

# Public Protection Enforcement



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## Equality Impact Assessment – screening.

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Name of Strategy/Policy: **Public Protection Enforcement Policy**

Date of Assessment: 11 November 2008

Is this a new or updated Policy? Existing

How is the Strategy/Policy finalised/adopted: Cabinet 6/3/06

Lead Officer conducting the assessment: Dave Green

Job Title: Team Leader Commercial Services

Service area: Public Protection Contact details: 01604 837657

**Others involved in the assessment** (*this could include service users, front line officers, people with specialist knowledge or interest*):

David Green

Joe Alfano

Lee Owens

Mohamed Rahman

**Identify what the activity is trying to achieve – why is the Policy/activity<sup>1</sup> required** (*is there a statutory duty, how was the issue identified, who was the originator of the activity, etc*).

The enforcement policy was produced in consultation with Legal Services to ensure the Council had a generic enforcement policy to cover all work areas that could be published on the Council's website rather than the previous arrangement of several different enforcement policies. This policy now falls under the Environment and Culture Directorate with the following main service areas;

\*Streetscene

\*Public Protection

\*Leisure and Culture

The policy also has to reflect the guidance given by other agencies such as the Food Standards Agency, Health and Safety Executive, DEFRA, Environment Agency, Lacors and the Home Office.

Enforcement issues are difficult but are at the centre of many citizen and business focused services. We need to be transparent on all aspects of enforcement including the criteria for decisions in order that the citizens and businesses of Northampton to understand the implications of their actions should they be deemed to fall under the legislation the Council enforces.

Enforcement issues have potential to affect all equalities groups but from the information the main strand affected relates to race as out of over 4600 business

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<sup>1</sup> Policy/activity in this context includes policies, services, strategies, functions, projects, plans, restructures, major events, etc

premises there is a large number owned or managed by people from BME or diverse communities including people who do not speak English as a first language.

**Purpose of the Policy/activity.** *(What does the activity entail? Consider how the activity relates to the council's equality and diversity duties and strategic priorities, etc).*

The purpose of enforcement is to:

- \*Ensure that duty holders take action to deal immediately with serious matters
  - \*Promote and achieve sustained compliance with the law
  - \*Deal effectively with offenders utilising all existing legislation
  - \*Ensure duty holder who breach requirements be held to account, which may include bringing alleged offenders before the courts in the circumstances set out in the policy
- The ultimate purpose of the Public Protection Division is to ensure that duty holders manage and control matters effectively to ensure the health, safety and well being of the citizens of Northampton and visitors

There are several other objectives the Enforcement Policy is associated with in the Corporate Plan 08/11 these being

- \*Adult Health and Wellbeing
- \*Local Economy
- \*Safer Communities
- \*Environmental Sustainability

By 2010 Northampton will be Safer, Cleaner, Healthier and served by modern and efficient services.

**Identify the main beneficiaries or people affected by the issue** *(who benefits or is affected - local residents and users of area, community at large, visitors to the town, contractors working in the area, people delivering the service etc).*

The citizens of Northampton and visitors to the town are the main intended beneficiaries. Businesses and enforcement officers are also affected by our actions.

### **What information exists already?**

During 2007/08 2 prosecutions were undertaken affecting large companies. No equality issues were identified in the cases.

We have routinely carried out business satisfaction surveys to see if there has been any perceived inequality in our enforcement work and this has been carried forward into the new National Indicator 182. Inequalities have never been raised as an issue in any of the surveys we have carried to date.

Provision of language and interpretation facilities is made available as required. This includes the translation of documents or the conduct of interview. A break down of this information can be obtained from Robert Goulbourne.

In September 2006 the seven district councils of Northamptonshire submitted a joint bid to the Food Standards Agency to promote SFBB food safety management system in food businesses where English was not their first language. The bid was successful and grant of £72,532 was made and spent over the next 15 months using consultants to provide training in SFBB in these businesses. This resulted in 24

SFBB workshops around the county. Courses were presented in English ,Chinese, Bengali and Turkish languages. Six hundred and thirty five businesses tended with 193 of these being from Northampton.

Customer feedback is stored in our LAGAN system and the information stored is monitored periodically to determine whether any complaints (or compliments) relate to our service or are connected to issues surrounding equalities. The analysis of this information from 2007/08 did not reveal any issues for concern (or equality related)

Work is currently being undertaken to collect data on the profile of both offenders and victims of anti-social behaviour being dealt with by the council to ensure an equality service is being provided. 12 months data will be assessed at the end of March 2009.

**Has any consultation been undertaken on this or related issue?**

Surveys are conducted annually for the national indicator of satisfaction of business with local authority regulatory services NI 182. Prior to this indicator a local business customer service took place annually

**Are any reports or other relevant documents available from our organisation or from partners or other sources?**

N/a

**Which parts of the activity have the potential for adverse impact or to discriminate unlawfully?** *(Factors or issues that could contribute to inequality, consider risks and opportunities).*

Concerns exist regarding the communication of information to business/traders with limited English. This, however, is mitigated where possible by using language resources in accordance with our Interpreting and Translating guidance.

**Could a particular sector of the community be disadvantaged by the strategy/policy.**

As a large number of business and premises involve members from our diverse communities/BME there are concerns that people with limited English of different background may be more adversely affected although we do not have any direct evidence of this. The issue has never been raised on a customer survey or by complaint.

**If no**, then have this confirmed by the Corporate Equalities Steering Group representative for your area and signed off by your Service Head / Corporate Director/ Board. In the event of any queries, check with a member of the Policy team.

**Action points** *(please make this SMART-state what/who/how/when)*

Consider monitoring prosecution cases to establish whether any sector of the community is over/under represented and take remedial steps e.g. this could be publicity campaign or the provision of printed material in a targeted area

**I agree that this policy/activity should not proceed to a full Impact Assessment** *(If appropriate, date equality impact assessment will commence)*



Confirmed by: Steve Elsey      Signed by:

Please attach a copy of this screening to the document it relates

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Copy to be sent to Policy Team Leader at [policy@northampton.gov.uk](mailto:policy@northampton.gov.uk)

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## Equality impact assessment: Summary Report

**The results of equality impact assessments must be published. Please complete this summary, which will be used to publish the results of your impact assessment on the authority's web site and return it to the Policy Team**

<b>Date of Assessment: 11 November 2008</b>
<b>Completing Officer's Title/Position: Dave Green</b>
<b>Leading Officer's Name and members of the Equality impact assessment team: Steve Elsey, Dave Green, Joe Alfano and Lee Owens</b>
<b>Policy/Activity that was Impact Assessed:</b> Enforcement policy
<b>Summary of findings:</b>  A review of the implementation of this policy was carried out. During 2007/08 2 prosecutions were undertaken affecting large companies. No equality issues were identified in the cases. No complaints were submitted to the council in relation to this policy. Surveys for NI182 do not indicate there to be any issue. Officers use adequate language services wherever required.
<b>Summary of Recommendations and Key Points of Action Plan:</b>  Consider monitoring prosecution cases to establish whether any sector of the community is over/under represented and take remedial steps eg this could be publicity campaign or the provision of printed material in a targeted area.

Groups that this policy will impact upon: Race	
Race	Yes
Gender	No evidence
Sexual Orientation	No evidence
Age	No evidence
Disability	No evidence
Religion or Belief	No evidence
Other	No evidence