



Form to be used for the Full Equalities Impact Assessment

49

Service Area: Community Services		Section: Community Safety	Date of Initial assessment: 5 th January 2015	Key Person responsible for assessment: Richard Adams	Date assessment commenced: 5 th August 2015		
Name of Policy to be assessed:			City Centre Public Spaces Protection Order				
1. In what area are there concerns that the policy could have a differential impact			<i>Race</i>		<i>Disability</i>		<i>Age</i>
			<i>Gender reassignment</i>		<i>Religion or Belief</i>		<i>Sexual Orientation</i>
			<i>Sex</i>		<i>Pregnancy and Maternity</i>		<i>Marriage & Civil Partnership</i>
Other strategic/ equalities considerations			<i>Safeguarding/ Welfare of Children and vulnerable adults</i>		<i>Mental Wellbeing/ Community Resilience</i>		
2. Background: Give the background information to the policy and the perceived problems with the policy which are the reason for the Impact Assessment.			<p>Oxford City Council is proposing to introduce a City Centre PSPO restricting a number of behaviours within the city centre. A breach of the order is a criminal offence that can result in the offender being reported to the court or the breach being discharged through a £100 Fixed Penalty Notice.</p> <p>Restrictions on the proposed behaviours may have an impact on protected characteristics or other strategic equalities considerations, in particular the safeguarding of children and vulnerable adults, mental well-being and community resilience, and disability. The impact on all factors has been considered.</p>				

Appendix 7: Oxford City Centre Public Spaces Protection Order – Equalities Impact Assessment

	<p>The assessment makes due regard to whether implementation of the order will:</p> <ul style="list-style-type: none"> • Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equalities Act; • Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; • Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
<p>3. Methodology and Sources of Data:</p> <p>The methods used to collect data and what sources of data</p>	<p>Data used to identify the types of behaviours within the proposed PSPO has come from the City Council and police databases. The datasets indicate the number of reports from members of the public and officers who have witnessed the behaviours.</p> <p>Use of the PSPO powers and advice given will be recorded in pocket note books and on council databases. The information will be analysed to determine whether the implementation of the powers has had a disproportionate effect upon the equality factors.</p>
<p>4. Consultation</p> <p>This section should outline all the consultation that has taken place on the EIA. It should include the following.</p> <ul style="list-style-type: none"> • Why you carried out the consultation. • Details about how you went about it. • A summary of the replies you received from people you consulted. • An assessment of your proposed policy (or policy options) in the light of the responses you received. • A statement of what you plan 	<p>Implementation of a Public Spaces Protection Order requires public consultation as set out in the Anti-Social Behaviour Crime and Policing Act 2014. The consultation methodology was approved by the city council’s Public Involvement Board.</p> <p>Consultation responses gave rise to concerns over:</p> <ul style="list-style-type: none"> ▪ Begging ▪ Sleeping in toilets ▪ Drinking alcohol in a public place <p>Consultation responses did not raise concerns over:</p> <ul style="list-style-type: none"> ▪ Urinating or defecating in public places ▪ Cycling in prohibited areas ▪ Nuisance behaviours relating to noise ▪ Illegal street trading ▪ Graffiti ▪ Control of dogs <p>Please refer to the consultation report at appendix two of the City Centre PSPO CEB report.</p>

50

Appendix 7: Oxford City Centre Public Spaces Protection Order – Equalities Impact Assessment

51

to do next			
<p>5. Assessment of Impact: Provide details of the assessment of the policy on the six primary equality strands. There may have been other groups or individuals that you considered. Please also consider whether the policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults</p>	<p>Begging A case management panel of officers from the police, city council and outreach team meet on a monthly basis to discuss individuals who beg in the city centre. The support needs of each individual are considered including their housing situation, physical and mental health needs. Their offending behaviour is assessed and an appropriate plan put in place to move people off the streets and into accommodation and support.</p> <p>Where engagement with the large number of local support services fails, enforcement action may be taken as determined by the panel. This approach balances the needs of the individual, principally substance misuse, physical and mental health concerns, with the need to tackle anti-social behaviour, respond effectively to complaints from the public and take action against illegal activities.</p> <p>Research commissioned by the city council in 2012 supported the conclusion from other national research that the majority of money from begging is spent on drugs and alcohol. Very little is spent on shelter or food.</p> <p>None of the people case managed by the panel has been, or is, a child. Any child identified would be dealt with under the police and council's safeguarding policies.</p>		
	Race	Disability	Age
	Neutral	Negative Mental health considerations will be taken into account by officers.	Positive Young people will be referred into safeguarding mechanisms.
	Gender reassignment	Religion or Belief	Sexual Orientation
	Neutral	Neutral	Neutral
Sex	Pregnancy and Maternity	Marriage & Civil Partnership	
Neutral	Neutral	Neutral	

Appendix 7: Oxford City Centre Public Spaces Protection Order – Equalities Impact Assessment

52

<p>Inappropriate use of public toilets. The common behaviours regarding the inappropriate use of public toilets fall into three categories: drug misuse, alcohol misuse and sleeping or suspected sexual activity. Public toilets within the city centre are designed as gender-neutral single toilet access or male/female cubicles. The single toilet access blocks enable a person to lock themselves in the toilet for long periods of time. Drug users and alcoholics often have physical and mental health needs. Toilets provide facilities for a drug user including clean water, adequate lighting, warmth and privacy. City council cleansing staff regularly find discarded needles and alcohol containers in the toilets, and have difficulty removing people who have locked themselves in. Public toilets are not a suitable place for drug users and alcoholics to use to support their addictions. They may fall unconscious or overdose. Clients have easy access to a wide range of support services including GPs, rehabilitation and hostels with “wet” facilities, some within 200m of the toilet block.</p>		
<p>Race Neutral</p>	<p>Disability Positive Disabled people will be able to access clean toilets.</p>	<p>Age Neutral</p>
<p>Gender reassignment Neutral</p>	<p>Religion or Belief Neutral</p>	<p>Sexual Orientation Neutral</p>
<p>Sex Neutral</p>	<p>Pregnancy and Maternity Positive Parents with infants can access clean baby-changing facilities.</p>	<p>Marriage & Civil Partnership Neutral</p>
<p>Urinating or defecating in public places</p>		

Appendix 7: Oxford City Centre Public Spaces Protection Order – Equalities Impact Assessment

53

<p>Police data shows that the level of defecation in a public places happens relatively infrequently. Urination is commonly linked to the consumption of alcohol, whether in the evening economy from revellers leaving pubs and clubs, or people drinking alcohol in public areas. Toilet facilities are available for any person with an equalities consideration, whether during the day through the use of public toilets or cafés and restaurants, and during the evening with pubs and clubs having to provide toilet facilities.</p> <p>People with very complex mental or physical health issues may have reasonable excuse, a provision built into the PSPO. This would be assessed on a case by case basis and the situation would be very rare. Urination and defecation in a public place is a public health risk.</p>		
<p>Race Neutral</p>	<p>Disability Neutral</p>	<p>Age Neutral</p>
<p>Gender reassignment Neutral</p>	<p>Religion or Belief Neutral</p>	<p>Sexual Orientation Neutral</p>
<p>Sex Neutral</p>	<p>Pregnancy and Maternity Neutral</p>	<p>Marriage & Civil Partnership Neutral</p>
<p>Cycling in prohibited areas This behaviour supports the existing traffic control order in Queen Street and Cornmarket Street. Disability considerations would be made on a case by case basis as there is no evidence to suggest disability would be affected by the order.</p>		
<p>Race Neutral</p>	<p>Disability Neutral</p>	<p>Age Neutral</p>

Appendix 7: Oxford City Centre Public Spaces Protection Order – Equalities Impact Assessment

54

	Gender reassignment	Religion or Belief	Sexual Orientation
	Neutral	Neutral	Neutral
	Sex	Pregnancy and Maternity	Marriage & Civil Partnership
	Neutral	Neutral	Neutral
<p>Nuisance behaviours relating to noise Noise nuisance in the city is caused by amplified or intrusive noise, including music and building work. The PSPO takes an even handed approach towards music noise, supporting the Code of Conduct that all buskers are expected to adhere to.</p> <p>If there is a language barrier, the person has a disability or cannot read officers will engage with the busker and explain the Code. If the Code is not adhered to officers will move the person onto the next available pitch or require them to turn down their music. No-one under the age of 16 should busk in the city centre without a parent or guardian. Children busking will be engaged with and the appropriate adult spoken to.</p> <p>Building works fall outside of the PSPO and are dealt with through the city council’s Environmental Health Service.</p>			
	Race	Disability	Age
	Neutral	Negative Lack of understanding of Code of Conduct.	Positive For under-16s officers will speak to the parent or guardian
	Gender reassignment	Religion or Belief	Sexual Orientation
	Neutral	Neutral	Neutral
	Sex	Pregnancy and Maternity	Marriage & Civil Partnership
	Neutral	Neutral	Neutral

Appendix 7: Oxford City Centre Public Spaces Protection Order – Equalities Impact Assessment

55

<p>Illegal street trading During peak holiday seasons the city centre experiences many traders pertaining to be pedlars, yet are illegally street trading.</p> <p>The PSPO takes an even handed approach towards peddling, supporting the Code of Conduct that all pedlars are expected to adhere to. If there is a language barrier, the person has a disability or cannot read officers will engage with the busker and explain the Code. If the Code is not adhered to officers will warn them that they are in breach of the PSPO. Children under-18 will be engaged with and the appropriate adult spoken to.</p>		
<p>Race Neutral</p>	<p>Disability Neutral</p>	<p>Age Positive For under-18s officers will speak to the parent or guardian</p>
<p>Gender reassignment Neutral</p>	<p>Religion or Belief Neutral</p>	<p>Sexual Orientation Neutral</p>
<p>Sex Neutral</p>	<p>Pregnancy and Maternity Neutral</p>	<p>Marriage & Civil Partnership Neutral</p>
<p>Drinking alcohol in a public place It is currently an offence to drink alcohol in a public place in Oxford if asked by a police officer not to do so. Incidents of street drinking take place during the evening economy period from revellers leaving pubs and clubs, or people drinking alcohol in public areas during the day.</p> <p>If necessary there is easy access to a wide range of support services including GPs, rehabilitation and hostels with “wet” facilities. Safeguarding issues are dealt with through agencies established safeguarding practices and referrals into appropriate support agencies.</p> <p>Anyone under-18 found drinking alcohol in committing an offence and the police will take appropriate</p>		

Appendix 7: Oxford City Centre Public Spaces Protection Order – Equalities Impact Assessment

56

	action in line with their safeguarding responsibilities.		
	Race Neutral	Disability Negative Mental health considerations will be taken into account by officers.	Age Positive Young people will be referred into safeguarding mechanisms.
	Gender reassignment Neutral	Religion or Belief Neutral	Sexual Orientation Neutral
	Sex Neutral	Pregnancy and Maternity Positive Pregnant women will be referred into safeguarding mechanisms.	Marriage & Civil Partnership Neutral
	<p>Control of dogs</p> <p>The provisions of the PSPO relating to the control of dogs does not apply to any person who is registered blind in accordance with section 29 of The National Assistance Act 1948, to any person who is deaf and in charge of a dog trained by Hearing Dogs for Deaf People and to any person suffering a disability and in charge of a dog trained to assist with his/her mobility, manual dexterity, physical coordination or ability to lift and carry everyday objects and the said dog has been trained by a prescribed charity.</p> <p>The most common complaint relating to dogs is fouling of the footpath and the associated public health risks. This is particularly difficult to control if the owner does not have the dog on a lead.</p> <p>Any mental health considerations will be dealt with on a case by case basis.</p>		
Race	Disability	Age	

Appendix 7: Oxford City Centre Public Spaces Protection Order – Equalities Impact Assessment

	Neutral	Negative Mental health considerations will be taken into account by officers.	Neutral
	Gender reassignment Neutral	Religion or Belief Neutral	Sexual Orientation Neutral
	Sex Neutral	Pregnancy and Maternity Neutral	Marriage & Civil Partnership Neutral
<p>6. Consideration of Measures:</p> <p>This section should explain in detail all the consideration of alternative approaches/mitigation of adverse impact of the policy</p>	<p>Mitigations relating to each of the proposed behaviours are detailed in the preceding section. Concerns relating to children are dealt with through each agency safeguarding policies and procedures. Prohibitions on behaviours that affect clients with complex physical and mental needs are mitigated through access to appropriate services, with trained staff skilled at dealing with the needs of the client group.</p> <p>All cases will be dealt with on their individual merits and the PSPO has written into it the test of “reasonable excuse”, providing an exemption from the order if the excuse for the behaviour is reasonable.</p> <p>Oxford City Council has a strong record of supporting people who are vulnerable and at risk of becoming homeless. Through the No Second Night Out project, the council funds services that assist individuals into appropriate accommodation and that work with homeless individuals to access education, training and employment. The Council’s current financial investment in homeless prevention totals £1.4m p.a.</p> <p>Oxford is one of nine areas in the country that was selected to take part in the Making Every Adult Matter (MEAM) project designed to improve outcomes and interventions for people with multiple needs. Since August 2014 clients who are hard to engage, live chaotic lives and have a multitude of support needs have been identified by services within the homelessness, mental health, substance misuse and criminal justice services. Clients are ‘case conferenced’ in order to put sustainable</p>		

57

Appendix 7: Oxford City Centre Public Spaces Protection Order – Equalities Impact Assessment

	<p>support in place for each individual and enable him/her to receive the services and support that they need to stabilise their lives.</p> <p>The Tenants At Risk meeting is managed by the City Council and brings together agencies including floating support services, housing associations and hostels. The meeting identifies individuals that may be struggling with sustaining their tenancies and are at risk of being evicted. The aim is for support agencies around the table to make sure relevant support is put in place for the individuals in order to ensure they do not lose their tenancies and become homeless.</p>
<p>6a. Monitoring Arrangements:</p> <p>Outline systems which will be put in place to monitor for adverse impact in the future and this should include all relevant timetables. In addition it could include a summary and assessment of your monitoring, making clear whether you found any evidence of discrimination.</p>	<p>The multi-agency case management panel will continue to assess the use of all enforcement actions, first taking into consideration the support needs of the individual.</p> <p>Advice, warnings and enforcement of the PSPO will be logged in pocket notebooks and council and police databases.</p> <p>The City Centre PSPO will be referred to the scrutiny panel for monitoring purposes.</p>
<p>7. Date reported and signed off by City Executive Board:</p>	<p>October 2015</p>
<p>8. Conclusions:</p> <p>What are your conclusions drawn from the results in terms of the policy impact</p>	<p>The introduction of the city centre PSPO will impact on the lives of people who live, work and visit the city. The proposed restrictions will impact positively on people whose protective characteristics are impacted upon by the anti-social behaviour the order is designed to address. For example, pregnant women and disabled people can be denied access to facilities they need. Young people in breach of the order will be referred through safeguarding arrangements when appropriate. Mental health considerations are assessed on a case by case basis and support and early intervention is used prior to more serious enforcement action. This approach is detailed in Oxford City Council's Anti-Social Behaviour Policy, available on the council's website.</p>

Appendix 7: Oxford City Centre Public Spaces Protection Order – Equalities Impact Assessment

9. Are there implications for the Service Plans?	YES	10. Date the Service Plans will be updated	November 2015	11. Date copy sent to Equalities Officer in HR & Facilities	5 th August 2015
13. Date reported to Scrutiny and Executive Board:	October 2015	14. Date reported to City Executive Board:	October 2015	12. The date the report on EqIA will be published	October 2015



Signed (completing officer)

Signed (Lead Officer)



Please list the team members and service areas that were involved in this process:

Jarlath Brine, Organisational Development & Learning Advisor
 Richard Adams, Service Manager
 Jeremy Thomas, Head of Legal Services

This page is intentionally left blank