

Equality Impact and Needs Assessment Form

Section One – Screening

Name of strategy, policy or project:
Gypsy and Traveller protocol for unauthorised encampments
Directorate and service area:
Chief Executive's, CCSO, Gypsy and Traveller Liaison Service
Name and contact details of officer completing assessment:
Sue Craythorne CCSO 01392 382226 sue.craythorne@devon.gov.uk
1. What is the main purpose of the strategy/policy/project (or the changes you want to make to it)? The main purpose is to provide a policy framework to guide and inform decisions about Gypsies and Travellers who set up unauthorised encampments on County Council or other publicly owned land.
2. What are the main activities of the strategy/policy/project? The policy, which has been adopted by the County Council, and some District Councils, sets out the legislation relating to unauthorised encampments, describes good practice, following Government guidance and sets out criteria by which decisions will be made as to whether or not to seek possession (or carry out an eviction) of the land in question.
3. Who is intended to benefit from the strategy/policy/project, and how? The policy is intended to help the County Council and others to strike an appropriate balance between the needs and rights of Gypsies and Travellers and those of the 'settled' community who live close to unauthorised sites. Essentially, the change being made from previous practice is that each situation will be carefully assessed, taking into account welfare, education, health and other needs before a decision is made. It is intended that Gypsies and travellers will benefit, through fewer evictions taking place and more encampments being tolerated.
4. Is the strategy/policy/project consistent with the Council's equality policies? Yes
5. Is responsibility for the strategy/policy/project shared with another department, authority or organisation? If so, what responsibility and which bodies? Yes. Although decisions about evictions rest with the County Solicitor, the land on which people camp is usually the responsibility of other Directorates, particularly EEC in respect of Highway land and County Farms occasionally. Operational teams will often request evictions, due to their operational needs. This is then balanced, as above, by consideration of welfare needs. There is also an expectation that the police and District Councils will comply with the protocol, although this is not always the case.
6. What impact is the strategy/policy/project likely to have on different sections of the community? You may wish to use the table below as a <u>prompt</u>.

	Positive impact – it could benefit ✓ (check box)	Negative impact – it could disadvantage ✓ (check box)	Reason	Are there additional factors that could contribute to the experience of isolation¹? If so, what are they?	Evidence
Gender					
<ul style="list-style-type: none"> • Women 	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
<ul style="list-style-type: none"> • Men 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Where single, healthy, adult males are camped on council land they are more likely to be moved on than women and children, or men with health problems		
Ethnic Group					
<ul style="list-style-type: none"> • Asian or Asian British people 	<input type="checkbox"/>	<input type="checkbox"/>			
<ul style="list-style-type: none"> • Black or Black British people 	<input type="checkbox"/>	<input type="checkbox"/>			
<ul style="list-style-type: none"> • Chinese people 	<input type="checkbox"/>	<input type="checkbox"/>			
<ul style="list-style-type: none"> • Gypsy or Roma People 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The policy is intended to offer some protection to this group, to enable them to maintain their traditional lifestyle		
<ul style="list-style-type: none"> • Irish People 	<input type="checkbox"/>	<input type="checkbox"/>			
<ul style="list-style-type: none"> • People of Mixed Heritage 	<input type="checkbox"/>	<input type="checkbox"/>			

¹ Refer to section 3 of the EINA guidance.

	Positive impact – it could benefit ✓ (check box)	Negative impact – it could disadvantage ✓ (check box)	Reason	Are there additional factors that could contribute to the experience of isolation¹? If so, what are they?	Evidence
• White People	<input type="checkbox"/>	<input type="checkbox"/>			
• People of other ethnic backgrounds	<input type="checkbox"/>	<input type="checkbox"/>			
Asylum Seekers and Refugees	<input type="checkbox"/>	<input type="checkbox"/>			
People with physical, sensory or learning disabilities	<input type="checkbox"/>	<input type="checkbox"/>			
Deaf People who use British Sign Language	<input type="checkbox"/>	<input type="checkbox"/>			
People with mental health issues	<input type="checkbox"/>	<input type="checkbox"/>			
Lesbians, gay men and bisexual people	<input type="checkbox"/>	<input type="checkbox"/>			
Trans people	<input type="checkbox"/>	<input type="checkbox"/>			
Age					
• Older people (60 +)	<input type="checkbox"/>	<input type="checkbox"/>			
• Younger people (17-25) and children	<input type="checkbox"/>	<input type="checkbox"/>			
People of different faith groups or beliefs including non-believers	<input type="checkbox"/>	<input type="checkbox"/>			

	Positive impact – it could benefit ✓ (check box)	Negative impact – it could disadvantage ✓ (check box)	Reason	Are there additional factors that could contribute to the experience of isolation¹? If so, what are they?	Evidence
Travellers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The policy is intended to offer some protection to this group, to enable them to maintain their traditional lifestyle		
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>			
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>			

Notes:

- Faith groups cover a wide range of groupings, the most common of which are Muslims, Buddhists, Jews, Christians, Sikhs and Hindus. Consider faith categories individually and collectively when assessing positive and negative impacts.
- The categories relating to ethnicity include those used in the 2001 census. Consideration should be given to the needs of specific communities within the broad categories such as Bangladeshi people and to the needs of other communities such as Turkish/Turkish Cypriot, Greek/Greek Cypriot and Polish that do not appear as separate categories in the census.
- An adverse impact does not necessarily require action to be taken. Actions must remain in proportion with the benefits that could be achieved and resources available to complete them. If adverse impacts are identified and actions for improvement are not proportionate, the reasons for not taking action should be detailed and open to challenge.

7. If you have indicated there is a negative impact on any group, is that impact:		
Legal?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
<i>(i.e. it is not discriminatory under anti-discriminatory legislation – refer to the Council's website or your Directorate Equality Representative if guidance is needed)</i>		
Intended?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Level of impact	HIGH <input type="checkbox"/>	LOW <input checked="" type="checkbox"/>
If the negative impact is possibly discriminatory and not intended and/or of high impact you must complete section two of this form. If not, complete the rest of section one below and consider if completing section two would be helpful in making a thorough assessment.		
8. a) Could you minimise or remove any negative impact that is of low significance?		
Explain how: No, not within the constraints of the legislation		
b) Could you improve the strategy, project or policy's positive impact?		
Explain how: <i>You may wish to use the action sheet at the end of Section Two.</i>		
9. If there is no evidence that the strategy, policy or project promotes equality, equal opportunities or improved relations – could it be adapted so that it does? How?		

Please sign and date this form. Keep one copy, send a copy to your Directorate Equality Representative and publish the results on the Council's website.

Signed: Sue Craythorne

Date: 16th April 2008

Section Two – Full assessment

Name of strategy, policy or project:

Date:

Part A

1. Looking back at section one of the EINA, in what areas are there concerns that the strategy, policy or project could have a negative impact?

Possible negative impact on healthy single males who are Gypsies or Travellers

2. Summarise the likely negative impacts.

They are more likely than other Gypsies and Travellers to be moved from unauthorised encampments on Council land, and effectively made homeless.

3. What previous or planned consultation or research on this topic / policy area / project has taken place / will take place with groups / individuals from different sections of the community? If there has already been consultation or research what does it indicate about negative impact of this strategy, policy or project?

None to my knowledge – however, the policy follows national guidance.

Section of the Community	Summary of consultation or research carried out or planned

4. What consultation has taken place/or is planned with DCC staff/DCC staff group including staff that have, or will have, direct experience of implementing the strategy / policy / project?

Legal team, Highways staff and Gypsy and Traveller liaison officers were involved in drawing up the policy.

5. If there are gaps in your previous or planned consultation and research, are there any experts/relevant groups that can be contacted to get further views or evidence on the issues.

YES (Please list them below and explain how you will obtain their views)

Since adoption of the policy, meetings have been held with Gypsies and travellers, who recognise that the policy is an improvement on previous practice.

NO

6. Has the strategy / policy / project been through legal vetting for compliance?

YES

NO

Note: This will only be necessary in conditions where the strategy / policy / project is entirely driven by legislative duties **and/or** where there is doubt about the legal interpretations in relation to the outcomes / service being provided.

Part B

Complete this section when consultation and research has been carried out

7. a) As a result of this assessment and available evidence collected, including consultation, state whether there will need to be any changes made / planned to the policy, strategy or project.

No

b) As a result of this assessment and available evidence is it important that DCC commission specific research on this issue or carry out monitoring / data collection?

No

(You may wish to put this information directly onto the action plan at the end of this form)

8. Will the changes planned ensure that negative impact is:

Legal? YES NO

(not discriminatory, under anti-discriminatory legislation)

Intended? YES NO

Low impact? YES NO

9. a) Have you set up a monitoring / evaluation / review process to check the successful implementation of the strategy, project or policy?

YES NO but records are kept by the legal team

b) How will this monitoring / evaluation further assess the impact on different sections of the community/ ensure the strategy/ policy / project is non-discriminatory?

Details:

10. What is the final policy decision for this assessment?

11. There is a legal requirement to publish the outcome of an Equality Impact and Needs Assessment. Please outline how / where this will happen:

Please complete the action plan below, sign the EINA, retain a copy and send a copy of the full EINA, including the Action Plan, to your Directorate Equality Representative.

Signed: Sue Craythorne

Date: 17th April 2008

Equality Impact and Needs Assessment Action Plan

Please list below any recommendations for action that you plan to take as a result of this impact assessment.

Issue	Action required	Lead officer	Timescale	Resource implications	Comments
None					

NOTES: