

Equality and Human Rights Impact Assessment:	
Policy / Project / Function:	Proposal for short-term halting sites
Date of Assessment:	1 August 2013
Assessment Pre-screening Rating: (See Completion Notes)	<input type="checkbox"/> Red <input type="checkbox"/> Red Amber <input type="checkbox"/> Amber <input checked="" type="checkbox"/> Green ✓
Reason for that decision	Green as this is likely to attract considerable media and public interest
Type of Assessment Performed: Please Tick ✓	Systematic Policy Assessment ✓ <input type="checkbox"/> Consultation <input type="checkbox"/> Meeting <input type="checkbox"/> Other <input type="checkbox"/>
Please list any other policies that are related to or referred to as part of this assessment	Management of Unauthorised Gypsy/ Traveller Encampments
Who does the policy, project or function affect ? Please Tick ✓	Employees <input type="checkbox"/> Service Users ✓ <input type="checkbox"/> Applicants <input type="checkbox"/> Members of the Public ✓ <input type="checkbox"/> Other (List Below) <input type="checkbox"/> Local residents and

	businesses
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Equality and Human Rights Impact Assessment:

<p>What are the aims and intended effects of this policy, project or function?</p>	<p>Redressing disadvantage by increasing accommodation provision for Gypsy/Travellers visiting the City to help meet clearly identified needs of Gypsy/ Traveller families.</p> <p>Better managed situation with unauthorised encampments</p> <p>Improved Community relationships</p> <p>Improved service and access to services for Gypsy/Travellers</p>
<p>What Equality Data is available relating to the use or implementation of this policy, project or function ?</p> <p>(See Completion notes)</p>	<p>We have limited intelligence on the Gypsies/Travellers that have been using the unauthorised encampments this year.</p>
<p>List the outcomes from any consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function</p>	<p>The Stakeholders Group has included community representatives, whose views have helped shape and inform this proposal.</p> <p>Best Practice Research of UK Councils who are further ahead.</p> <p>Concept of short-term halting sites has been included within the recommendations of Scottish Government and Parliament Publications.</p> <p>There have been several consultations with Gypsies/ Travellers since 2001, which have identified the need for short-term halting sites.</p>

<p>Financial Assessment</p> <p>If applicable, state any relevant cost implications (e.g. expenses, returns or savings) as a direct result of implementing this policy, project or function</p>	<p>Costs (£)</p> <p>Implementation <input data-bbox="1163 506 1386 573" type="text" value="£"/></p> <p>Projected Returns <input data-bbox="1163 600 1386 667" type="text" value="£"/></p> <p>Projected Savings <input data-bbox="1163 701 1386 768" type="text" value="£"/></p> <p>Costs for delivery of this have still to be developed. This year, the Council has spent £73,381 on clear up and legal costs for unauthorised encampments.</p>
<p>How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?</p>	
<p>With the proposed halting site, there will be space for accommodating Gypsy/ Traveller families with minimal service provision, who otherwise if there are no short-term halting sites and the Clinterty site is full, are effectively homeless. There will be a management framework with clear guidelines and operating principles, which reflect the rights, responsibilities and expectations, so that the halting sites benefit both Gypsies/Travellers and the settled community.</p> <p>Therefore this is a positive step which contributes to the public sector equality duty.</p>	

How does this proposal link to the Council's Equality Outcomes?

Equality Outcome 5: Effective customer service that is aware of the differences and requirements of different groups

Equality Outcome 19: Improved awareness, knowledge and understanding of diversity and equality

Equality Outcome 16: Accommodation which meets the needs, culture and lifestyle of Gypsy/ Travellers normally resident in and visiting, the city of Aberdeen.

Equality Impact Assessment Test:

What impact will implementing this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
Age (People of all ages)				
Disability (Mental, Physical, Sensory and Carers of disabled)				
Gender Reassignment				
Marital Status (Married and Civil Partnerships)				
Pregnancy and Maternity				

Equality Impact Assessment Test:

What impact will implementing this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

Protected Characteristic:	Neutral Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
Race (All Racial Groups including Gypsy/Travellers)		√		<p>Redressing disadvantage by increasing accommodation provision for Gypsy/Travellers visiting the City to help meet clearly identified needs of Gypsy/ Traveller families.</p> <p>Better managed situation with unauthorised encampments</p> <p>Improved Community relationships between Settled community and the Gypsy/Traveller community.</p> <p>Improved service and access to services for Gypsy/Travellers</p>

Religion or Belief or Non-belief				
Sex (Women and men)				
Sexual Orientation (Heterosexual, Lesbian, Gay and Bisexual)				

Human Rights Impact Assessment Test:

Does this proposal have the potential to impact on an individual's Human Rights?

Yes ✓

No

<p>Evidence of impact and , if applicable, justification where the impact is proportionate</p>	
<p>Article 3: <i>Right not to be subjected to torture, inhumane or degrading treatment or punishment</i></p>	
<p>Article 6 <i>Right to a fair and public hearing</i></p>	
<p>Article 8 <i>Right to respect for private and family life, home and correspondence</i></p>	<p>Right to respect for the way of life (both local community & Gypsy/Travellers)</p>
<p>Article 10 <i>Freedom of expression</i></p>	
<p>Other article not listed above</p>	<p>Article 1 – Peaceful enjoyment of property (both residents and businesses) Article 2 – Right to education of Gypsy/Travellers Article 11 – Freedom of Association Article 14 – Ensure Gypsy/Travellers are not the subject of Racial Harassment</p>

Assessment Summary and Sign Off

Overall Assessment Rating:

(See Completion Notes)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Red	Red Amber	Amber	Green

Reason for that decision

Green as this will have a positive impact for Gypsy/ Travellers

This Equality and Human Rights Impact Assessment was completed by:

(Name and Service)

Martin Smith
Housing Manager
Housing and Environment

Action Planning:

As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
<p>Short-term halting sites will be managed and therefore should not be compared to unauthorised encampments, which arise on an ad-hoc basis. However, care needs to be taken also to protect the rights of local communities and businesses to respect for their private life and enjoyment of their properties.</p> <p>If the sites are seen not to work effectively, then there could be increased hostility between the Gypsy/ Traveller and settled community, and further reputational damage to the Council</p>	<p>That there is a continued role for the Stakeholder Group in helping to develop a management framework and a communication strategy to raise awareness of the issues around Gypsy/ Travellers and to build better relationships between Gypsy/ Travellers and the settled community.</p>	<p>Martin Smith</p>		



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Completion Notes:	
Assessment Pre-screening Rating:	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the council. Therefore a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision.</p> <p>It should also be completed to evidence why a full impact assessment was not required, for example, where there is no potential negative impact on people.</p>
Assessment Rating:	<p>After completing this document, rate the overall assessment as follows:</p> <p>Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the activity or policy be suspended until further work or assessment is performed and the discrimination is removed.</p> <p>Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this activity or policy and further professional advice should be taken.</p> <p>Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p>Green: As a result of performing this assessment, the policy or activity does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>
Equality Data:	<p>Equality data is internal or external information that may indicate how the activity or policy being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i>
Genuine Determining Reason	<p>Certain discrimination may be capable of being justified on the grounds that:</p> <ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessments.</p>
Human Rights	<p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p>
Legal Status:	<p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>