

# SSA EQUALITY IMPACT AND NEEDS ANALYSIS

<b>Directorate</b>	<b>Environment and Community Services</b>
<b>Service Area</b>	<b>Parks</b>
<b>Service/policy/function being assessed</b>	<b>Public Space Protection Orders</b>
<b>Which borough (s) does the service/policy apply to</b>	Richmond
<b>Staff involved in developing this EINA</b>	Sasha O'Neill, Yvonne Kelleher
<b>Date approved by Directorate Equality Group (if applicable)</b>	
<b>Date approved by Policy and Review Manager</b> All EINAs must be signed off by the Policy and Review Manager	
<b>Date submitted to Directors' Board</b>	

## 1. Summary

**Please summarise the key findings of the EINA.**

- The Council would like to renew the 2020 Public Spaces Protection Orders (PSPO) to help the police and Council tackle anti-social behaviour on public land. These were initially put in place in 2017 and renewed in 2020.
- The PSPOs effectively replaced and updated existing measures including Dog Control Orders, Designated Public Place Orders and Park Byelaws. 32 provisions are proposed.
- The pool of authorised enforcement officers includes both police and Council officers and so are better able to support each other in dealing with offences.
- The benefit of the PSPOs are that they allow more proactive and effective enforcement against anti-social behaviour in public places through fixed penalty notices. Prior to 2017, apart from Dog Control Orders, Fixed Penalty Notices (FPNs) could not be given for low-level anti-social behaviour and prosecution powers were very rarely used - thus the deterrent was weak.
- An educational approach is generally taken, to give details to offenders why a behaviour is prohibited or required and an opportunity to correct it where possible. Since the renewal in October 2020, 647 FPNs have been issued.
- The outcome sought is that the law-abiding majority can use and enjoy public spaces without fear of anti-social behaviour. This is likely to have a greater positive impact on disabled people, ethnic groups, women, young people and older people.

## 2. Evidence gathering and engagement

**a. What evidence has been used for this assessment? For example, national data, local data via DataRich or DataWand**

<b>Evidence</b>	<b>Source</b>
<b>Local Data</b>	<b>Data Rich, Parks Customer Satisfaction Survey, Census 2021</b>

National Data	ONS, Census 2021, GLA
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**b. Who have you engaged and consulted with as part of your assessment?**

Individuals/Groups	Consultation/Engagement results	Date	What changed as a result of the consultation
Residents	Online consultation	2 <sup>nd</sup> June to 2 <sup>nd</sup> July	N/A

**3. Analysis of need**

**Potential impact on this group of residents and actions taken to mitigate impact and advance equality, diversity and inclusion**

Protected group	Findings																											
Age	<table><tr><th>Age group</th><th>Census (2021)</th><th>PCUS (2021)</th></tr><tr><td>75+</td><td>7.3%</td><td>9%</td></tr><tr><td>65-74</td><td>8.9%</td><td>17%</td></tr><tr><td>55-64</td><td>12.4%</td><td>22%</td></tr><tr><td>45-54</td><td>16.1%</td><td>23%</td></tr><tr><td>35-44</td><td>15.9%</td><td>20%</td></tr><tr><td>25-34</td><td>11.3%</td><td>5%</td></tr><tr><td>15-24*</td><td>10%</td><td>0% (20-24)*</td></tr><tr><td>under 14*</td><td>19%</td><td>1% (under 20)*</td></tr></table> <p>* Different age categorisation under ages of 18 between surveys shown in brackets</p> <p>These figures show that those aged 25-34 are under-represented in relation to parks.</p> <p>Notwithstanding the minor differences in age categorisation, those aged under 24 are also under-represented in relation to parks.</p> <p>Those aged 45-54, 55-64 and 65-74 are over-represented in relation to parks.</p>	Age group	Census (2021)	PCUS (2021)	75+	7.3%	9%	65-74	8.9%	17%	55-64	12.4%	22%	45-54	16.1%	23%	35-44	15.9%	20%	25-34	11.3%	5%	15-24*	10%	0% (20-24)*	under 14*	19%	1% (under 20)*
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Disability	<p>The PCUS (6%) showed an under-representation of people with a disability – the borough census figure is 11%. In the PCUS survey, 7% respondents considered they had children with a disability.</p>																											

<b>Sex</b>	PCUS data for gender show similarity that 61% respondents being female, and 35% male. This contrasts with borough census figures of 51.9% female and 48.1% male. 4% preferred not to say in the PCUS.
<b>Gender reassignment</b>	The 2021 Census recorded that 93.98% of the population are the same gender identity from sex registered at birth, 0.15% are a different gender identity from sex registered at birth, 0.09% are trans women, 0.07% are trans men, 0.04% are non-binary, 0.05% are 'All other gender identities and 5.63% abstained from answering the questions. The consultation contains options for free text comments and provided options for all gender identities.
<b>Marriage and civil partnership</b>	47.3% of people in the borough are married or in a civil partnership. The consultation contains options for free text comments.
<b>Pregnancy and maternity</b>	In 2021 there were 2,422 conceptions in Richmond borough – an annual conception rate of 65 per 1000 women. This is lower than the conception rate for London (70.8 per 1000) and the rate for England (71.5 per 1000) (Census, 2021) The consultation contains options for free text comments.
<b>Race/ethnicity</b>	The data suggests that people of Asian minority ethnic communities may be under-represented in terms of parks. Against a census figure of 9% of population and 1% of PCUS respondents identified themselves as Asian or Asian British. People identifying themselves as black made up 1% of census returns and 1% of PCUS. People identifying themselves as of mixed ethnic groups made up 5% of the population in the census against 3% of PCUS respondents. Other ethnic groups made up 3% of the population in the census, against 2% of PCUS.
<b>Religion and belief, including non belief</b>	In 2021, just under half of residents identified themselves to be of Christian faith (45.3%). Relatively small minorities of residents in the borough identify as Muslim (4.3%), Hindu (2.1%), Sikh (1%), Buddhist (0.8%) or Jewish (0.6%), whilst 37.9% of the population of the borough reported that they hold no religious belief.
<b>Sexual orientation</b>	In 2021 Census the population of London had the largest percentage who identified themselves as lesbian, gay or bisexual (LGB) at 3.8%. Other higher figures such as 10% are sometimes quoted however an exact figure is difficult to source due to the sensitivity of the subject area and the variety of definitions used. In the 2021 Census for Richmond, 89% were recorded as straight/heterosexual, 1.9% gay or lesbian, 1.2% bisexual 0.3% as 'all other sexual orientations' and 7.6% did not answer. The 2023 consultation contained options for free text comments including on impacts on protected groups.
<b>Across groups i.e older LGBT service users or Black, Asian &amp; Minority Ethnic young men.</b>	There is no service data to determine any findings across groups. No user feedback has identified an impact.
<b>Socio-economic status (to be treated as a protected characteristic under Section 1 of the Equality Act 2010)</b>	<b>Deprivation:</b> Low Income groups & employment: 6.2% of children in Richmond living in relative low income in 2020/21 (DataRich) compared o 16.6% in London.  <b>Carers:</b>

<p><b>Include the following groups:</b></p> <ul style="list-style-type: none"> <li>• <b>Deprivation (measured by the 2019 English Indices of Deprivation)</b></li> <li>• <b>Low-income groups &amp; employment</b></li> <li>• <b>Carers</b></li> <li>• <b>Care experienced people</b></li> <li>• <b>Single parents</b></li> <li>• <b>Health inequalities</b></li> <li>• <b>Refugee status</b></li> </ul>	<p>In the 2021 census, 3.4% of the population in Richmond did 9 hours of unpaid care work which is higher than the that of London at 2.6%. This was on par for 10-19 hours at 1% for Richmond and London. It was lower for 20-34, 35 to 49 and 50 or more at 0.5% and 0.8%, 0.6% and 0.9% and 1.6% and 2% respectively.</p> <p><b>Care Experienced People:</b> Richmond Children and Young People's Needs Assessment 2019 - The 2019 Children and Young People's Needs Assessment reported that in 2018, Richmond had 105 Children Looked After compared to 5,630 in Outer London and 75,420 in England.</p> <p><b>Single Parents:</b> The 2021 census data found that 8.8% of children live in a single parent household in comparison to 13.3% across London.</p> <p><b>Health inequalities:</b> As mentioned above 6.2% of children in Richmond are living in relative low income which could impact health. In Richmond there is a 9.6% gap in employment rate between those with a long term health condition and overall employment compared to 8.8% in London and 9.9% in England in 2021/22 (Data Rich).</p> <p><b>Refugee Status:</b> There are 842 people with refugee status outside for the Hong Kong BNO scheme currently living in Richmond.</p> <table border="1" data-bbox="459 1167 1453 1742"> <thead> <tr> <th>Scheme</th><th>Richmond</th></tr> </thead> <tbody> <tr> <td>Syrian Resettlement scheme (2015-date)</td><td>Six families (32 people)</td></tr> <tr> <td>Afghan Resettlement scheme (2021 – date)</td><td>Four families (19 people)</td></tr> <tr> <td>Homes for Ukraine scheme (2022 – Date)</td><td>765</td></tr> <tr> <td>Unaccompanied Asylum Seeking Children</td><td>26</td></tr> <tr> <td>Hong Kong BNO scheme</td><td>No exact data available, but proxy data shows 497 School Applications from Hong Kongers and 985 people indicated they were born in Hong Kong in the 2021 Census</td></tr> </tbody> </table>	Scheme	Richmond	Syrian Resettlement scheme (2015-date)	Six families (32 people)	Afghan Resettlement scheme (2021 – date)	Four families (19 people)	Homes for Ukraine scheme (2022 – Date)	765	Unaccompanied Asylum Seeking Children	26	Hong Kong BNO scheme	No exact data available, but proxy data shows 497 School Applications from Hong Kongers and 985 people indicated they were born in Hong Kong in the 2021 Census
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### Data gaps

Data gap(s)	How will this be addressed?
Impact of the PSPO	The impact of the measures will be monitored in order to evaluate if there are any unintended negative impacts as a result.

#### 4. Impact

Protected group	Positive	Negative
<b>Age</b>	<p>Reducing anti-social and irresponsible behaviour and fear for personal safety may encourage children, young people and older people to make greater use of parks and public places.</p>	<p>It could be argued that young people are more likely to be visiting public places for active recreation, late at night, creating noise, drinking alcohol, camping and lighting fires. Therefore if implemented the impact of the PSPO to restrict these activities could have a negative impact on young people.</p> <p>There is potential for the provision against going to the toilet in public places could have a greater impact on children and older people.</p> <p>In order to mitigate the potential negative impacts identified above the following mitigating actions have been identified:</p> <ul style="list-style-type: none"> <li>• Parkguard officers undergo Equality and Diversity training before deployment (this is standard practice).</li> <li>• Officers will use their discretion over the circumstances involved in any incident, making reasonable adjustments for age. For example, except where a complete prohibition is in place, as it is for drones, activity that falls within the realms of normal play is unlikely to be enforced against unless the location is completely inappropriate.</li> <li>• Further, where public urination and defecation is concerned, Officers will use their discretion over the circumstances and person involved, including when dealing with children, older people or those with medical issues.</li> <li>• A discussive, educational approach will be taken first and a warning</li> </ul>

		<p>given before any enforcement action.</p> <ul style="list-style-type: none"> <li>• There will be publicity about the renewal of PSPOs and both temporary and permanent signage used to explain the measures in place.</li> </ul>
<b>Disability</b>	<p>Reducing anti-social and irresponsible behaviour and fear for personal safety may encourage people with a disability to make greater use of parks and public places.</p>	<p>The PSPOs could have a negative impact on some disabled people, for example those with learning difficulties or sensory impairments, who may not understand what is required when visiting a public place; they may be more likely to have enforcement action taken against them.</p> <p>In order to mitigate the potential negative impacts identified, the following mitigating actions have been identified:</p> <ul style="list-style-type: none"> <li>• Parkguard officers would undergo Equality and Diversity training before deployment (this is standard practice).</li> <li>• Officers will use their discretion over the circumstances involved in any incident, making reasonable adjustments for disabled park users.</li> <li>• A discussive, educational approach will be taken first and a warning given before any enforcement action.</li> <li>• There will be publicity about the renewal of PSPOs and both temporary and permanent signage used to explain the measures in place.</li> </ul>
<b>Sex</b>	<p>Reducing anti-social and irresponsible behaviour and fear for personal safety may encourage women to make greater use of parks and public places.</p>	<p>The PSPOs are unlikely to have a negative impact in terms of gender.</p>
<b>Gender reassignment</b>	<p>The increased presence in parks to implement the PSPO in the short-term may have the indirect beneficial impact of reducing or deterring hate crime and</p>	<p>The PSPOs are unlikely to have a negative impact on transgender people and no specific issues were raised during the consultation.</p>

	harassment incidents towards transgender people.	
<b>Marriage and civil partnership</b>	The impact of the PSPO is neutral on the issue of marriage and civil partnerships.	The impact of the PSPO is neutral on the issue of marriage and civil partnerships.
<b>Pregnancy and maternity</b>	The impact of the PSPO is neutral on the issue of pregnancy and maternity.	<p>Pregnant women could more likely to be impacted by the measure against public urination</p> <ul style="list-style-type: none"> <li>• Parkguard officers would undergo Equality and Diversity training before deployment (this is standard practice).</li> <li>• Officers will use their discretion over the circumstances involved in any incident, making reasonable adjustments for pregnancy</li> </ul>
<b>Race/ethnicity</b>	Reducing anti-social and irresponsible behaviour and fear for personal safety, and the indirect effects of an increased presence in parks to implement the PSPO, may encourage people from Black Asian and Minority Ethnic communities to make greater use of parks and public places.	<p>The PSPO could have a negative impact for those with limited English who may not understand what is required when visiting a public place; they may be more likely to have enforcement action against them.</p> <p>In order to mitigate the potential negative impacts identified above the following mitigating actions have been identified:</p> <ul style="list-style-type: none"> <li>• Officers will use their discretion over the circumstances involved in any incident, making reasonable adjustments for lack of language.</li> <li>• A discussive, educational approach will always be taken first and a warning given before any enforcement action.</li> <li>• There will be publicity about the renewal of PSPOs and both temporary and permanent signage used to explain the measures in place, using symbols where possible.</li> </ul> <p>It was raised in the 2020 consultation that PSPO could be used negatively against those whose homes are caravans, possibly referring at least in part to the travelling community.</p>

		Presumably this refers to ASB Article 11 on camping/overnight sleeping and Article 20 on unauthorised motor vehicles. These Articles apply to all persons and all vehicles. Unauthorised traveller encampments are not dealt with using PSPOs, other legislation or legal processes are used in these cases.
<b>Religion and belief, including non belief</b>	The impact of the PSPO is neutral on the issue of religion and belief including non belief	The impact of the PSPO is neutral on the issue of religion and belief including non belief
<b>Sexual orientation</b>	The increased presence in parks to implement the PSPO in the short-term may have the indirect beneficial impact of reducing or deterring hate crime and harassment incidents towards people on the basis of their sexual orientation.	<p>An issue was identified in 2017 that could lead to a negative impact on people on the basis of their sexual orientation.</p> <p>Anti-social Behaviour Article 18, was a new provision giving the ability for officers to penalise a person engaging in lewd or sexually explicit behaviour that is likely to cause harassment, alarm or distress to other people. Rather than stopping public sex completely, this measure is aimed at preventing acts taking place in very public areas where they are observed by others including vulnerable people and children.</p> <p>No formal enforcement has been undertaken under this Article since 2017.</p> <p>The Article applies to all persons and all couples of any gender or sexual orientation. It covers acts that are already illegal which would typically be dealt with by the police.</p> <p>During the 2020 consultation, two residents raised the issue that the measure could be used negatively against the LGBT+ community. Whilst the PSPO would be applied in an even manner as outlined above, the following steps were taken to mitigate this potential negative impact:</p> <ul style="list-style-type: none"> <li>• Officers will consult Richmond LGBT Forum about implementation of the</li> </ul>



		<p>order and any training / advice for patrol officers.</p> <ul style="list-style-type: none"> <li>• There will be publicity about the renewal of PSPOs and both temporary and permanent signage used to explain the measures in place.</li> <li>• Parkguard officers would undergo Equality and Diversity training before deployment (this is standard practice).</li> <li>• A considered, educational approach is always be taken first and a warning given before any enforcement action.</li> <li>• Enforcement approach, tolerance levels and use of discretion reviewed on an ongoing basis</li> </ul>
<p><b>Socio-economic status (to be treated as a protected characteristic under Section 1 of the Equality Act 2010)</b>  <b>Include the following groups:</b></p> <ul style="list-style-type: none"> <li>• <b>Deprivation (measured by the 2019 English Indices of Deprivation)</b></li> <li>• <b>Low-income groups &amp; employment</b></li> <li>• <b>Carers</b></li> <li>• <b>Care experienced people</b></li> <li>• <b>Single parents</b></li> <li>• <b>Health inequalities</b></li> <li>• <b>Refugee status</b></li> </ul>	<p>Reducing anti-social and irresponsible behaviour and fear for personal safety may encourage people who are care experienced to access their parks and open spaces more.</p> <p>By reducing the anti-social behaviour and fear for personal safety in parks and open spaces it is ensuring that these free spaces are accessible for people with low-income groups who need them to exercise.</p>	<p>The negative impact of the PSPO is neutral on most Socio-economic statuses however it could have a negative impact on those with health conditions regarding the Article on public urination. However officers will use their discretion over the circumstances involved in any incident, making reasonable adjustments for health conditions. There is also options to appeal any FPN which has been given should the person not wish to disclose personal information at the time.</p> <p>In terms of refugee status the PSPO could have a negative impact for those with limited English who may not understand what is required when visiting a public place; they may be more likely to have enforcement action against them.</p> <p>In order to mitigate the potential negative impacts identified above the following mitigating actions have been identified:</p> <ul style="list-style-type: none"> <li>• Officers will use their discretion over the circumstances involved in any</li> </ul>

		<p>incident, making reasonable adjustments for lack of language.</p> <ul style="list-style-type: none"> <li>• A discussive, educational approach will always be taken first and a warning given before any enforcement action.</li> <li>• There will be publicity about the renewal of PSPOs and both temporary and permanent signage used to explain the measures in place, using symbols where possible.</li> </ul>
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### 5. Actions to advance equality, diversity and inclusion

Action	Lead Officer	Deadline
Following approval of the renewal, check that all required exemptions are in place.	Senior Solicitor	October 2023
Undertake publicity and ensure signage in place to make residents fully aware of the measures.	Parks Service Manager	October 2023
Consider how equalities monitoring of people spoken to related to PSPOs can be undertaken to identify if in practice a particular equality community is being disproportionately affected.	Parks Service Manager	Ongoing
Continue to require all authorised officers to undergo equalities training.	Parks Service Manager	Ongoing
Discuss enforcement approach, tolerance levels and use of discretion with authorised officers and police.	Parks Service Manager	Ongoing

### 6. Further Consultation (optional section – complete as appropriate)

Consultation planned	Date of consultation
A public consultation is planned for the renewal which will take place for 4 weeks. There are no proposed changes to the PSPO's in relation to antisocial behaviour. It is an online survey asking for views on each measure, if any restricted behaviour had been experienced and an opinion on whether the PSPO had addressed the issue since 2020. A number of background questions were also asked, including asking respondents about any potential impacts on groups with protected characteristics.	TBC