

## Equality and Safety Impact Assessment

The **Public Sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with Section 17 of the Crime and Disorder Act and will enable the Council to better understand the potential impact of proposals and consider mitigating action.

<b>Name or Brief Description of Proposal</b>	Management of Unauthorised Encampments Policy
<b>Brief Service Profile (including number of customers)</b>	
<p>This policy applies to the management of all unauthorised encampments, including the establishment of a tent, vehicle, or other structure, by a person(s), in an area where they have no permission to reside or occupy. This policy covers the management of unauthorised encampments regardless of who the occupiers may be. The policy incorporates the council’s duties in relation to Traveller communities, outlining how the council will meet its Public Sector Equalities Duty and Human Rights obligations towards these communities.</p> <p>Over the last decade, Southampton has seen reduced numbers of unauthorised encampments. In 2007/18 25 unauthorised Gypsy and Traveller encampments were recorded, reducing to zero in 2011/12 and 2012/13. This has increased to 5 in 2016/17.</p> <p>Southampton City Council provides an authorised fixed site with a total of 14 residential pitches for Travellers at Kaneshill.</p>	
<b>Summary of Impact and Issues</b>	
<p>The purpose of this policy is to affirm the council’s commitment to dealing with unauthorised encampments in a fair and proportionate manner, taking into account the needs of Travellers, as well as the needs of the settled residents of Southampton.</p> <p>Southampton City Council acknowledges that the right to choose to lead a nomadic existence is enshrined in law and that it is not the role of a local</p>	

authority to endorse, disrupt or discourage this lifestyle. However, managing unauthorised encampment must involve a balance between the rights of the landowner and/or wider community and the rights and welfare needs of those who have established the unauthorised encampment. Local authorities have a statutory duty to ensure that both sides are fairly represented when it comes to unauthorised encampment on public land.

In order to proactively meet its Public Sector Equalities Duty towards Travellers, who can fall under the Equality Act under protected characteristics of race and ethnicity, the council will carry out welfare checks on the site. The welfare checks will consider:

- The health, welfare and housing needs of any individuals on site.
- The educational needs of any children on site.
- Whether any individuals on site are vulnerable or disabled.
- What facilities are available to individuals occupying the encampment on the site (such as refuse, water and toilet facilities).
- Whether there are any risks associated with the encampment such as traffic hazards, proximity to sensitive sites, anti-social behaviour issues.

**Potential Positive Impacts**

By carrying out welfare checks the council can proactively ensure that that Travellers have the same rights to access services as the rest of the community.

This policy helps to protect equal rights in accessing public spaces, by enforcing against persons who abuse public spaces, or prevent the use and access to public spaces for others.

This policy also helps to improve Community Safety as the welfare checks will assess any risks to, or from, the encampment in relation to anti-social behaviour.

<b>Responsible Service Manager</b>	Rosie Zambra
<b>Date</b>	27/11/17
<b>Approved by Senior Manager</b>	Mitch Sanders
<b>Date</b>	27/11/17

## Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
<b>Age</b>	No identified negative impacts	N/A
<b>Disability</b>	If an individual residing within an unauthorised disabled, they may need additional support in understanding the policy and/or relocating from the site of the encampment.	<p>Additional support will be provided, where necessary and on a case by case basis, to assist with communicating the policy. This requirement will be identified in the welfare check.</p> <p>The welfare check will determine if any individuals residing within the encampment has needs which can be supported with local services.</p> <p>The decision to take legal action (and any toleration) will be informed by needs identified in the welfare check.</p>
<b>Gender Reassignment</b>	No identified negative impacts	N/A
<b>Marriage and Civil Partnership</b>	No identified negative impacts	N/A
<b>Pregnancy and Maternity</b>	If there is a member of an unauthorised encampment who is pregnant then it could have a negative equalities impact if the encampment is moved on and the woman is unable to maintain a stable living situation and access to healthcare services.	<p>The welfare assessment will determine whether there are any pregnant individuals within the encampment.</p> <p>The welfare check will determine if any individuals residing within the encampment has needs which can be supported with local services.</p> <p>The decision to take legal action (and any toleration)</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
		will be informed by needs identified in the welfare check.
<b>Race</b>	Some Travelling Communities can be identified as protected ethnic groups in accordance with the Equality Act 2010. Nomadic lifestyle is an important way of life for these communities.	<p>The council has a permanent site available at Kanes Hill for 14 residential pitches.</p> <p>There are no transit, or temporary sites available in Southampton for Travellers.</p> <p>The decision to take legal action (and any toleration) will be informed by needs identified in the welfare check.</p>
<b>Religion or Belief</b>	The belief in a nomadic lifestyle could be impacted by this policy as outlined in the section on Race.	As above
<b>Sex</b>	No identified negative impacts	N/A
<b>Sexual Orientation</b>	No identified negative impacts	N/A
<b>Community Safety</b>	No identified negative impacts	N/A
<b>Poverty</b>	Individuals living within an unauthorised encampment may be living in poverty, and legal action to move them on could exacerbate any financial issues.	<p>The welfare check will determine if any individuals residing within the encampment has needs which can be supported with local services.</p> <p>The decision to take legal action (and any toleration) will be informed by needs identified in the welfare check.</p>

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Health &amp; Wellbeing</b>	The health of individuals residing within an unauthorised encampment may be poorer than other communities, and any health and wellbeing issues could be aggravated by eviction and relocation of site.	<p>The welfare assessment will check to determine whether there are any health of wellbeing issues and may direct campers to the relevant support services.</p> <p>When there are health issues which are serious enough to complicate relocation, the council has the ability to make a 'decision to tolerate' for a limited period of time, based on needs identified by the welfare check.</p>
<b>Other Significant Impacts</b>	No identified negative impacts	N/A