

Equality Impact Assessment [version 2.12]



Title: The Environmental Offences (Fixed Penalties) (England) Regulations 2017: Increase in Littering Fixed-Penalty-Notice Rate and Household Duty of Care	
<input checked="" type="checkbox"/> Policy <input type="checkbox"/> Strategy <input type="checkbox"/> Function <input type="checkbox"/> Service <input type="checkbox"/> Other [please state]	<input type="checkbox"/> New <input type="checkbox"/> Already exists / review <input checked="" type="checkbox"/> Changing
Directorate: Property, Assets, and Infrastructure	Lead Officer name: Kurt James
Service Area: Neighbourhood Enforcement and Street Scene	Lead Officer role: Neighbourhood Enforcement and Street Scene Manager

Step 1: What do we want to do?

The purpose of an Equality Impact Assessment is to assist decision makers in understanding the impact of proposals as part of their duties under the Equality Act 2010. Detailed guidance to support completion can be found here [Equality Impact Assessments \(EqIA\) \(sharepoint.com\)](#).

This assessment should be started at the beginning of the process by someone with a good knowledge of the proposal and service area, and sufficient influence over the proposal. It is good practice to take a team approach to completing the equality impact assessment. Please contact the [Equality and Inclusion Team](#) early for advice and feedback.

1.1 What are the aims and objectives/purpose of this proposal?

Briefly explain the purpose of the proposal and why it is needed. Describe who it is aimed at and the intended aims / outcomes. Where known also summarise the key actions you plan to undertake. Please use plain English, avoiding jargon and acronyms. Equality Impact Assessments are viewed by a wide range of people including decision-makers and the wider public.

The aim of the paper is to seek approval to:

1. Increase the Fixed-Penalty-Notice rate for littering to £150, which is the maximum permitted under the legislation
2. Increase the Fixed-Penalty-Notice rate for Household Duty of Care to £400 which is the maximum permitted under the legislation

The primary aim of the Clean Streets Plan is to transform the behaviour of Bristol's residents and visitors to reduce litter, dog fouling, fly tipping, graffiti, and other environmental crimes, ultimately enhancing the city's cleanliness and quality of life. By employing clear messaging, proactive city clean-up, and a zero-tolerance enforcement approach, we aim to address the concerns raised by the Bristol Quality of Life Survey and mitigate the significant negative impacts of environmental crime on the wellbeing of the local community. Furthermore, we will use revenue generated from Fixed-Penalty-Notices to fund additional environmental improvements, contributing to a cleaner and more sustainable Bristol.

1.2 Who will the proposal have the potential to affect?

<input type="checkbox"/> Bristol City Council workforce	<input type="checkbox"/> Service users	<input checked="" type="checkbox"/> The wider community
<input type="checkbox"/> Commissioned services	<input type="checkbox"/> City partners / Stakeholder organisations	
Additional comments:		

1.3 Will the proposal have an equality impact?

Could the proposal affect access levels of representation or participation in a service, or does it have the potential to change e.g. quality of life: health, education, or standard of living etc.?

If 'No' explain why you are sure there will be no equality impact, then skip steps 2-4 and request review by Equality and Inclusion Team.

If 'Yes' complete the rest of this assessment, or if you plan to complete the assessment at a later stage please state this clearly here and request review by the Equality and Inclusion Team.

Yes **No** [please select]

This proposal is designed to improve quality of life.

Step 2: What information do we have?

2.1 What data or evidence is there which tells us who is, or could be affected?

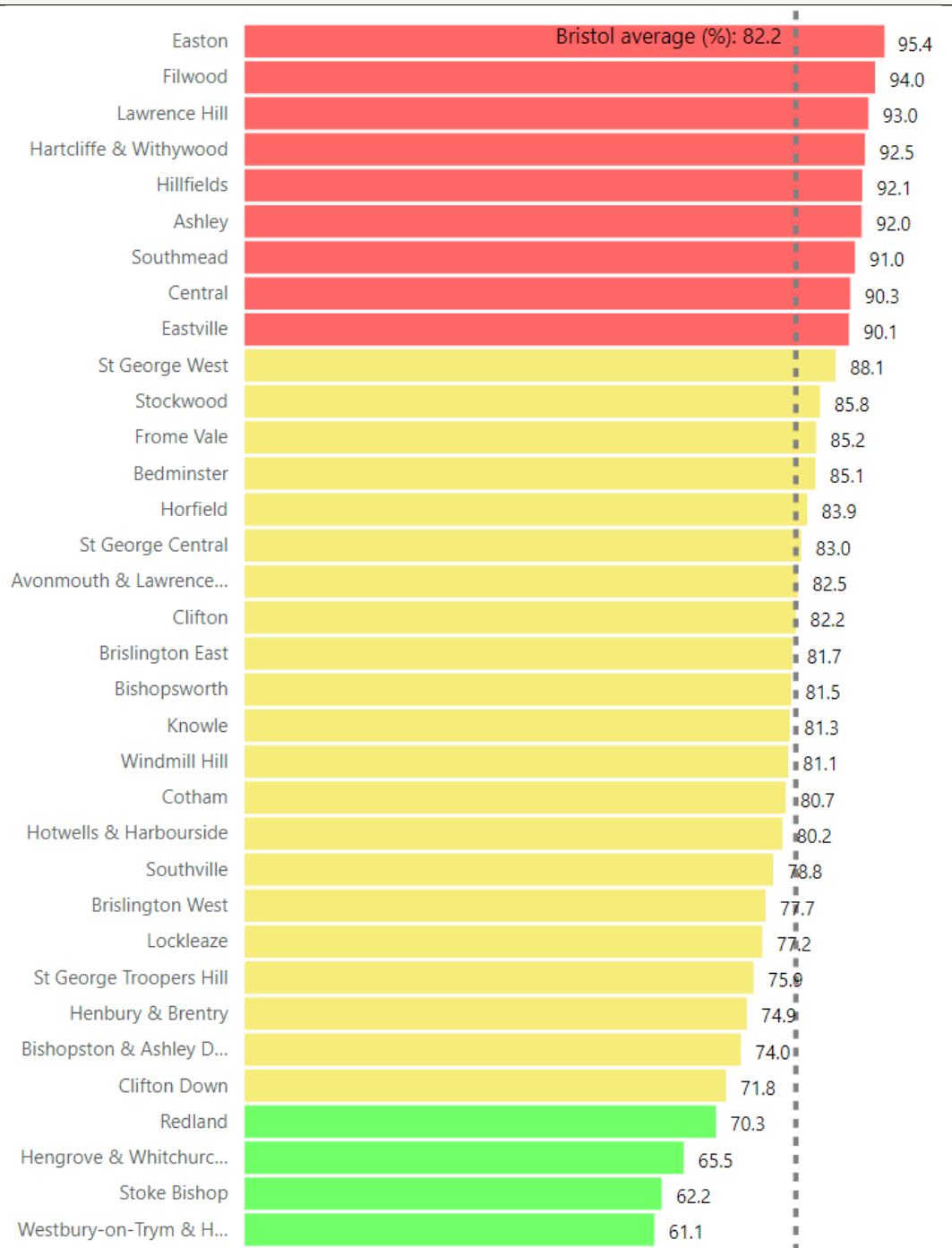
Please use this section to demonstrate an understanding of who could be affected by the proposal. Include general population data where appropriate, and information about people who will be affected with particular reference to protected and other relevant characteristics: [How we measure equality and diversity \(bristol.gov.uk\)](https://www.bristol.gov.uk/equality-diversity)

Use one row for each evidence source and say which characteristic(s) it relates to. You can include a mix of qualitative and quantitative data e.g. from national or local research, available data or previous consultations and engagement activities.

Outline whether there is any over or under representation of equality groups within relevant services - don't forget to benchmark to the local population where appropriate. Links to available data and reports are here [Data, statistics and intelligence \(sharepoint.com\)](https://www.bristol.gov.uk/data-statistics-intelligence). See also: [Bristol Open Data \(Quality of Life, Census etc.\)](#); [Joint Strategic Needs Assessment \(JSNA\)](#); [Ward Statistical Profiles](#).

For workforce / management of change proposals you will need to look at the diversity of the affected teams using available evidence such as [HR Analytics: Power BI Reports \(sharepoint.com\)](#) which shows the diversity profile of council teams and service areas. Identify any over or under-representation compared with Bristol economically active citizens for different characteristics. Additional sources of useful workforce evidence include the [Employee Staff Survey Report](#) and [Stress Risk Assessment](#)

Data / Evidence Source [Include a reference where known]	Summary of what this tells us
Quality of Life Survey Bristol Quality of Life survey 2022/23	This data tells us that the proportion of residents who think street litter is a problem remains unchanged (82%) but is slightly improved (93%) in the most deprived areas. The decrease is in data from deprived areas, but the percentage remains very high therefore the intervention is needed. The wards of Easton, Filwood, Lawrence Hill, Hartcliffe and Withywood, Hillfields, Ashley, Southmead, Central and Eastville have the highest dissatisfaction levels. Further analysis of the data shows that all groups with protected characteristics gave responses broadly in line with the city average.



The table on the percentage of people who find it difficult to manage financially tells us that the rising cost of living is impacting many groups.

Quality of Life Indicator	% who find it difficult to manage financially
16 to 24 years	18.5
50 years and older	7.8
65 years and older	5.4
Female	10.0
Male	10.0
Disabled	25.7
Asian /Asian British	19.7
Black/Black British	27.0
Mixed/Multiple Ethnicity	20

White British	7.9
White Minority Ethnic	14.7
Lesbian Gay or Bisexual	14.4
No Religion or Faith	9.1
Christian Religion	9.6
Other Religions	19.5
Carer	15.7
Full Time Carer	21.2
Part Time Carer	13.5
Single Parent	23.0
Two Parent	9.4
Parent (all)	11.0
No Qualifications	13.7
Non-Degree Qualified	14.2
Degree Qualified	8.2
Rented (Council)	25.9
Rented (HA)	21.3
Rented (Private)	19.2
Owner Occupier	5.5
Most Deprived 10%	17.5
Bristol Average	10.2

Data on who has received fixed penalty notices by ethnicity, sex, and age 2019-2023

This data tells us that no group with protected characteristics as measured by the service is overrepresented in the data.

Ethnicity	Percentage
W1 British	66.93%
Z1 - Other	22.57%
W9 Any other White background	3.24%
O9 Any other ethnic group	1.72%
O1 Chinese	1.10%
A1 Indian	0.74%
A9 Any other Asian background	0.57%
M9 Any other mixed background	0.54%
W2 Irish	0.49%
B9 Any other Black background	0.40%
A2 Pakistani	0.32%
A3 Bangladeshi	0.31%
B2 African	0.25%
White	0.21%
M3 White and Asian	0.19%
M1 White and Black Caribbean	0.13%
B1 Caribbean	0.12%
M2 White and Black African	0.10%
Black or Black British	0.02%
Asian or British Asian	0.02%
ZZ - Other	0.01%
Chinese or other Ethnic Group	0.01%
Mixed	0.01%
Total	100.00%

	<table border="1"> <thead> <tr> <th>Sex</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Male</td> <td>51.89%</td> </tr> <tr> <td>Female</td> <td>41.96%</td> </tr> <tr> <td>Other</td> <td>3.70%</td> </tr> <tr> <td>Not Confirmed</td> <td>2.45%</td> </tr> <tr> <td>Total</td> <td>100.00%</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>AGE</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>66 and Over</td> <td>1.10%</td> </tr> <tr> <td>Under 18</td> <td>4.18%</td> </tr> <tr> <td>56 - 65 yrs</td> <td>4.59%</td> </tr> <tr> <td>Not Confirmed</td> <td>7.43%</td> </tr> <tr> <td>46 - 55 yrs</td> <td>9.48%</td> </tr> <tr> <td>36 - 45 yrs</td> <td>13.73%</td> </tr> <tr> <td>26 - 35 yrs</td> <td>24.35%</td> </tr> <tr> <td>18 - 25 yrs</td> <td>35.14%</td> </tr> <tr> <td>Total</td> <td>100.00%</td> </tr> </tbody> </table>	Sex	Percentage	Male	51.89%	Female	41.96%	Other	3.70%	Not Confirmed	2.45%	Total	100.00%	AGE	Percentage	66 and Over	1.10%	Under 18	4.18%	56 - 65 yrs	4.59%	Not Confirmed	7.43%	46 - 55 yrs	9.48%	36 - 45 yrs	13.73%	26 - 35 yrs	24.35%	18 - 25 yrs	35.14%	Total	100.00%
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<p>JSNA</p> <p>JSNA Health and Wellbeing Profile 2022/23 - Crime</p>	<p>Nuisance incidents (e.g., rowdy, or inconsiderate neighbours) accounted for 86.9% (9,800) of reported ASB. Personal ASB incidents (e.g., vandalism, begging, street drinking) account for 9.7% of incidents and Environmental ASB incidents (e.g., littering, rubbish dumping) account for 3.1% of incidents (Figure 5). Figure 5: ASB incidents in Bristol by financial year. Source: Avon and Somerset Within Bristol, the highest level of reported ASB incidents was in Central ward which accounted for 17.4% (1,959) of all incidents. Lawrence Hill (737) and Hartcliffe and Withywood (616) had the next highest number of incidents whilst the lowest number of incidents were recorded in St George Troopers Hill (72), Redland (97) and Bishopston and Ashley Down (104).</p>																																
<p>Additional comments: None</p>																																	

2.2 Do you currently monitor relevant activity by the following protected characteristics?

<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Gender Reassignment
<input type="checkbox"/> Marriage and Civil Partnership	<input type="checkbox"/> Pregnancy/Maternity	<input checked="" type="checkbox"/> Race
<input checked="" type="checkbox"/> Religion or Belief	<input checked="" type="checkbox"/> Sex	<input type="checkbox"/> Sexual Orientation

2.3 Are there any gaps in the evidence base?

Where there are gaps in the evidence, or you don't have enough information about some equality groups, include an equality action to find out in section 4.2 below. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. If you are unable to fill in the gaps, then state this clearly with a justification.

For workforce related proposals all relevant characteristics may not be included in HR diversity reporting (e.g. pregnancy/maternity). For smaller teams diversity data may be redacted. A high proportion of not known/not disclosed may require an action to address under-reporting.

There are gaps in overall diversity data at a local and national level for some characteristics e.g., gender reassignment – especially where this has not historically been included in statutory reporting e.g., for sexual orientation. As a council we rarely monitor marriage and civil partnership. There is a corporate approach to diversity monitoring for service users and our workforce, however the quality of available evidence across various

council service areas is variable. No robust data on gender identity exists. Gaps in data will exist as it becomes out of date or is limited through self-reporting.

In terms of data around fixed penalties, we collect this equalities data at the point of issuing a fixed penalty and officers are not contracted to collect other data which might be difficult to do in these circumstances.

2.4 How have you involved communities and groups that could be affected?

You will nearly always need to involve and consult with internal and external stakeholders during your assessment. The extent of the engagement will depend on the nature of the proposal or change. This should usually include individuals and groups representing different relevant protected characteristics. Please include details of any completed engagement and consultation and how representative this had been of Bristol's diverse communities.

Include the main findings of any engagement and consultation in Section 2.1 above.

If you are managing a workforce change process or restructure please refer to [Managing a change process or restructure \(sharepoint.com\)](#) for advice on consulting with employees etc. Relevant stakeholders for engagement about workforce changes may include e.g. staff-led groups and trades unions as well as affected staff.

We have maintained a high media profile with articles in Bristol Post, Bristol 24/7, local magazines and other relevant local media.

There is a rolling and regular behaviour change twitter message programme being sent out by Bristol City Council and Bristol Waste Company (BWC).

We are working with Bristol University and the University of the West of England to improve the management of student waste issues.

We purchased hundreds of litter pickers and branded high visibility vests which are managed by Bristol Waste Company (BWC) and used by thousands of residents every year for community clean ups. We also organise the Great Bristol Spring Clean and Autumn Litter Blitz which have hundreds of participants every year.

We deliver monthly Council Neighbourhood Enforcement Team campaigns to address littering, fly posting, and fly tipping across the city.

2.5 How will engagement with stakeholders continue?

Explain how you will continue to engage with stakeholders throughout the course of planning and delivery. Please describe where more engagement and consultation is required and set out how you intend to undertake it. Include any targeted work to seek the views of under-represented groups. If you do not intend to undertake it, please set out your justification. You can ask the Equality and Inclusion Team for help in targeting particular groups.

We will continue to deliver publicity campaigns and activities to encourage behaviour change across the city.

Step 3: Who might the proposal impact?

Analysis of impacts must be rigorous. Please demonstrate your analysis of any impacts of the proposal in this section, referring to evidence you have gathered above and the characteristics protected by the Equality Act 2010. Also include details of existing issues for particular groups that you are aware of and are seeking to address or mitigate through this proposal. See detailed guidance documents for advice on identifying potential impacts etc. [Equality Impact Assessments \(EqIA\) \(sharepoint.com\)](#)

3.1 Does the proposal have any potentially adverse impacts on people based on their protected or other relevant characteristics?

Consider sub-categories and how people with combined characteristics (e.g. young women) might have particular needs or experience particular kinds of disadvantage.

Where mitigations indicate a follow-on action, include this in the 'Action Plan' Section 4.2 below.

GENERAL COMMENTS (highlight any potential issues that might impact all or many groups)	
Although direct impact has not been identified, it will impact people differently based on financial circumstances indirectly which has been explored below.	
PROTECTED CHARACTERISTICS	
Age: Young People	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	<ul style="list-style-type: none"> Young people aged 18 or over might not be aware of the law and therefore may run the risk of being fined for committing environmental crime. Young people are often under-represented in engagement and consultation in Bristol and are less satisfied than average with the way the council runs things. Young adults are most likely to have lost work or seen their income drop because of COVID-19 and the cost of living crisis Young people are over-represented in both the % who find it difficult to manage financially and Data on who has received fixed penalty notices by ethnicity, sex, and age 2019-2023 so there may be an indirect impact via the increase in Littering Fixed-Penalty-Notice Rate
Mitigations:	<ul style="list-style-type: none"> Fixed penalty notices will not be issued to anyone under the age of 18. We will continue to monitor the data we collect to ensure that no group with protected characteristics as measured by the service is overrepresented in the data. We will communicate information about changes to fixed penalty notice rates and expected behaviours through the council website and its social media channels.
Age: Older People	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	<ul style="list-style-type: none"> Older people are over-represented in the % who find it difficult to manage financially.
Mitigations:	<ul style="list-style-type: none"> We will continue to monitor the data we collect to ensure that no group with protected characteristics as measured by the service is overrepresented in the data. We will communicate information about changes to fixed penalty notice rates and expected behaviours through the council website and its social media channels.
Disability	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	<ul style="list-style-type: none"> Disabled people are over-represented in the % who find it difficult to manage financially.
Mitigations:	<ul style="list-style-type: none"> We will continue to monitor the data on service delivery to ensure that no group with protected characteristics as measured by the service is overrepresented in the data. We will communicate information about changes to fixed penalty notice rates and expected behaviours through the council website and its social media channels, in line with the council accessibility statement.
Sex	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
Sexual orientation	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
Pregnancy / Maternity	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
Gender reassignment	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
Race	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Potential impacts:	<ul style="list-style-type: none"> • People from Asian/Asian British, Black/Black British, Mixed/Multiple Ethnicity backgrounds are over-represented in the % who find it difficult to manage financially.
Mitigations:	<ul style="list-style-type: none"> • We will continue to monitor the data we collect to ensure that no group with protected characteristics as measured by the service is overrepresented in the data. • We will communicate information about changes to fixed penalty notice rates and expected behaviours through the council website and its social media channels, in line with the council accessibility statement.
Religion or Belief	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
Marriage & civil partnership	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
OTHER RELEVANT CHARACTERISTICS	
Socio-Economic (deprivation)	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	<ul style="list-style-type: none"> • People measured as being the most deprived are over-represented in the % who find it difficult to manage financially
Mitigations:	<ul style="list-style-type: none"> • We will communicate information about and changes to fixed penalty notice rates and expected behaviours through the council website and its social media channels.
Carers	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
Other groups [Please add additional rows below to detail the impact for any other relevant groups as appropriate e.g., asylum seekers and refugees; care experienced; homelessness; armed forces personnel and veterans]	
Potential impacts:	<ul style="list-style-type: none"> • There may be a lack of knowledge and awareness of the law and therefore may run the risk of being fined for committing environmental crime.
Mitigations:	<ul style="list-style-type: none"> • We will continue to monitor the data we collect to ensure that no group with protected characteristics as measured by the service is overrepresented in the data.

3.2 Does the proposal create any benefits for people based on their protected or other relevant characteristics?

Outline any potential benefits of the proposal and how they can be maximised. Identify how the proposal will support our [Public Sector Equality Duty](#) to:

- ✓ Eliminate unlawful discrimination for a protected group
- ✓ Advance equality of opportunity between people who share a protected characteristic and those who don't
- ✓ Foster good relations between people who share a protected characteristic and those who don't

Advance equality of opportunity between people who share a protected characteristic and people who do not share it – i.e., access to better environmental quality for those who are over-represented in areas with higher littering rates.

Foster good relations between people who share a protected characteristic and people who do not share it.

Step 4: Impact

4.1 How has the equality impact assessment informed or changed the proposal?

What are the main conclusions of this assessment? Use this section to provide an overview of your findings. This summary can be included in decision pathway reports etc.

If you have identified any significant negative impacts which cannot be mitigated, provide a justification showing how the proposal is proportionate, necessary, and appropriate despite this.

Summary of significant negative impacts and how they can be mitigated or justified:

Raising the fixed penalty notice rates will not have a negative equality impact, but if there is a perception that equalities communities are disproportionately impacted through enforcement, we keep data on who has been issued with fixed penalty notices can be shared as an aggregate. The Quality of Life survey includes feedback on the percentage of people who find it difficult to manage financially, and people will be negatively impacted if they are fined for committing an environmental crime.

As a mitigation we will do more to communicate the impact of environmental crime and what happens if you are caught committing a crime. Whilst we do not think the increase in fine is discriminatory, it could have an indirect impact on the groups explored above.

Summary of positive impacts / opportunities to promote the Public Sector Equality Duty:

Raising the fixed penalty notice rates will not have a negative equality impact as this proposal is designed to deter people from committing littering offences or breaching their Household Duty of Care, with the additional benefit that areas would be made measurably cleaner with less littering offences and fly tipping

4.2 Action Plan

Use this section to set out any actions you have identified to improve data, mitigate issues, or maximise opportunities etc. If an action is to meet the needs of a particular protected group please specify this.

Improvement / action required	Responsible Officer	Timescale
Review the impact of the proposal on equalities communities.	Kurt James	31 March 2024

4.3 How will the impact of your proposal and actions be measured?

How will you know if you have been successful? Once the activity has been implemented this equality impact assessment should be periodically reviewed to make sure your changes have been effective your approach is still appropriate.

We keep data on the age, sex and race/ethnicity issued with fixed penalty notices. The findings from the review will be shared at the first available cabinet member briefing after 31st March 2024.


Step 5: Review

The Equality and Inclusion Team need at least five working days to comment and feedback on your EqIA. EqIAs should only be marked as reviewed when they provide sufficient information for decision-makers on the equalities impact of the proposal. Please seek feedback and review from the [Equality and Inclusion Team](#) before requesting sign off from your Director¹.

Equality and Inclusion Team Review:

Director Sign-Off:

¹ Review by the Equality and Inclusion Team confirms there is sufficient analysis for decision makers to consider the likely equality impacts at this stage. This is not an endorsement or approval of the proposal.

<p><i>Reviewed by Equality and Inclusion Team</i></p>	 Director, Property, Assets and Infrastructure
<p>Date: 15.05.2023</p>	<p>Date: 16.05.2023</p>