

Appendix 2



Recording Equality Impact Assessment of Policies, Services and Functions

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording actions and any gaps. It also ensures that you have documented evidence that you have paid **due regard** to the protected characteristics in relation to the decisions made.

Please note that the word “policy” is used to cover the wide range of strategies, contracts and other areas that are covered by the Act.

It is also important to note that an equality assessment is an ongoing responsibility – not something that can be done once and then put aside.

1.	Department and/or Team	Joint Enforcement Team
2.	Incident/event	JET Environmental Crime Enforcement Policy
3.	Name and of staff completing the assessment	Martin Cole -JET and Community Safety Team Leader
4.	Date	17 February 2023
5.	People involved in the analysis	Martin Cole
6.	Brief Description of policy being analysed (Summarise the aims, objectives and purpose of the policy)	JET Environmental Crime Policy- The team are required to investigate a number of Environmental Crimes which may include issuing fixed penalty notices, cautions/formal warnings, PACE interviews, seizure of vehicles, and prosecutions

7.	Is this a new policy or a review of an existing one?	New
8.	Data & Engagement – what information did you gather and use and who have you consulted?	<p>These functions are statutory duties set out in relevant legislation and must be complied with, including: -</p> <ul style="list-style-type: none"> Environmental Protection Act 1990 Anti-Social Behaviour Crime and Policing Act 2014 Refuse Disposal (Amenity) Act 1978 Anti-Social Behaviour Act 2003 Clean Neighbourhoods and Environment Act 2005 Control of Pollution Act 1989 Regulation of Waste (England and Wales) Regulations 2011 Police and Criminal Evidence Act 1984 Environment Act 1995 Regulation of Investigatory Powers Act 2000 Human Rights Act 1998 Equalities Act 2010 Criminal Procedures and Investigations Act 1996 UK GDPR Regs -Data Protection Act 2018 Spelthorne Borough Council Byelaws

9. Findings – Did you discover any adverse or positive impact on any of the following 9 equality strands?	Identified Impacts	Actions
Age (younger/older)	Neutral Impact Enforcement work will exclude those below the criminal age of responsibility. Juveniles between the Ages of 10-17 Vulnerable and Older Adults	The laws allow a FPN to be issued to Juveniles. However, a parent would be informed and asked to be present for any enforcement action, interview and except in serious cases the matter dealt with by way of words of advice, verbal, or written warning. Vulnerable and Older adults will be dealt with as per the Crime Policy. To use customer feedback to monitor that no person is treated unfairly in our processes.
Disability (e.g. physical/sensory/unseen)	Neutral Impact Access is considered when requesting customers to visit council offices for, interviews or meetings. Where known, a person’s abilities or disabilities are considered when requesting a person uses monitoring equipment, completes log sheets, or is requested to gather information.	Hearing loops available if needed. Braille and large print available on request. Access to disabled friendly interview room & facilities if needed. Implementation of interview letters to be sent to person if ability/disability is disclosed to reduce need to attend Council Offices. To use customer feedback to monitor that no person is treated unfairly in our processes.
Gender/Sex (female/male)	Neutral Impact Currently the JET team only has male officers to cover all aspects of the enforcement, educational and investigatory work.	For formal interviews at the Council Offices then the Officers work in pairs. If specifically requested a female officer could be made available via a request to Environmental Health.

		<p>Interview Rooms are covered by CCTV for the protection of all persons using room.</p> <p>To use customer feedback to monitor that no gender is treated unfairly in our processes.</p>
Transgender (including process of gender re-assignment)	<p>Neutral Impact</p> <p>We would not normally be aware of a person being Transgender or undergoing gender reassignment. If made aware we can take the persons individual needs into consideration where required</p>	<p>To use customer feedback to monitor that no gender is treated unfairly in our processes.</p>
Race/Ethnicity/Culture (Asian, Chinese, White, Black, Other and categories within these)	<p>Neutral Impact</p> <p>Officers have access to language line to offer translation services where required.</p>	<p>Translation services have made contacting customers much easier and make sure that language is not a barrier for enforcement work.</p> <p>Publicity material is produced in several languages where the need is justified.</p> <p>To use customer feedback to monitor that this is being used appropriately.</p>
Religion / Belief (Muslim, Sikh, Christian, Jewish, Hindu etc.)	<p>Neutral Impact</p> <p>Officers have received training during the Community Safety Accreditation Scheme and are aware of the important cultural differences and ways in which persons should be greeted and dealt with.</p>	<p>To use customer feedback to monitor that no person is treated unfairly in our processes</p>
Sexual Orientation (lesbian, gay, bisexual)	<p>Neutral Impact</p> <p>We would not be aware of a person's sexual orientation. If made aware we can take the persons individual needs into consideration where required</p>	<p>To use customer feedback to monitor that no person is treated unfairly in our processes</p>

Pregnancy and Maternity	<p>Neutral Impact</p> <p>We would not normally be aware of a person's pregnancy or maternity. If made aware we can take the persons individual needs into consideration where required.</p>	<p>To use customer feedback to monitor that this is being used appropriately</p>
Human Rights	<p>Could Benefit</p> <p>The undertaking of enforcement work is to protect the wider community, and the environmental impact on communities from enviro-crime positively impacts on the whole communities' lives.</p> <p>Enforcement work benefits the wider community by providing safer neighbourhoods and deals with the blight of Fly-tipping, Littering, dog fouling and other Anti-Social Activities.</p>	<p>Enforcement action may result in prosecution and restriction of an individual's actives and occupations. All notices or action is accompanied with details of how a person may appeal these measures.</p> <p>If enforcement action reaches prosecution stage, human rights are assessed by the courts to ensure that Human Rights are not breached, and appeals may be made.</p> <p>Investigations have found other impeaches of human rights – such as modern-day slavery and we work closely with police and other partners to improve human rights.</p>
Socio Economic/ Multiple/Cross cutting	<p>Neutral Impact</p> <p>Initially legislation sets out where enforcement action may be taken or is required.</p> <p>Each regulatory function must fall within the requirements of the Councils Enforcement Policy.</p> <p>Where it is not in the public interest to undertake enforcement action, alternative interventions are used to support customers, such as referrals to other departments within the Council -Environmental Health, Building Control, Planning Enforcement, Licensing as</p>	<p>To use customer feedback to monitor that this is being used appropriately.</p> <p>As regulation is reactive this will be assessed on an ongoing basis.</p> <p>Periodic review of enforcement policy and changes in legislation.</p> <p>If changes to legislation is likely to positively or negatively impact of and aspect of the community, i.e. by age, race, gender, sexual orientation, religious or belief or marital status and</p>

	<p>well as agencies such as public health, and signposting to agencies that can support people resolve their own issues such as Citizen Advice Bureau, Financial Support Agencies and Gang masters Support Agencies, other enforcement agencies(i.e. Environment Agency, Surrey County Council, National Highways).</p> <p>Specific officers are delegated with specific enforcement responsibilities dependant on the relevant experience, qualification, or competencies to undertake the regulatory functions.</p> <p>Systems are in place to ensure that decisions to undertake enforcement are proportional to the impact caused and within the public interest.</p>	<p>equality impact assessments details how we will ensure equality.</p> <p>Training and Staff development is reviewed on a continual basis to ensure that officers are appropriately trained to undertake regulatory functions</p>
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10.	How does the policy fit with the Council's wider objectives and priorities?	Yes
11.	If you have discovered some inequalities/adverse impact what are you going to do to reduce/eliminate them? NB Positive impacts should also be recorded.	None identified
12	How and when will you monitor whether the adverse impact has been eliminated or reduced? (Guidance notes contain a template for an equality action plan that can be used. Alternatively)	Process will be subject to ongoing review and dependent on changes to legislation that will affect the current Environmental Crime Enforcement Policy. Staff are subject of Continual Performance Management where officer's core competencies and training can be re-evaluated.

Signed

Signed

Department/Division Manager

JET and Community Safety Teams

Group Head Neighbourhood Services

Date 22/02/2023

Date