

PART A - Initial Impact Assessment

Proposal Name: Anti Social Behaviour Policy

EIA ID: 2511

EIA Author: Amanda Perrott (HSG)

Proposal Outline: The Anti Social Behaviour (ASB) Team has developed a draft ASB Policy for SCCs ASB Services. This is a statutory requirement for the Housing Service. Public consultation on the policy has been carried out and a number of amendments made to the wording of the policy based on the feedback. The policy will be taken for approval at Communities Parks and Leisure Policy Committee on 11 March 2024.

Proposal Type: Non-Budget

Year Of Proposal: 23/24

Lead Director for proposal: Lorraine Wood

Service Area: Communities

EIA Start Date: 04/01/2024

Lead Equality Objective: Understanding Communities

Equality Lead Officer: Ed Sexton

Decision Type

Committees:

Policy Committees

- Communities, Parks & Leisure

Portfolio

Primary Portfolio:

Neighbourhood Services

EIA is cross portfolio:

No

EIA is joint with another organisation:

No

Overview of Impact

Overview Summary:

The proposed ASB Policy does not discriminate on the grounds of the characteristics listed. All can access ASB services (although those provided by the Housing Service are limited to tenants or those experiencing ASB from tenants). The ASB Policy sets out behaviour that is not acceptable and the enforcement actions available to teams. It is possible those with protected characteristics may suffer ASB as a direct result of these. The ASB Policy incorporates hate crime for example. The ASB Policy sets out how a harm focussed approach is taken where risk assessments are carried out to understand the extent of harm and risk the ASB is causing, which is positive. The ASB Policy works in line with adult and child safeguarding and Domestic Abuse policies. There is potential for negative impacts on groups e.g. younger people. Certain enforcement actions such as injunctions can be sought on those aged 10 years and over, and Community Protection Notices on those over 16, breach of the latter is a criminal offence, enforcement of breaches could therefore lead to 'criminalisation' of children, however actions such as these would only ever be used in full consultation with youth services. ASB may be caused by people who have mental health or physical disabilities and the behaviour may be as a direct consequence of a disability. We will ensure there is robust case management including assessment of vulnerabilities and protected characteristics and recording of these as part of good case management.

We will consider this alongside proportionality assessments when making enforcement decisions to ensure compliance with Equality Act 2010

Impacted characteristics:

- Age
- Disability
- Race
- Religion/Belief
- Sexual Orientation

Consultation and other engagement

Cumulative Impact

Does the proposal have a cumulative impact:

No

Impact areas:

Across a Community of Identity/Interest

Initial Sign-Off

Full impact assessment required:

Yes

Review Date:

04/07/2024

PART B - Full Impact Assessment

Age

Staff Impacted:

Customers Impacted: Yes

Description of Impact: The ASB policy does not discriminate by age who can report ASB. There is potential that younger people/children will be perpetrators of ASB. Enforcement actions may 'criminalise'. Prior to taking legal enforcement action the relevant teams will consult with youth services. There will be regular reviews of ASB activities undertaken in respect of the policy and perpetrator/victim to ensure that this group is not being disadvantaged. Analysis of the consultation data identified that the percentage of people aged under 55 disagreed that they were clear about the aims of the policy (11.44%) and the overall approach to anti-social behaviour (12.55%) than those aged 55 or over (3.82% and 4.09% respectively). An analysis of the comments from these cohorts did not identify any specific factors relating to these groups.

Disability

Staff Impacted: No

Customers Impacted: Yes

Description of Impact: Customers with disabilities are more likely to be victims of ASB and more likely to casue ASB (Regulator of Social Housing EIA 2023). For victims, having a strong, clear ASB Policy will bring about positive impacts. The policy explains how victims and vulnerable people will be supported. A harm risk assessment will be carried out with every victim, this will assess the extent of the impact. For perpetrators it may be that the behaviour is as a direct consequence of a disability, such as mental health. The council will ensure it fulfils its public sector equality duty. In advance of any legal enforcement action we will ensure there is robust case management including assessment of vulnerabilities and protected characteristics and recording of these as part of good case management. We will consider this alongside proportionality assessments when making enforcement decisions to ensure compliance with Equality Act 2010. By identifying disabilities we can ensure support and interventions are put in place that may achieve a positive outcome and reduce asb.nderlying/unment needs.

Race

Staff Impacted: No

Customers Impacted: Yes

Description of Impact: Hate-related ASB is defined within the policy. Having a policy that sets out the approach to tackling and deterring hate incidents may have a positive impact on tenants who share the protected characteristics. A harm risk assessment will be completed with every victim to assess the impact of the behaviour and identify any support areas. Perpetrators - all ASB interventions and enforcement actions are taken based on evidence, often this is independent evidence or corroborated. For all there may be language barriers to accessing the service. Sheffield City Council has a translation and interpretation contract and staff (particularly within housing) ensure to record any communication needs of customers. Analysis of the consultation data identified that Asian/Asian British and mixed/multiple heritage respondents disagreed significantly more than other groups across all of the first 5 main questions asked in the consultation. An analysis of the comments from these cohorts did not identify any specific factors relating to these groups.

Religion / Belief

Staff Impacted: No

Customers Impacted: Yes

Description of Impact: As per race (hate related ASB)

Sexual Orientation

Staff Impacted: No

Customers Impacted: Yes
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Description of Impact:

As per race (hate related ASB) Analysis of the consultation data identified that a higher percentage of those with a sexual orientation other than heterosexual/straight disagreed across the first 5 main questions than heterosexual/straight respondents. An analysis of the comments from these cohorts did not identify any specific factors relating to these groups.

Action Plan & Supporting Evidence

Outline of action plan:

There are minimal potential negative impacts as a result of sharing and procedures in place within the Councils ASB S All are encouraged and do, take into consideration potential seeking resolution of ASB and the policy reflects this. Review with protected characteristics are disadvantaged.

Action plan evidence:

Regulator of Social Housing Equality Impact Assessment - N <https://assets.publishing.service.gov.uk/media/64bfcc5790b>

Changes made as a result of action plan:

Mitigation

Significant risk after mitigation measures: No

Outline of impact and risks:

Review Date

Review Date: 04/07/2024