

## PART B – Equality Analysis Form

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

This form:

- Can be used to prompt discussions, ensure that due regard has been given and remove or minimise disadvantage for an individual or group with a protected characteristic
- Involves looking at what steps can be taken to advance and maximise equality as well as eliminate discrimination and negative consequences
- Should be completed before decisions are made, this will remove the need for remedial actions.

Note – An Initial Equality Screening Assessment (Part A) should be completed prior to this form.

When completing this form consider the Equality Act 2010 protected characteristics Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc. – see page 11 of Equality Screening and Analysis Guidance.

1. Title	
<b>Equality Analysis title: Public Spaces Protection Orders</b>	
<b>Date of Equality Analysis (EA): 27<sup>th</sup> November 2024</b>	
<b>Directorate: Regeneration &amp; Environment</b>	<b>Service area: Regulation &amp; Enforcement</b>
<b>Lead Manager: Craig Cornwall</b>	<b>Contact number: 01709 823118</b>
<b>Is this a:</b> <input checked="" type="checkbox"/> <b>Strategy / Policy</b> <input type="checkbox"/> <b>Service / Function</b> <input type="checkbox"/> <b>Other</b> <b>If other, please specify</b>	

2. Names of those involved in the Equality Analysis (Should include minimum of three people) - see page 7 of Equality Screening and Analysis Guidance		
Name	Organisation	Role (eg service user, managers, service specialist)
Craig Cornwall	RMBC	Community Protection Manager
Paul Field	RMBC	ASB Principal
Adam Corker	RMBC	Environmental Health Systems Officer – Technical Support Lead

**3. What is already known? - see page 10 of Equality Screening and Analysis Guidance**

**Aim/Scope (who the Policy/Service affects and intended outcomes if known)**  
 The Public Spaces Protection Order (PSPO) is one of the powers available to Local Authorities under the Anti-social Behaviour, Crime and Policing Act 2014. This legislation enables the Local Authority to introduce a PSPO to an area to deal with a particular nuisance which is detrimental to the local community’s life.  
 It is designed to ensure the majority of people can use and enjoy public spaces safe from crime and anti-social behaviour (ASB). PSPOs are a useful tool to tackle and reduce anti-social behaviours in the local authority’s area in order to allow public spaces to be enjoyed by the law-abiding majority and to make them feel safer. Individuals or groups that fail to meet the requirements of the PSPOs will be subject to criminal sanctions such as service of a fixed penalty notice (maximum £100) and prosecution (maximum fine on conviction of £1000).  
 Restrictions on the proposed behaviours could potentially have an impact on protected characteristics or other equalities considerations the safeguarding of children and vulnerable adults, mental well-being, community resilience and disability. The impact on all factors has been considered.

**What equality information is available? (Include any engagement undertaken)**  
 In order to reach a decision about the future of Public Spaces Protection Orders in Rotherham, the lead Officer consulted with:

- South Yorkshire Police – Chief Inspector Sharron Wood
- Police Crime Commissioner
- South Yorkshire Fire and Rescue
- All Ward Councillors
- RMBC departments:
  - Early Help
  - Youth Offending Service
  - Community Protection
  - Housing
  - Homelessness Team
  - Neighbourhoods
  - Greenspaces
  - Rotherham Youth Cabinet
- Schools and Colleges
- Community Organisations

<ul style="list-style-type: none"> <li>• Businesses</li> <li>• Parish and Town Councils</li> <li>• Licensed Premises Holders</li> <li>• Landlords and Managing Agents (Selective Licensing)</li> </ul> <p>Methods of consultation</p> <ul style="list-style-type: none"> <li>• In writing</li> <li>• Online survey (RMBC Website)</li> <li>• Hard copy questionnaires</li> <li>• Workshops</li> <li>• Town Centre Stands and roadshows</li> <li>• Posters and leaflets with QR codes</li> </ul> <p>Each online form and hard copy questionnaire came complete with an equality's questionnaire.</p>	
<p><b>Are there any gaps in the information that you are aware of?</b></p> <p>The equalities data attached to the consultation provided little return as most respondents answered 'no' to the option of providing further information about themselves.</p> <p>This means the data is limited at best, hence there is a reliance on other sources of data sources. As the Policy is Boroughwide in it's impact and implication, (both the Boroughwide dog fouling and the Town Centre related Order) the best source of data is the Rotherham Data Hub which provides a summary of the 2021 Census information:</p> <p><a href="#">Community and Neighbourhoods – Rotherham Data Hub</a></p>	
<p><b>What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics?</b></p> <p>Both enforcing agencies have case management systems which enable some capture of protected characteristics and this will be encouraged where possible.</p> <p>Some further training around Human Rights and Equality Act 2010 has been identified and forms part of the action plan below.</p>	
<p><b>Engagement undertaken with customers. (date and group(s) consulted and key findings)</b></p>	<p>Public consultation 17<sup>th</sup> September 2024 to 30<sup>th</sup> October 2024. Broadly, there was support for the designation of the Public Spaces Protection Orders. No objection bases on equalities were raised.</p>
<p><b>Engagement undertaken with staff (date and group(s) consulted and key findings)</b></p>	<p>Team meetings and internal communications and internal workshops 17<sup>th</sup> September to 30<sup>th</sup> October 2024. There remained an appetite for PSPOs and no objections based on equalities matters.</p>

**4. The Analysis - of the actual or likely effect of the Policy or Service (Identify by protected characteristics)**

**How does the Policy/Service meet the needs of different communities and groups?** (Protected characteristics of Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity) - see glossary on page 14 of the Equality Screening and Analysis Guidance)

Age - All members of the community are treated fairly and equally regardless of their age. This one of the underpinning values of the published General Enforcement Policy. Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services. Young people will be referred into the safeguarding mechanisms and under 18's parents/guardians will be spoken with. It is not the intention of the Policy to target and criminalise any particular age group, though Under 18s are exempt.

Disability - The Council would address disability concerns and put additional support measures in place if required through prevention, education and sign posting to the relevant agencies. Those with registered assistance dogs, who, as a result of their disability are unable to comply with the order around removal of dog faeces will be exempt.

Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity – no anticipated impact and neither does the Order specifically target these groups.

**Does your Policy/Service present any problems or barriers to communities or Groups?**

Should potential barriers be identified through data we collate, we will look to engage with that specific group of people and understand why these issues are occurring and look to undertake an education path. Since 2017 when PSPOs have been in operation in Rotherham, no groups have been identified as being adversely affected.

**Does the Service/Policy provide any positive impact/s including improvements or remove barriers?**

The restrictions imposed by any of these types of Order must be reasonable, and either prevent or reduce the detrimental effect of the problem behaviour, or reduce the risk of that detrimental effect continuing, occurring or recurring. When assessing what is 'unreasonable' activity, councils will need to balance the rights of the community to enjoy public spaces without ASB, with the civil liberties of individuals and groups who may be affected by any restrictions imposed. The Orders are reviewed on expiry (maximum every three years) to form a view on these types of considerations.

As the Orders require re-active enforcement in relation to responding to complaints and on a pro-active basis in order to provide a deterrent and detection resource, this can be said to remove some barriers to access to services (telephone reporting and digital reporting being typical barriers).

The PSPOs help strengthen the Council's ability to tackle discrimination and harassment by providing the ability for an authorised officer to enforce against a list of specified anti-social behaviours.

The PSPOs seek to ensure the Town Centre remains a safe place to live, visit and work. This has a positive impact on society as well as helping to assist the economic development of the Town Centre.

**What affect will the Policy/Service have on community relations?** (may also need to consider activity which may be perceived as benefiting one group at the expense of another)

As the Orders work to improve the life of those who are victims of ASB and Crime, it would be hoped that community relations would be improved. The PSPOs strengthen the Council's ability to provide a safe town centre and green space in Clifton Park, and also reduce the blight of dog fouling on a boroughwide basis, and therefore promote good community relations by listening to and acting on the concerns of the community. The authorised parties should focus resource in geographical areas that attract complaints to provide a robust response to the public's concerns.

Some tensions may arise between reporters of ASB and Crime, and those alleged to be offending and perpetrating crime and ASB but this is normal for such enforcement matters and the investigative process will manage this where needed.

Please list any **actions and targets** that need to be taken as a consequence of this assessment on the action plan below and ensure that they are added into your service plan for monitoring purposes – see page 12 of the Equality Screening and Analysis Guidance.

## 5. Summary of findings and Equality Analysis Action Plan

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the impact of the policy/service/change on communities or groups according to their protected characteristic - See page 11 of the Equality Screening and Analysis guidance.

<b>Title of analysis: Public Spaces Protection Orders</b>
<b>Directorate and service area: Regeneration &amp; Environment – Regulation &amp; Enforcement</b>
<b>Lead Manager: Craig Cornwall</b>
<b>Summary of findings:</b>
The intention of the Orders are to reassure the public at large, and provide Officers with the tools to tackle individuals who are committing breaches / offences. In essence, the Orders protect rights of all individuals to reside, work or visit Rotherham and be free of ASB and crime, or the fear of it. This document highlights some impacts on groups such as age and disability which are accounted for both in legal exemptions and via associated policies such as the General Enforcement Policy.

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)
Where possible equality data will be collated when enforcement action is conducted to monitor whether any protected groups are more likely to offend. This could result in targeted educational work being implemented. This will take place quarterly from January 2025.	<b>All/Any</b>	<b>April 2025 and ongoing quarterly thereafter</b>
Deliver training/ guidance for enforcing stakeholders on the impact on Human Rights and Equality Act implications – including offence disposal options where vulnerabilities are identified (ie. signposting to education / support)	<b>All</b>	<b>April 2025</b>

**\*A = Age, D= Disability, S = Sex, GR Gender Reassignment, RE= Race/ Ethnicity, RoB= Religion or Belief, SO= Sexual Orientation, PM= Pregnancy/Maternity, CPM = Civil Partnership or Marriage. C= Carers, O= other groups**

6. Governance, ownership and approval		
Please state those that have approved the Equality Analysis. Approval should be obtained by the Director and approval sought from DLT and the relevant Cabinet Member.		
Name	Job title	Date
Lewis Coates	Regulation and Enforcement Service Manager	29/11/2024
Simon Dennis	Policy, Improvement and Risk Manager	29/11/2024
Andrew Bramidge	Strategic Director	29/11/2024
Councillor Saghir Alam	Cabinet Member, Finance and Safe and Clean Communities	29/11/2024

7. Publishing	
The Equality Analysis will act as evidence that due regard to equality and diversity has been given.	
If this Equality Analysis relates to a <b>Cabinet, key delegated officer decision, Council, other committee or a significant operational decision</b> a copy of the completed document should be attached as an appendix and published alongside the relevant report.	
A copy should also be sent to <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a> For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.	
<b>Date Equality Analysis completed</b>	29/11/2024
<b>Report title and date</b>	Public Spaces Protection Orders – Town Centre & Clifton Park and Borough Wide Dog Fouling – Cabinet 16 <sup>th</sup> December 2024
<b>Date report sent for publication</b>	16 <sup>th</sup> December 2024
<b>Date Equality Analysis sent to Performance, Intelligence and Improvement</b> <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a>	29 <sup>th</sup> November 2024