

## Equality Impact Assessment Form and Action Table 2015

(Expand the boxes as appropriate, please see guidance)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

**Baroness Thornton, March 2010**

**What are you completing the Impact Assessment on (which policy, service, MTFP reference etc.)?**

PUBLIC SPACES PROTECTION ORDER - DOGS

**Version**

2

**Date**

1 July 2021

### **Section 1 – Description** of what is being impact assessed

The impact of a Public Spaces Protection Order (PSPO), if made and in force. The PSPO would place certain requirements and prohibitions on the public when using certain public spaces in the Mid Devon District.

### **Section 2A – People or communities that are targeted or could be affected** (taking particular note of the Protected Characteristic listed in action table)

All members of the public would be required to abide by the PSPO, if made and in force. The PSPO does contain exemptions in Clause 10 which would exclude any person who:

1. is registered as blind, sight or hearing impaired under the National Assistance Act 1948, or any other legislation;
2. has a disability which affects his mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a registered charity and upon which he relies for assistance;
3. is using a working dog for purposes of law enforcement, military duties or statutory emergency services (search and rescue); or
4. is using a working dog for agricultural activities or exempt hunting as set out in Schedule 1 of the Hunting Act 2004.

### **Section 2B – People who are delivering** the policy or service

Policy proposed by Street Scene and Open Spaces. If made and in force, the PSPO will be enforced by Council Officers (Street Scene) and the police.

**Section 3 – Evidence and data** used for the assessment (Attach documents where appropriate)

A review of Guidance highlighted the specific impact of a PSPO on members of the public with certain protected characteristics i.e. disability.

[https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance\\_06\\_1.pdf](https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1.pdf)

Two public consultations were undertaken concerning the proposed terms of the PSPO and asking for comments on the PSPO's impact.

**Section 4 – Conclusions** drawn about the equalities impact (positive or negative) of the proposed change or new service/policy:

It is clear that the requirements and prohibitions suggested within the PSPO were going to have a direct impact as described above, and so the PSPO was drafted to allow any persons with the disability protected characteristics to be exempt from Order.

The purpose of an equality impact assessment is to ensure that our services, policies and practices do not directly, indirectly, intentionally or unintentionally discriminate against the users of our services or our staff. Where a negative impact is found, we will mitigate the impact through the development and implementation of equality improvement plans.

**If you have identified any negative impacts you will need to consider how these can be mitigated to either reduce or remove them. In the table below let us know what mitigation you will take. (Please add rows where needed)**

<b>Identified issue drawn from your conclusions</b>	<b>Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?</b>	<b>Who is responsible for the actions? When will the action be completed?</b>	<b>How will it be monitored? What is the expected outcome from the action?</b>
<b>Age</b>			
Different approaches and mechanisms are required for engaging with and representing, people of different ages, in particular children and young people.	N/A	N/A	N/A
<b>Disability</b>			
Different approaches and mechanisms may be required for engaging with and representing, people with a range of disabilities depending on their individual needs.	The exemptions contained within section 10 of the draft PSPO fully mitigate the impacts identified.	Environment and Enforcement Manager	Complaints should be monitored to ensure Council Officers responsible for enforcement have regard to the exemptions in practice.
<b>Gender Reassignment</b>			
It is very important that the specification does not discriminate against those who are or have undergone gender reassignment who currently use the service or may wish to use it in the future.	N/A	N/A	N/A
<b>Marriage and Civil Partnership</b>			
No issues identified	N/A	N/A	N/A

<b>Pregnancy and Maternity</b>			
It is very important that the specification does not discriminate against those who are pregnant, who use the service or who wish to use it in the future.	N/A	N/A	N/A
<b>Race</b> (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)			
It is very important that the specification reflects the particular needs of people from all backgrounds who currently use the service or may wish to use it in the future.	N/A	N/A	N/A
<b>Religion and Belief</b>			
It is very important that the specification reflects the particular needs of people irrelevant of their religions and beliefs who currently use the service or may wish to use it in the future.	N/A	N/A	N/A
<b>Sex</b>			
It is very important that the specification reflects the particular needs of people irrelevant of their sex who currently use the service or may wish to use it in the future.	N/A	N/A	N/A
<b>Sexual Orientation</b>			
It is very important that the specification reflects the particular needs of people irrelevant of their sexual orientation who currently use the service or may wish to use it in the future.	N/A	N/A	N/A

<b>Other</b> (including caring responsibilities, rurality, low income, Military Status etc)			
<p><b>Rurality</b></p> <p>It is important that the service is able to engage with and represent individuals who live in rural areas and / or have limited access to public transport.</p>	<p>The specification requires the Provider to meet the needs of all people in Mid Devon, to have a presence in local communities and ensure that communication plans reflect the rurality of Mid Devon.</p> <p>The Provider is required to ensure that the service represents the diverse population of Mid Devon and that reasonable adjustments are made to all services / activities to ensure individuals are able to access the service.</p> <p>Operational commissioning of the service will ensure that the service is being delivered according to the service specification and quality standards and will take account of customer feedback.</p>	<p>Environment and Enforcement Manager</p>	<p>Complaints and/or comments should be monitored to ensure compliance.</p>

**Section 6** - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment?

Published with the Policy, also the Committee and Cabinet Reports. The assessment will be taken into account by Members in making the final decision about whether to make the PSPO in the recommended form.

<b>Completed by:</b>	Vicky Lowman
<b>Date</b>	01.07.2021
<b>Signed off by:</b>	
<b>Date</b>	
<b>Compliance sign off Date</b>	
<b>To be reviewed by:</b> (officer name)	
<b>Review date:</b>	