

## Enfield Equality Impact Assessment (EqIA)

### Introduction

The purpose of an Equality Impact Assessment (EqIA) is to help Enfield Council make sure it does not discriminate against service users, residents and staff, and that we promote equality where possible. Completing the assessment is a way to make sure everyone involved in a decision or activity thinks carefully about the likely impact of their work and that we take appropriate action in response to this analysis.

The EqIA provides a way to systematically assess and record the likely equality impact of an activity, policy, strategy, budget change or any other decision.

The assessment helps us to focus on the impact on people who share one of the different nine protected characteristics as defined by the Equality Act 2010 as well as on people who are disadvantaged due to socio-economic factors. The assessment involves anticipating the consequences of the activity or decision on different groups of people and making sure that:

- unlawful discrimination is eliminated
- opportunities for advancing equal opportunities are maximised
- opportunities for fostering good relations are maximised.

The EqIA is carried out by completing this form. To complete it you will need to:

- use local or national research which relates to how the activity/ policy/ strategy/ budget change or decision being made may impact on different people in different ways based on their protected characteristic or socio-economic status;
- where possible, analyse any equality data we have on the people in Enfield who will be affected eg equality data on service users and/or equality data on the Enfield population;
- refer to the engagement and/ or consultation you have carried out with stakeholders, including the community and/or voluntary and community sector groups you consulted and their views. Consider what this engagement showed us about the likely impact of the activity/ policy/ strategy/ budget change or decision on different groups.

The results of the EqIA should be used to inform the proposal/ recommended decision and changes should be made to the proposal/ recommended decision as a result of the assessment where required. Any ongoing/ future mitigating actions required should be set out in the action plan at the end of the assessment.

## Section 1 – Equality analysis details

<b>Title of service activity / policy/ strategy/ budget change/ decision that you are assessing</b>	Review of Fixed Penalty Notices (Waste offences) 2023
<b>Team/ Department</b>	Waste Enforcement
<b>Executive Director</b>	Doug Wilkinson Director of Environment & Street Scenes Simon Pollock Interim Executive Director Environment and Communities
<b>Cabinet Member</b>	Cllr Susan Erbil
<b>Author(s) name(s) and contact details</b>	Esther Hughes <a href="mailto:Esther.Hughes@Enfield.gov.uk">Esther.Hughes@Enfield.gov.uk</a> 020 8132 2147
<b>Committee name and date of decision</b>	n/a

<b>Date the EqIA was reviewed by the Corporate Strategy Service</b>	
<b>Name of Head of Service responsible for implementing the EqIA actions (if any)</b>	<b>Esther Hughes</b>
<b>Name of Director who has approved the EqIA</b>	<b>Doug Wilkinson</b>

The completed EqIA should be included as an appendix to relevant EMT/ Delegated Authority/ Cabinet/ Council reports regarding the service activity/ policy/ strategy/ budget change/ decision. Decision-makers should be confident that a robust EqIA has taken place, that any necessary mitigating action has been taken and that there are robust arrangements in place to ensure any necessary ongoing actions are delivered.

## Section 2 – Summary of proposal

Please give a brief summary of the proposed service change / policy/ strategy/ budget change/project plan/ key decision

**Please summarise briefly:**

What is the proposed decision or change?  
 What are the reasons for the decision or change?  
 What outcomes are you hoping to achieve from this change?  
 Who will be impacted by the project or change - staff, service users, or the wider community?

**Proposal:**

- 1) Adopt new levels for fixed penalty notice (FPN) for offences related to littering, fly-tipping, household waste duty of care, graffiti & fly posting and to give a discount for early payment detailed in the following table.

Offence	Proposed FPN Level	Proposed early payment discounted FPN Level
s33 - Fly tipping	£1,000	£500
s87 - Littering (dropped litter & dumped household waste (black bags) *)	£500	£250
S34 ZA -Household Duty of Care	£600	£500
Graffiti	£500	£250
Fly Posting	£500	£250

- 2) Amend the payment period for FPNs for littering, fly-tipping, household waste duty of care, fly tipping and graffiti to 28 days and the early payment (discounted FPN level) period to 14 days.

- 3) We aim to introduce the new FPN levels from the 1 January 2024

**Reason for Decision**

- The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 came into force on the 31st July 2023, this gave local authorities the option to increase the fines issued under fixed penalty notices (FPN) for the unauthorised or harmful deposit, treatment or disposal of waste and duty of care for household waste.
- Wish to increase the fines to support the Council Plan 2023-2026.
- Demonstrate that Enfield takes a robust approach to this type of anti-social behaviour
- Act as a deterrent.

**Outcomes achieved**

- Reduction in this type of offending
- This will have a positive impact on all protected groups as the proposed changes are expected to achieve a reduction in environmental offences.

**Who will be impacted**

- Persons on whom fines are issued
- Residents and businesses in the Borough who will hopefully see a reduction in these environmental offences.

## Section 3 – Equality analysis

This section asks you to consider the potential differential impact of the proposed decision or change on different protected characteristics, and what mitigating actions should be taken to avoid or counteract any negative impact.

According to the Equality Act 2010, protected characteristics are aspects of a person's identity that make them who they are. The law defines 9 protected characteristics:

1. Age
2. Disability
3. Gender reassignment.
4. Marriage and civil partnership.
5. Pregnancy and maternity.
6. Race
7. Religion or belief.
8. Sex
9. Sexual orientation.

At Enfield Council, we also consider socio-economic status as an additional characteristic.

“Differential impact” means that people of a particular protected characteristic (eg people of a particular age, people with a disability, people of a particular gender, or people from a particular race and religion) will be significantly more affected by the change than other groups. Please consider both potential positive and negative impacts, and provide evidence to explain why this group might be particularly affected. If there is no differential impact for that group, briefly explain why this is not applicable.

Please consider how the proposed change will affect staff, service users or members of the wider community who share one of the following protected characteristics.

**Detailed information and guidance on how to carry out an Equality Impact Assessment is available [here](#). (link to guidance document once approved)**

**Age**

This can refer to people of a specific age e.g. 18-year olds, or age range e.g. 0-18 year olds.

Will the proposed change to service/policy/budget have a **differential impact [positive or negative]** on people of a specific age or age group (e.g. older or younger people)? No

Please provide evidence to explain why this group may be particularly affected.

- Enforcement action will not be taken against minors.

**Mitigating actions to be taken**

- Age verification always sought. Any FPNs that are issued in error to minors will be withdrawn and no further action taken,

**Disability**

A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on the person's ability to carry out normal day-day activities.

This could include: physical impairment, hearing impairment, visual impairment, learning difficulties, long-standing illness or health condition, mental illness, substance abuse or other impairments.

Will the proposed change to service/policy/budget have a **differential impact [positive or negative]** on people with disabilities? No

Please provide evidence to explain why this group may be particularly affected.

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**Mitigating actions to be taken**

In the event of enforcement action being taken against any person who may have a disability, medical verification of this will be sought before any further action is taken &/or the enforcement action withdrawn.

**Gender Reassignment**

This refers to people who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on transgender people?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on transgender people.

**Mitigating actions to be taken**

**Marriage and Civil Partnership**

Marriage and civil partnerships are different ways of legally recognising relationships. The formation of a civil partnership must remain secular, where-as a marriage can be conducted through either religious or civil ceremonies. In the U.K both marriages and civil partnerships can be same sex or mixed sex. Civil partners must be treated the same as married couples on a wide range of legal matters.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people in a marriage or civil partnership?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on a person because of their marital or civil partnership status.

**Mitigating actions to be taken**

**Pregnancy and maternity**

Pregnancy refers to the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on pregnancy and maternity?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on people because they are pregnant or expecting a baby.

**Mitigating actions to be taken**

**Race**

This refers to a group of people defined by their race, colour, and nationality (including citizenship), ethnic or national origins.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people of a certain race?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on people because of their race.

**Mitigating actions to be taken**

**Religion and belief**

Religion refers to a person's faith (e.g. Buddhism, Islam, Christianity, Judaism, Sikhism, Hinduism). Belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people who follow a religion or belief, including lack of belief?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on people because of their religion or belief.

**Mitigating actions to be taken**



**Sex**

Sex refers to whether you are a female or male.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on females or males?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that will have a differential impact on people because of their sex.

**Mitigating actions to be taken**

**Sexual Orientation**

This refers to whether a person is sexually attracted to people of the same sex or a different sex to themselves. Please consider the impact on people who identify as heterosexual, bisexual, gay, lesbian, non-binary or asexual.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people with a particular sexual orientation?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on people because of their sexual orientation.

**Mitigating actions to be taken**

**Socio-economic deprivation**

This refers to people who are disadvantaged due to socio-economic factors e.g. unemployment, low income, low academic qualifications or living in a deprived area, social housing or unstable housing.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people who are socio-economically disadvantaged?

Please provide evidence to explain why this group may be particularly affected.

It is not anticipated that this will have a differential impact on people due to any of the protected characteristics as defined in law.

**Mitigating actions to be taken.**

In exceptional circumstances we may consider allowing an extended period for payment, but this would be on a case by case basis.

## Section 4 – Monitoring and review

How do you intend to monitor and review the effects of this proposal?

Who will be responsible for assessing the effects of this proposal?

Quarterly contract monitoring meetings & annual review will be in place.

## Section 5 – Action plan for mitigating actions

Any actions that are already completed should be captured in the equality analysis section above. Any actions that will be implemented once the decision has been made should be captured here.

Identified Issue	Action Required	Lead officer	Timescale/By When	Costs	Review Date/Comments