

## Stage 1 Equality Impact Assessment – Initial Screening

<b>Assessor(s) Name(s):</b>	Amanda Gregory – Regulatory Services Manager
<b>Directorate:</b>	Economy & Environment
<b>Date of Completion:</b>	October 2014

### Name of Policy/Strategy/Service/Function Proposal

**Persistent anti-social behaviour case review policy (Community Trigger)**

### The Aims, Objectives and Expected Outcomes:

1. The Anti-social Behaviour, Crime and Policing Act 2014 introduced new powers for Local Authorities, emergency services, NHS and other agencies to help tackle anti-social behaviour. Many police forces, Councils and housing providers are already working hard to deal with issues that matter locally, but the range of local agencies involved in tackling anti-social behaviour can lead to uncertainty as to whose responsibility it is to deal with a particular problem. As a result, victims can sometimes find themselves being passed from the police to the Council to their landlord and back again.
2. The anti-social behaviour case review process is a mechanism for victims of persistent anti-social behaviour to require action, starting with a review of their case. The focus of an anti-social behaviour case review is on bringing agencies together to share information and to take a more joined up, problem-solving approach to find a solution for the victim. Agencies including councils, the police, local health teams and registered providers of social housing will have a duty to undertake a case review when someone requests one and their case meets the defined threshold of the trigger. For the purpose of the anti-social behaviour case review process (community trigger), anti-social behaviour is defined as “behaviour causing harassment, alarm or distress to any member of the public”.
3. The anti-social behaviour case review policy will provide additional accountability to ensure that these agencies work in partnership to meet the needs of victims. It will give victims and communities the right to require agencies to deal with persistent anti-social behaviour and will place a new duty on agencies to take action and deal with the issues.

- This is a proposal for a new policy.

<b>Key Questions to Consider in Assessing Potential Impact</b>	
Will the policy, strategy, service or council function proposal have a negative impact on any of the protected characteristics or other reasons that are relevant issues for the local community and/or staff?	No
Has previous consultation identified this issue as important or highlighted negative impact and/or we have created a "legitimate expectation" for consultation to take place? A legitimate expectation may be created when we have consulted on similar issues in the past or if we have ever given an indication that we would consult in such situations	No
Do different groups of people within the local community have different needs or experiences in the area this issue relates to?	Yes
Could the aims of these proposals be in conflict with the council's general duty to pay due regard to the need to eliminate discrimination, advance equality of opportunity and to foster good relations between people who share a protected characteristic and people who do not?	No
Will the proposal have a significant effect on how services or a council function/s is/are delivered?	No
Will the proposal have a significant effect on how other organisations operate?	No
Does the proposal involve a significant commitment of resources?	No
Does the proposal relate to an area where there are known inequalities?	No
<p>If you answer <b>Yes</b> to any of these questions, it will be necessary for you to proceed to a full Equality Impact Assessment after you have completed the rest of this initial screening form.</p> <p>If you answer <b>No</b> to all of these questions, please provide appropriate evidence using the table below and complete the evidence considerations box and obtain sign off from your Head of Service.</p>	

Protected Characteristics	Positive	Negative	No impact	Reasons
Age	X			The Policy details the trigger threshold that instigates a review with other partners. This would be the same response irrespective of the age of any parties. However some antisocial behaviour may be directed at an individual based on their age and therefore this new policy would provide further protection for that characteristic.
Disability	X			The Policy details the trigger threshold that instigates a review with other partners. This would be the same response irrespective of the disability of any parties. However some antisocial behaviour may be directed at an individual based on their disability, therefore this new policy would provide further protection for that characteristic.
Gender Reassignment	X			The Policy details the trigger threshold that instigates a review with other partners. This would be the same response irrespective of the gender of any parties. However some antisocial behaviour may be directed at an individual based on their gender, therefore this new policy would provide further protection for that characteristic.
Marriage & Civil Partnership	x			The Policy details the trigger threshold that instigates a review with other partners. This would be the same response irrespective of the marital status of any parties. However some antisocial behaviour may be directed at an individual based on their marital status, therefore

				this new policy would provide further protection for that characteristic.
Pregnancy & Maternity			X	The Policy details the trigger threshold that instigates a review with other partners. This would be the same response irrespective of the condition of any parties.
Race	X			The Policy details the trigger threshold that instigates a review with other partners. This would be the same response irrespective of the race of any parties. However some antisocial behaviour may be directed at an individual based on their race, therefore this new policy would provide further protection for that characteristic.
Religion / Belief	X			The Policy details the trigger threshold that instigates a review with other partners. This would be the same response irrespective of the religion of any parties. However some antisocial behaviour may be directed at an individual based on their religion, therefore this new policy would provide further protection for that characteristic.
Sex (male/female)	X			The Policy details the trigger threshold that instigates a review with other partners. This would be the same response irrespective of the sex of any parties. However some antisocial behaviour may be directed at an individual based on their sex, therefore this new policy would provide further protection for that characteristic.
Sexual Orientation	X			The Policy details the trigger threshold that instigates a review with other partners. This would be the same response irrespective of the sexual orientation of any parties. However some antisocial behaviour may be directed at an individual based on their sexual orientation, therefore this new policy would provide further protection for that characteristic.

<b>Are there aspects of the proposal that contribute to or improve the opportunity for equality?</b>	<b>Yes</b>
<p>The Policy will ensure that consistency is applied throughout the process.</p> <p>Although the policy does not directly affect any of the protected characteristics, it will ensure that every person has the opportunity to contact the agencies and instigate a review.</p>	

<b>Evidence Considered During Screening</b>	
<ul style="list-style-type: none"> <li>The initial comments of officers, elected members and members of the community safety partnership.</li> </ul>	
Head of Service Sign off:	Bill Murphy
Advice sought from Legal Services (Name)	Justin Thorne
Date	10/10/2014

A signed version is to be kept by your team and also an electronic version should be published on the council's website (follow the link from the EIA page on the intranet)

**Stage 2 Full Equality Impact Assessment**

<b>Assessor(s)Name(s):</b>	<b>Amanda Gregory – Regulatory Services Manager</b>
<b>Directorate:</b>	<b>Economy &amp; Environment</b>
<b>Date of Completion:</b>	<b>18/11/14</b>

**Name of Policy/Strategy/Service/Function Proposal**

## PERSISTENT ANTI-SOCIAL BEHAVIOUR CASE REVIEW POLICY (COMMUNITY TRIGGER)

### **The Aims, Objectives and Expected Outcomes:**

The Anti-social Behaviour, Crime and Policing Act 2014 (the act) introduced new powers for local authorities, emergency services, NHS and other bodies to help tackle anti-social behaviour. Many police forces, councils and housing providers are already working hard to deal with issues that matter locally, but the range of local bodies involved in tackling anti-social behaviour can lead to uncertainty as to whose responsibility it is to deal with a particular problem. As a result, victims can sometimes find themselves being passed from the police to the council to their landlord and back again.

Under section 104 of the act a duty is placed on the relevant bodies in the local government area to carry out a review of the response to a complaint of anti-social behaviour if:

- a) that person, or any other person, makes an application for such a review and
- b) The relevant bodies decide that the threshold for review is met.

The relevant bodies must make arrangements for carrying out those reviews and decide on the threshold that a qualifying complaint must meet in order to carry out a review. The relevant bodies must also:

- publish the review procedures
- specify the point of contact for making applications
- ensure that applications made to the point of contact are passed onto all the relevant bodies
- inform the applicant of their decision in accepting the application and the outcome of the review
- publish information concerning
  - the number of applications for Anti-social behaviour cases made to those bodies;
  - the number of times those bodies decided that the threshold was not met;
  - the number of anti-social reviews those bodies have carried out;
  - The number of anti-social case reviews that have resulted in recommendations being made.

### **Scope of the Equality Impact Assessment**

The policy directly impacts on the council other relevant bodies including the police and social

landlords as well as those subject to antisocial behaviour.

In setting the threshold of the trigger the relevant bodies must work together to agree an appropriate trigger. Schedule 4 of the act details that the following should be consulted:

- Local police and crime commissioner
- Local providers of social housing

The act does not require a full public consultation.

However, as the relevant bodies are required to agree the trigger a wider consultation was undertaken including those who sit on the Community Safety Partnership. This included:

- Public health
- Clinical commissioning group
- Other council services such as environmental health, social services and education.

### **Analysis and assessment**

There were no comments received during the policy consultation which related to any Equality Issues.

The assessment is therefore based on officer knowledge of the antisocial behaviour powers investigations and potential impact.

### **Recommendations**

The results of the consultation did not provide any additional equality data for consideration in the full assessment.

## Action/Improvement Plan

The table below should be completed using the information from your equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Remove or lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact

Area of impact	Is there evidence of negative positive or no impact?	Could this lead to adverse impact and if so why?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?	Please detail what measures or changes you will put in place to remedy any identified impact  (NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)
Age	Positive	No, the potential impact is positive as an individual may be a target of antisocial behavior due to their age and this policy enables greater protection.	N/A	None
Disability	Positive	No, the potential impact is positive as an individual may be a target of antisocial behavior due to their age and this policy enables greater protection.	N/A	None
Gender Reassignment	Positive	No, the potential impact is positive as an individual may be a target of antisocial behavior due to their age and this policy enables greater protection.	N/A	None

Area of impact	Is there evidence of negative positive or no impact?	Could this lead to adverse impact and if so why?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?	Please detail what measures or changes you will put in place to remedy any identified impact  (NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)
Marriage & Civil Partnership	Positive	No, the potential impact is positive as an individual may be a target of antisocial behavior due to their age and this policy enables greater protection.	N/A	None
Pregnancy & Maternity	No impact	N/A	N/A	N/A
Race	Positive	No, the potential impact is positive as an individual may be a target of antisocial behavior due to their age and this policy enables greater protection.	N/A	None
Religion / Belief	Positive	No, the potential impact is positive as an individual may be a target of antisocial behavior due to their age and this policy enables greater protection.	N/A	None
Sex (male or female)	Positive	No, the potential impact is positive as an individual may be a target of antisocial behavior due to their age and this policy enables greater protection.	N/A	None
Sexual Orientation	Positive	No, the potential impact is positive as an individual may be a target of antisocial	N/A	None

Area of impact	Is there evidence of negative positive or no impact?	Could this lead to adverse impact and if so why?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?	Please detail what measures or changes you will put in place to remedy any identified impact  (NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)
		behavior due to their age and this policy enables greater protection.		
HR & workforce issues	No impact	N/A	N/A	N/A
Human Rights implications if relevant	No impact	N/A	N/A	N/A
<p>Please remember - actions should have SMART targets and be reported to the Diversity Board (this should be done via your Directorate representative) and incorporated into your service/team Plans and /or objectives of key staff</p>				

Summary	
<b>Date of Assessment:</b>	18/11/2014
<b>Signed off by Head of Service/Director</b>	Bill Murphy
<b>Review date</b>	At next review of policy
<b>Date published</b>	27/11/2014

<b><i>Publishing checklist</i></b>	<b>Yes</b>	<b>No</b>
<ul style="list-style-type: none"> <li>• <i>Plain English – will your EIA make sense to the public?</i></li> <li>• <i>Acronyms – check you have explained any specialist names or terminology</i></li> <li>• <i>Evidence – will your evidence stand up to scrutiny; can you justify your conclusions?</i></li> <li>• <i>Stakeholders and verification – have you included a range of views and perspectives to back up your analysis?</i></li> <li>• <i>Gaps and information – have you identified any gaps in services or information that need to be addressed in the action plan?</i></li> <li>• <i>Success stories – have you included any positive impacts that have resulted in change for the better?</i></li> <li>• <i>Action plan – is action plan SMART? Have you informed the relevant people to ensure the action plan is carried out?</i></li> <li>• <i>Review have you included a review date and a named person to carry it out?</i></li> <li>• <i>Challenge – has your equality impact assessment been taken to Diversity Board/Call Over for challenge?</i></li> <li>• <i>Signing off – has your Head of Service/Director signed off your EIA?</i></li> <li>• <i>Basics – have you signed and dated your EIA and named it for publishing?</i></li> <li>• <i>A signed version to be kept by your team for review and electronic version to be uploaded on to the council's website</i></li> </ul>		