

Equality Impact Assessment (EqIA)

For advice on this document please contact Clare Muir on 72119 or email Clare.Muir@reading.gov.uk.

Please contact the Project Management Office at pmo@reading.gov.uk for advice and/or support to complete this form from a project perspective.

Name of proposal to be assessed: Enhanced Environmental Enforcement
Directorate: Economic Growth & Neighbourhood Services
Service: Environment & Commercial Services

Name: Holly Tough
Job Title: Senior Recycling & Enforcement Officer
Date of assessment: 19/02/2025

Version History

Version	Reason	Author	Date	Approved By
1		Holly Tough	19/02/2025	

Scope your proposal

- What is the aim of your policy or new service/what changes are you proposing?

The Council's strategic aim of ensuring that Reading is a clean, green, and safe place to live, work and visit is impacted by the behaviours of the town's residents, visitors, and business operators. Monitoring and regulating those behaviours relating to waste can ensure environmentally conscious practices.

The Council is seeking to extend their enforcement capabilities by entering a limited twelve-month trial contract with an external partner for the enforcement of environmental offences including littering, fly-tipping, and nuisance vehicles. The external partner will provide patrol Officers who will be contracted by the Council to enforce against certain environmental offences.

The partner will work alongside the Council's existing Recycling & Enforcement Team whose responsibilities include environmental enforcement activity, and resident engagement to improve recycling rates and to support the introduction of new statutory waste collection services to residential properties. The partnership will allow Council Officers to prioritise their recycling engagement alongside environmental enforcement.

- Who will benefit from this proposal and how?
All residents, businesses and visitors in Reading will benefit from this proposal in that there will be an increase in environmental enforcement to act as a deterrent to the offences being committed, resulting in a cleaner and greener environment.
- What outcomes does the change aim to achieve and for whom?
A reduction in the incidence of Environmental Crime supporting delivery of the Council's objective to provide a cleaner, greener and safer environment for the town's residents, businesses, and visitors. Making the town a more attractive place in which to live, work and visit.
- Who are the main stakeholders and what do they want?
It has been established through resident engagement that high-profile environmental enforcement activity to address environmental crime is of importance to our residents.
The main stakeholders are:
 - Residents & resident groups

- Businesses & REDA/Reading BID
- Visitors to Reading

Assess whether an EqIA is Relevant

How does your proposal relate to eliminating discrimination; advancing equality of opportunity; promoting good community relations?

- Do you have evidence or reason to believe that some groups may be affected differently than others (due to race, disability, sex, gender, sexuality, age, religious belief or due to belonging to the Armed Forces community or care experience)? Make reference to the known demographic profile of the service user group, your monitoring information, research, national data/reports etc.

Yes

The principle of good enforcement ensures that enforcement activity is consistent, proportionate, transparent, accountable, and targeted.

The enforcement policy recognises that fixed penalty notices should not be issued to people under the age of 18 years, to vulnerable people or where a disabled person is relying on a dog for assistance. The application of the Council's enforcement policy is a requirement of the partnership arrangement.

Prompt payment discounts are offered to help reduce fines and make them more affordable.

- Is there already public concern about potentially discriminatory practices/impact or could there be? Make reference to your complaints, consultation, feedback, media reports locally/nationally.

No.

If the answer is Yes to any of the above, you need to do an Equality Impact Assessment.

X

Completing Officer

X

Lead Officer

Assess the Impact of the Proposal

Your assessment must include:

- **Consultation**
- **Collection and Assessment of Data**
- **Judgement about whether the impact is negative or positive**

Think about who does and doesn't use the service? Is the take up representative of the community? What do different minority groups think? (You might think your policy, project or service is accessible and addressing the needs of these groups but asking them might give you a totally different view). Does it really meet their varied needs? Are some groups less likely to get a good service?

How do your proposals relate to other services - will your proposals have knock on effects on other services elsewhere? Are there proposals being made for other services that relate to yours and could lead to a cumulative impact?

Example: A local authority takes separate decisions to limit the eligibility criteria for community care services; increase charges for respite services; scale back its accessible housing programme; and cut concessionary travel.

Each separate decision may have a significant effect on the lives of disabled residents, and the cumulative impact of these decisions may be considerable.

This combined impact would not be apparent if decisions are considered in isolation.

Consultation

How have you consulted with or do you plan to consult with relevant groups and experts. If you haven't already completed a Consultation form do it now. The checklist helps you make sure you follow good consultation practice.

[Consultation manager form - Reading Borough Council Dash](#)

Relevant groups/experts	How will the views of these groups be obtained	Date when contacted

<p>Residents Businesses Visitors</p>	<p>It is not proposed to consult with the identified stakeholder groups prior to implementation as the activities of the Council’s partner will be no different to that of the Council’s own staff.</p> <p>Approval is not sought for the activity to be undertaken as the Council has a legislatively compliant delegation to do so, and by extension so would the Council’s partner.</p> <p>The Council will however seek to engage all stakeholder groups with a positive PR campaign in the run up to the launch of the enhanced activity. The press campaign will state the rationale for enhanced enforcement activity in delivery of the Council’s strategic environment objectives and control measures in place to ensure activity is fair and proportionate with contractual safeguards in place to protect public and Council interests.</p>	
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Collect and Assess your Data

Using information from Census, residents survey data, service monitoring data, satisfaction or complaints, feedback, consultation, research, your knowledge and the knowledge of people in your team, staff groups etc. describe how the proposal could impact on each group. Include both positive and negative impacts.

- **Describe how this proposal could impact on racial groups**

- **Is there a negative impact?** Possible

Reading has a remarkably diverse population, with 46.5% now belonging to a Black and Minority Ethnic community (including white and other communities), up from 35% in 2011.

All ethnic groups have increased since 2011 apart from British, Irish and Black Caribbean. There has been a significant increase in the number of Romanian speakers since 2011.

Levels of awareness of the requirements of legislation can be lower in some minority groups. As a result, people from some minority groups may face a disproportionate level of enforcement action. Language and literacy may exacerbate this problem, but information leaflets and translation services are available.

All letters go out in English but translated copies of any letters can be provided by the Council on request. Use of translation service during formal interviews as required under PACE.

- **Describe how this proposal could impact on Sex and Gender identity (include pregnancy and maternity, marriage, gender re-assignment)**
- **Is there a negative impact?** No

None identified.

- **Describe how this proposal could impact on Disability**
- **Is there a negative impact?** Yes

Individuals caught committing an environmental crime may suffer from physical or mental afflictions that prevent them from adhering to the law. A diminished mental capacity may affect one's ability to understand the requirements of them to manage their own waste and dispose of it correctly. This may also apply to physical disabilities preventing one from being able to dispose of waste that may need further assistance.

Certain exceptions will continue to exist as part of carrying out day-to-day enforcement activities. Enforcement Officers will assess any situation at the point

of engagement for any relevant physical or mental disabilities that may prevent one from complying with the relevant UK laws.

- Describe how this proposal could impact on Sexual orientation (cover civil partnership)
- Is there a negative impact? No

None identified.

- Describe how this proposal could impact on age
- Is there a negative impact? Yes

Reading has a generally younger population, however the proportion of older people aged 65+ increased by 17.2% between 2011 and 2021.

Enforcement Officers are required to establish a suspected offenders name, address, and date of birth before issuing an FPN. On identifying the age of a suspected offender to be below 18, Enforcement Officers would cease issuing an FPN.

Officers would not approach any young persons deemed to be under the age of sixteen. However, if deemed to be appropriate based on the circumstance and severity of the offence a warning can be issued to a young person aged 16-18. The Council's Enforcement Policy can be reviewed if there is a significant number of offences committed by those aged under 18.

- Describe how this proposal could impact on Religious belief
- Is there a negative impact? No

None identified.

- Describe how this proposal could impact on the Armed Forces community (including reservists and veterans and their families)
- Is there a negative impact? No

None identified.

- Describe how this proposal could impact on care experienced young people and adults.
- Is there a negative impact? Yes

Enforcement Officers are required to establish a suspected offenders name, address, and date of birth before issuing an FPN. On identifying the age of a suspected offender to be below 18, Enforcement Officers would cease issuing an FPN. Officers would not approach any young persons deemed to be under the age of eighteen.

Care experienced young adults identified as residing in supported accommodation on initial contact may be offered a warning or education briefing in lieu of an FPN for their first offence. A young adult later identified as residing in supported accommodation, can still be offered a warning or education briefing to discharge their FPN at the discretion of the Council. A statement may be required from a Support Worker.

Make a Decision

If the impact is negative, then you must consider whether you can legally justify it. If not, you must set out how you will reduce or eliminate the impact. If you are not sure what the impact will be you MUST assume that there could be a negative impact. You may have to do further consultation or test out your proposal and monitor the impact before full implementation.

1. Negative impact identified but there is a justifiable reason

The Council already has a practice of taking enforcement action for environmental offences where an offender is identified. This proposal is an extension of a practice that is already in place.

The principles of good enforcement followed by the Council ensures that enforcement activity is consistent, proportionate, transparent, accountable, and targeted.

The Council's enforcement policy recognises that fixed penalty notices may not be suitable for all and should not be issued to people under the age of 18 years, to vulnerable people or where a disabled person is relying on a dog for assistance. The application of the Council's enforcement policy is a requirement of the arrangement with the external partner.

2. Negative impact identified or uncertain

What action will you take to eliminate or reduce the impact? Set out your actions and timescale.

Robust Environmental Enforcement is known to be valued by those that wish for the Council to do more to reduce incident of environmental crime, such as littering and fly-tipping, as such activity blights the town and negatively impacts its amenity. Conversely robust enforcement is not welcomed by those that are on the receiving end of legislative enforcement action due to their own inconsiderate actions. It is therefore of vital importance that the Council and its partner operate in a transparent and legislatively compliant manner in tackling environmental crime, ensuring a robust evidence base is gathered and that penalties issued are proportionate to the offence committed.

It is also of vital importance that prior to the launch of enhanced enforcement activity that the Council promote the scheme publicly amongst its residents and stakeholders, raising awareness of the intended benefits and providing assurance of its proportionate nature and control measures to ensure recipients of fixed penalties can be evidenced as deserving of the action taken against them. The project will therefore feature an approved communication plan that has been

signed off by the Lead Councillor Environmental Services and Community Safety in consultation with the Council’s Communications Team.

To ensure that the approach adopted by the Council and its partner is legislatively compliant and beyond reproach, it will be controlled by means of documented contractual obligations. The Councils partner will be required to gather evidence in a manner compliant with legislative requirements that robustly supports the issue of a fixed penalty notice or, as appropriate, the instigation of legal action.

The Council will have the ability to review each case and intervene in the event that they believe there is a legitimate rationale for refraining from taking further action.

Arrangements of this nature have historically carried concern regarding the appointed partner potentially acting in an over-zealous and financially motivated manner. To address this concern the contract will specify that the partners' directly employed staff are not to be financially incentivised to issue fixed penalties. Staff employed in delivery of the partnership will receive a salary, with no performance related enhancements.

- **How will you monitor for adverse impact in the future?**

The Council will receive monthly performance data from the enforcement partner at diarised contract review and performance meetings. These statistics will include factors such as number of FPNs issued, FPN by offence type, location of offence as well as the ethnicity, gender, age, and any disability of the perpetrator. The Council will also receive data on the number of FPNs withdrawn and the reason for withdrawal.

The data will be used to identify any possible adverse impacts and any instances where FPNs have been issued incorrectly and actions taken to rectify errors.

The Council will also have full oversight of Prosecution case files and related Prosecution outcomes and can report on ethnicity, gender, age, and any disability.

If the enforcement partner is deemed to be failing on these key performance indicators, the Council can choose to terminate the contract.

X

X

Completing Officer

Lead Officer