

## Appendix 10: Oxford Dog Control PSPO – Equalities Impact Assessment



|   |                                     |   |  |  |  |
|---|-------------------------------------|---|--|--|--|
| <b>Service Area:</b><br>Regulatory Services and Community Safety  | <b>Section:</b><br>Community Safety | <b>Date of Initial assessment:</b><br>30 <sup>th</sup> September 2020   | <b>Key Person responsible for assessment:</b><br>Richard Adams | <b>Date assessment commenced:</b><br>30 <sup>th</sup> September 2020 |  |
| <b>Name of Policy to be assessed:</b>   |                                     | Dog Control Public Spaces Protection Order  |  |  |  |
| <b>1. In what area are there concerns that the policy could have a differential impact</b>  |                                     | <i>Race</i>   |  | <i>Disability</i>  |  |
|   |                                     | <i>Gender reassignment</i>  |  | <i>Religion or Belief</i>  |  |
|   |                                     | <i>Sex</i>  |  | <i>Pregnancy and Maternity</i>                                       |  |
| <b>Other strategic/ equalities considerations</b>   |                                     | <i>Safeguarding/ Welfare of Children and vulnerable adults</i>  |  | <i>Mental Wellbeing/ Community Resilience</i>                        |  |
| <b>2. Background:</b><br><br>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 considering the removal, extension or a materially new Public Spaces Protection Order to address dog control in Oxford. 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> |  |  |  |

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|   | <p>The assessment makes due regard to whether implementation of the order will:</p> <ul style="list-style-type: none"> <li>• Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equalities Act;</li> <li>• Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>• Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul>   |
| <p><b>3. Methodology and Sources of Data:</b><br/>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.</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><b>4. Consultation</b></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"> <li>• Why you carried out the consultation.</li> <li>• Details about how you went about it.</li> <li>• A summary of the replies you received from people you consulted.</li> <li>• An assessment of your proposed policy (or policy options) in the light of the responses you received.</li> <li>• A statement of what you plan to do next</li> </ul> | <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"> <li>▪ Dog fouling</li> <li>▪ Dogs on leads</li> <li>▪ The number of dogs in a person’s control</li> <li>▪ Dogs in children’s play parks</li> </ul> <p>Please refer to the consultation report at Appendix 4 of the attached Cabinet report.</p> |

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- Nothing in the proposed Order shall apply to a person who –
- Is registered as a blind person on a register compiled under section 29 or the National Assistance Act 1948; or
  - Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (register charity number 293358) and upon which the person relies for assistance; or
  - Has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out common day-to-day activities in respect of a dog trained by any current or future members of Assistance Dogs UK, or any other charity registered in the UK with a purpose of training assistance dogs and upon which the person relies for assistance
  - Has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities and in the reasonable opinion of the Council that person relies upon the assistance of the dog in connection with their disability.

### Dog fouling

The most common complaint relating to dogs is fouling of the footpath and the associated public health risks, such as toxocarasis. Children are more likely to touch affected soil or faeces, increasing the risk of illness.

Addressing dog fouling will have a positive impact on people with physical disabilities including those with restricted movement.

|                            |                                |   |
|----------------------------|--------------------------------|---|
| <b>Race</b>                | <b>Disability</b>              | <b>Age</b>                              |
| Neutral                    | Positive                       | Positive                                |
| <b>Gender reassignment</b> | <b>Religion or Belief</b>      | <b>Sexual Orientation</b>               |
| Neutral                    | Neutral                        | Neutral                                 |
| <b>Sex</b>                 | <b>Pregnancy and Maternity</b> | <b>Marriage &amp; Civil Partnership</b> |
| Neutral                    | Neutral                        | Neutral                                 |

### Dogs in children's play parks

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| <p>Children are more likely to be afraid of dogs they don't know. The Kennel Club's response to the consultation state that children should be able to socialise safely with dogs, under adult supervision, but does not normally oppose orders restricting dogs from play parks.</p> <p>Children and adults with a disability will be able to use the play parks without having concerns about dogs either running around the park, dog faeces, or leads being trip hazards.</p> |                                |   |
| <b>Race</b>   | <b>Disability</b>              | <b>Age</b>                              |
| Neutral   | Positive                       | Positive                                |
| <b>Gender reassignment</b>  | <b>Religion or Belief</b>      | <b>Sexual Orientation</b>               |
| Neutral   | Neutral                        | Neutral                                 |
| <b>Sex</b>  | <b>Pregnancy and Maternity</b> | <b>Marriage &amp; Civil Partnership</b> |
| Neutral   | Neutral                        | Neutral                                 |
| <p><b>Dogs on leads by order</b></p> <p>Enabling officers to direct dog owners to place their dogs on a lead will have a positive impact on those whose disability may mean they cannot protect themselves from a dog out of the owner's control. This also applies to children, young people and the elderly.</p>  |                                |   |
| <b>Race</b>   | <b>Disability</b>              | <b>Age</b>                              |
| Neutral   | Positive                       | Positive                                |
| <b>Gender reassignment</b>  | <b>Religion or Belief</b>      | <b>Sexual Orientation</b>               |
| Neutral   | Neutral                        | Neutral                                 |
| <b>Sex</b>  | <b>Pregnancy and Maternity</b> | <b>Marriage &amp; Civil Partnership</b> |
| Neutral   | Neutral                        | Neutral                                 |
| <p><b>Restricting the number of dogs under the control of a single person</b></p>   |                                |   |

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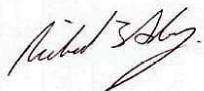
|  |   |  |                                       |                                |   |  |  |                               |   |  |
|--|---|--|---------------------------------------|--------------------------------|---|--|--|-------------------------------|---|--|
|  | <p>Multiple dogs under the responsibility of a single person can result in dogs not being under control. This is particularly the case if they are not on a lead. Dogs on or off leads in large groups may mean people with a disability cannot protect themselves. This also applies to children, young people and the elderly.</p> <table border="1" data-bbox="763 387 2192 707"> <tr> <td data-bbox="763 387 1294 491"> <p><b>Race</b><br/>Neutral</p> </td> <td data-bbox="1294 387 1742 491"> <p><b>Disability</b><br/>Positive</p> </td> <td data-bbox="1742 387 2192 491"> <p><b>Age</b><br/>Positive</p> </td> </tr> <tr> <td data-bbox="763 491 1294 595"> <p><b>Gender reassignment</b><br/>Neutral</p> </td> <td data-bbox="1294 491 1742 595"> <p><b>Religion or Belief</b><br/>Neutral</p> </td> <td data-bbox="1742 491 2192 595"> <p><b>Sexual Orientation</b><br/>Neutral</p> </td> </tr> <tr> <td data-bbox="763 595 1294 707"> <p><b>Sex</b><br/>Neutral</p> </td> <td data-bbox="1294 595 1742 707"> <p><b>Pregnancy and Maternity</b><br/>Neutral</p> </td> <td data-bbox="1742 595 2192 707"> <p><b>Marriage &amp; Civil Partnership</b><br/>Neutral</p> </td> </tr> </table> | <p><b>Race</b><br/>Neutral</p>                             | <p><b>Disability</b><br/>Positive</p> | <p><b>Age</b><br/>Positive</p> | <p><b>Gender reassignment</b><br/>Neutral</p> | <p><b>Religion or Belief</b><br/>Neutral</p> | <p><b>Sexual Orientation</b><br/>Neutral</p> | <p><b>Sex</b><br/>Neutral</p> | <p><b>Pregnancy and Maternity</b><br/>Neutral</p> | <p><b>Marriage &amp; Civil Partnership</b><br/>Neutral</p> |
| <p><b>Race</b><br/>Neutral</p>   | <p><b>Disability</b><br/>Positive</p>   | <p><b>Age</b><br/>Positive</p>                             |                                       |                                |   |  |  |                               |   |  |
| <p><b>Gender reassignment</b><br/>Neutral</p>  | <p><b>Religion or Belief</b><br/>Neutral</p>  | <p><b>Sexual Orientation</b><br/>Neutral</p>               |                                       |                                |   |  |  |                               |   |  |
| <p><b>Sex</b><br/>Neutral</p>  | <p><b>Pregnancy and Maternity</b><br/>Neutral</p>   | <p><b>Marriage &amp; Civil Partnership</b><br/>Neutral</p> |                                       |                                |   |  |  |                               |   |  |
| <p><b>6. Consideration of Measures:</b></p> <p>This section should explain in detail all the consideration of alternative approaches/mitigation of adverse impact of the policy</p>  | <p>No adverse impacts of the policy have been identified.<br/>The measures are proportionate responses to problems caused by dogs and irresponsible owners.</p>   |  |                                       |                                |   |  |  |                               |   |  |
| <p><b>6a. Monitoring Arrangements:</b></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 Community Safety Team will oversee the use of all enforcement actions in accordance with the Council's ASB Enforcement Policy.</p> <p>Advice, warnings and enforcement of the PSPO will be logged in pocket notebooks and council and police databases.</p>  |  |                                       |                                |   |  |  |                               |   |  |

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| <b>7. Date reported and signed off by City Executive Board:</b>  |                               | November 11 <sup>th</sup> 2020   |                               |  |                               |
| <b>8. Conclusions:</b><br><br>What are your conclusions drawn from the results in terms of the policy impact |                               | The introduction of the Dog Control PSPO will impact positively on the lives of people who live, work and visit the city, particularly those with disabilities, children, young people and the elderly. The Council's approach to enforcement is detailed in Oxford City Council's Anti-Social Behaviour Policy, available on the council's website. |                               |  |                               |
| <b>9. Are there implications for the Service Plans?</b>  | No                            | <b>10. Date the Service Plans will be updated</b>  |                               | <b>11. Date copy sent to Equalities Officer in HR &amp; Facilities</b> | 5 <sup>th</sup> October 2020  |
| <b>13. Date reported to Scrutiny and Cabinet:</b>  | 26 <sup>th</sup> October 2020 | <b>14. Date reported to Cabinet:</b>   | 26 <sup>th</sup> October 2020 | <b>12. The date the report on EqlA will be published</b>               | 26 <sup>th</sup> October 2020 |

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Signed (completing officer)



Signed (Lead Officer)



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

Richard Adams, Service Manager