reduce the impact of ASB. This amended Order contains new behaviours and locations, giving authorised officers additional powers to tackle ASB. The Council's Enforcement Policy contains a section on enforcement of PSPOs.	Who will benefit from this activity and how?	The community and residents/visitors to the geographical area covered by the Order. Enforcement against ASB will reduce alarm and distress and improve quality of life.
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Does it relate to a function that has been identified as being important to people with particular protected characteristics?	No	Who are the stakeholders? Does the activity affect employees, service users or the wider community?	Residents, visitors, councillors, Surrey Police, Experience Guildford, Compliance Team, Customer Services, Legal
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Based on the above information, is the activity relevant to equality?

Yes – continue to section 2	Yes
No – please record your reasons why the activity is not relevant to equality	

2. Is the proposed activity accessible for all the protected groups listed below?
(Consider in what ways the activity might create difficulties or barriers to parts of the workforce, community or protected groups. How might one or more groups be excluded because of the activity?)

Protected groups	Yes	No	Evidence
Disability	x		
Race	x		
Gender	x		
Sexual orientation	x		
Age	x		
Religion or belief	x		
Gender reassignment	x		
Marriage and civil partnership	x		
Pregnancy or maternity	x		

3. Is it likely the proposed activity will have a negative impact on one or more protected groups?

Protected groups	Yes	No	Evidence
Disability	x		Responses from the public through consultation on the proposed PSPO wording. National Autism Society and NHS website (for the purposes of assessing the impact of the PSPO on those with protected characteristics, Autism; mental ill health; and Tourette’s Syndrome are classed as disabilities in this assessment)
Race		x	

Gender		x	
Sexual orientation		x	
Age	x		Responses from the public through consultation on the proposed PSPO wording. NHS website – older age is a risk factor linked to urinary incontinence. Anecdotal evidence from partners suggests a disproportionate amount of ASB in the town centre is caused by young people.
Religion or belief		x	
Gender reassignment		x	
Marriage and civil partnership		x	
Pregnancy or maternity	x		Responses from the public through consultation on the proposed PSPO wording. NHS website – pregnancy is a risk factor linked to urinary incontinence.

4. What action can be taken to address any negative impact? What measures could be included to promote a positive impact? (*Consider whether it is possible to amend or change the activity due to the likely adverse impact whilst still delivering the objective. Is it possible to consider a different activity which still achieves the aims but avoids an adverse impact? Is an action plan required to reduce any actual or potential adverse impact?*)

The amended PSPO restricts rowdy and inconsiderate behaviour deemed to cause, or be likely to cause, alarm or distress, including public urination. Some protected groups are more likely to need to urinate more urgently than others (pregnant people, people with disabilities and the elderly), especially in locations where there are no public toilets close-by (e.g., The Mount). This could potentially mean these groups are more likely to experience a negative impact of the PSPO.

The amended PSPO also gives ‘shouting’, ‘screaming’ and ‘swearing’ as examples of rowdy and inconsiderate behaviour. Some protected groups are more likely to display this behaviour than others and/or are less likely to have the intention of causing alarm and distress through this behaviour (for example those with certain disabilities, developmental differences or mental ill health). This could potentially mean these groups are more likely to experience a negative impact of the PSPO.

In order to reduce this likelihood enforcing officers will need to exercise discretion when enforcing against these behaviours and bear in mind the needs of certain protected groups. To address this potential negative impact, we will ensure awareness of the protected characteristics forms part of the training enforcing officers receive when they are trained to enforce the amended PSPO. This action has been added to the action plan produced to implement the outcomes of the PSPO project (appendix 3 to the report).

As stated in section 3, anecdotal evidence suggests that a disproportionate amount of ASB is caused by young people. This may result in an increase level of enforcement against young people compared to other age groups. Whilst the PSPO should still be enforced in these instances, there are ways to ensure enforcement is proportionate and constructive, such as including referrals to youth services and ensuring officers are targeting actual ASB as opposed to more general behaviour seen more commonly in young people such as congregating in groups and not discriminating against them because of their age. Age is a protected characteristic which enforcing officers will receive training on as set out above. The

Enforcement Policy is due to go to the Council's Executive April 2022 and states that fixed penalty notices will not be served to children under the age of 18 years. Where there are persistent issues, referrals will be made through the Multi-agency Safeguarding Hub (MASH), Community Harm and Risk Management Meeting (CHaRMM) and potentially Children and Families services. Action against the parent and/or guardian of these offenders may be considered.

5. What are the main sources of evidence that have been used to identify the likely impacts on the different protected groups? (*Use relevant quantitative and qualitative information that is available from sources such as previous EIA's, engagement with staff and service users, equality monitoring, complaints, comments, customer equality profiles, feedback, issues raised at previous consultations and known inequalities*).

- Online public consultation of the proposed wording – 14/02/22
- Direct consultation with specialist organisations:
 - I-Access Drug and Alcohol Service
 - Catalyst Drug and Alcohol Service
 - Surrey Adult Social Care Substance Misuse Service
 - HOST rough sleeping outreach and support service
 - Homeless shelters within the PSPO boundary
 - Targeted Youth Support
 - Surrey Youth Cabinet
 - Surrey Clubs for Young People
- Resident Associations in and around the proposed PSPO boundary
- NHS website
- National Autism Society website
- Guildford Access Group

6. Has any consultation been carried out (e.g., with employees, service users or the wider community)? Please provide details

Extensive online public survey on the types of ASB that causes alarm and distress in Guildford and its locations (7 June – 4 July 2021) – shared through Safer Guildford Partnership contacts, hosted on the Council's website, over 400 responses
Consultation on the proposed wording of the order as set out in section 5

7. Is further consultation required as a result of any negative impact identified? If so, what groups do you intend to engage with and how?

The potential negative impacts that were identified during consultation with the organisations set out in section 5 have been addressed in this assessment and no further consultation is necessary at this stage.

8. Conclusion of Equality Impact Assessment - please summarise your findings

This equality impact assessment has been completed before a decision has been made by the Council's Executive and is attached to the committee papers proposing the amended PSPO. This document demonstrates that in preparing the case for the extended and varied PSPO council officers have had due regard to the requirements of the Public Sector Equality Duty which, as required by the legislation, has been exercised in substance, with rigour and with an open mind, and which will therefore allow the Council, when making its decision on the PSPO, to make a PSED-informed and compliant decision. The Council will continue to have regard to the Public Sector Equality Duty by gathering evidence of how the PSPO is being enforced and keeping it under review, revisiting the PSPO where new and relevant information becomes known. Where it is identified that PSED objectives would be better served by changes in ambit of the PSPO and/or reconsideration of enforcement policy, the Council would look at making changes to help achieve the objectives of PSED wherever practicable.

The PSPO is an important tool for reducing alarm and distress which affects residents and visitors, including those with protected characteristics. However, enforcement of the Order must be balanced and mindful of any disproportionate impacts on those with protected characteristics. To achieve this enforcing officers will be trained on protected characteristics and how to exercise discretion and enforce the PSPO proportionately without discriminating.

This training will ensure the Council removes or minimises disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic (as set out in the Public Sector Equality Duty). It also is a step to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

Name of person completing assessment: Yasmine Makin

Date: 24/02/2022

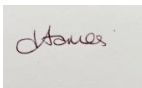
Job title: Policy Officer

Signature: Y Makin

Senior manager name: Jo James

Date: 24/02/22

Signature:



Assessing the impact of your activity* on equality

