

Tameside Metropolitan Borough Council Equality Impact Assessment Form



Subject / Title	Tameside Metropolitan Borough Council Anti-Social Behaviour Policy
Project Lead Officer (Name and Job Title)	Dave Smith – Partnership Manager
Assistant Director / Director	Emma Varnam
Department	Operations and Neighbourhoods
Directorate	Place

EIA Start Date	EIA Completion Date
04/12/2023	05/12/2023

This Equality Impact Assessment template contains collapsible advice and instructions. **Whenever you see a triangle pictured here, ➤ click on it to reveal or collapse advice and instructions.**

PURPOSE OF THE EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment (EIA) aims to examine whether a proposal will contribute to or alleviate inequalities in Tameside through assessing the potential impacts the proposal may have on people with ‘protected characteristics’. (A ‘proposal’ here includes any strategy, policy, service change, or project).

‘Protected characteristics’ are attributes that people have or experiences that people may go through which can result in marginalisation or disadvantage. Under the Equality Act 2010, there are nine legally mandated protected characteristics to consider:

- Age
- Sex
- Race (including colour, nationality, and ethnicity)
- Religion or belief
- Disability
- Sexual orientation
- Gender identity¹

¹ We have rearticulated ‘gender reassignment’ under the Equality Act 2010 as ‘gender identity’. An explanation for this is given in the definitions of protected characteristics in STEP FIVE.

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- Pregnancy and maternity
- Being married or in a civil partnership

Tameside Council has classified further characteristics as protected, referred to as 'extra protected characteristics'. These are below:

- Carers
- Cared for Children and Care Leavers
- Ill Mental Health
- Neurodivergence
- Socio-Economic Disadvantage

Conducting an Equality Impact Assessment based on these protected characteristics will aid compliance with the Public Sector Equality Duty (Equality Act 2010, section 149), which requires that all public bodies pay 'due regard' to the three general aims of the Public Sector Equality Duty:

- i. Eliminate unlawful discrimination, harassment, and victimisation
- ii. Advance equality of opportunity between people who share a protected characteristic and those who do not
- iii. Foster good relations between people who share a protected characteristic and those who do not

Having 'due regard' involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

EQUALITY IMPACT ASSESSMENT CORPORATE STANDARDS

Due to the important ethical and legal aims of the Equality Impact Assessment (EIA), there are several corporately agreed criteria which should be fulfilled when completing EIAs:

- An EIA is required for all formal decisions that involve changes to service delivery. For all other proposals, an EIA must be considered.
- The decision as to whether an EIA is undertaken rests with the Project Lead Officer in consultation with the appropriate Assistant Director / Director where necessary. Where an EIA is not completed, the reason(s) for this must be detailed within the appropriate report.

- EIAs must be timely and completed alongside the development of any proposal. The findings of any potential detrimental or inequitable impact that may occur through the implementation of the proposal on residents, service users, or staff must be brought to the attention of the decision maker in the accompanying report. Appropriate mitigations must be integrated into the development of the proposal.
- EIAs should be carried out by at least two people. Guidance from case law indicates that judgements arrived at in isolation are not consistent with showing 'due regard' to the necessary equality duties.

INITIAL SCREENING

Purpose:	To identify which proposals need to proceed to Part II of the EIA Process – the full EIA.
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Step 1: Summarise the proposal

1a.	Proposal Title:	Tameside Metropolitan Borough Council Anti-Social Behaviour Policy
1b.	Proposal Aims:	<p>This policy sets out Tameside Council's commitment to reducing anti-social behaviour (ASB) and improving the quality of life for local people as everyone has the right to live without the fear of facing anti-social behaviour. The Policy lays out the approach of the Council and relevant local partners to meeting this commitment, including:</p> <ul style="list-style-type: none">• Placing victims and witnesses at the centre of our procedures.• Remaining objective until a thorough investigation has been carried out.• Making effective use of the powers, orders and mechanisms available to Tameside Council and partners to deal with ASB.

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		<ul style="list-style-type: none"> Participating fully in joint working with partner agencies i.e., Police and Housing providers, to enable the best possible outcomes for victims and communities. Raising awareness of what constitutes ASB and to address issues around tolerance. Publicising and promoting services available, to divert from or tackle ASB by signposting to other services.
1c.	Context:	<p>Tackling anti-social behaviour has been identified as a priority by local residents and businesses through a consultation process on the Community Safety Strategy. In a survey launched to support this, awareness of anti-social behaviour and crime in their local areas were identified as key drivers for some residents feeling unsafe.</p> <p>The Community Safety Strategy 2022-25 sets out the shared priorities of the Tameside Community Safety Partnership (CSP) in order to fulfil Priority 6 of the Tameside Corporate Plan, “Nurturing our Communities and having pride in our people, our place and our shared heritage”. Reducing levels of anti-social behaviour in the borough is a specific action point referenced under this priority.</p> <p>In addition, the new Anti-Social Behaviour Policy is supported by and complements several pieces of national legislation and regional strategies, including:</p> <ul style="list-style-type: none"> The Crime and Disorder Act 1998, which sets out statutory duties on the police and local authorities to work in collaboration with key partners and organisations to develop and implement strategies to tackle crime and disorder and create safe communities. The Police Reform and Social Responsibility Act 2011, which created a flexible framework for partnership working. This includes two inter-related duties to co-operate which set out a clear aim for partnership working across partners involved in community safety and criminal justice. The Anti-Social Behaviour, Crime and Policing Act 2014, which introduced new powers for Local Authorities, emergency services, NHS and other agencies to help tackle anti-social behaviour. The Greater Manchester Deputy Mayor’s Police and Crime Plan “Standing Together”, and the Greater Manchester Gender-Based Violence Strategy.
1d.	Stakeholders:	<p>The Tameside Community Safety Partnership (CSP) has responsibility for supporting the delivery of the priorities identified within the Community Safety Strategy 2022-25, including the prevention and reduction of Anti-Social Behaviour.</p>

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	<p>In Tameside, the Community Safety Partnership is made up of representation from the Tameside MBC (TMBC), Greater Manchester Police (GMP) Greater Manchester Fire and Rescue Service (GMFRS), Health, Probation and Youth Justice, voluntary and community sector organisations and housing providers. These responsible authorities are under a statutory obligation to work together to tackle crime, disorder, and anti-social behaviour; alcohol and substance misuse, reduce re-offending and tackle any other behaviour which has a negative effect on the local environment. Each partner agency brings a range of expertise and experience and when these skills are brought together, they can help to resolve issues more quickly and effectively.</p> <p>The CSP meets on a monthly basis and is jointly chaired by the Council and GMP. In order to identify priorities and develop strategies, the CSP will analyse a wide range of information collected by GMP and other organisations as well as consulting with key stakeholders and communities. The work of the Community Safety Partnership places emphasis on working with residents, partners and communities to improve safety across the borough. The CSP also works alongside the Greater Manchester Combined Authority (GMCA).</p> <p>Tameside Council's Anti-Social Behaviour team are a lead agency in dealing with anti-social behaviour, and utilises its powers in the Anti-Social Behaviour, Crime and Policing Act 2014 to undertake investigations, enforcement, and preventative activities. However, Tameside Council has other service areas that are involved in investigating anti-social behaviour, for example, Licensing, Fly-Tipping and Environmental Services.</p>
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Step 2: Impact Analysis – identify the impacts

Purpose:	To identify potential impacts the proposal may have on people with protected characteristics.
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SEE INSTRUCTION:

Each potential impact can be classified as 'direct' or 'indirect'.

A **direct impact** occurs when the proposal is targeted at a particular group. For example, if libraries closed down children's areas, this would directly impact children under 'Age'.

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An **indirect impact** occurs when the proposal is more general or universal, but it has a knock-on effect on people with particular protected characteristics. For example, if a pelican crossing is removed due to construction or highway changes, this would indirectly impact people with disabilities ('Disability'), the elderly ('Age'), people with children or who are pregnant ('Pregnancy/Maternity').

If a detrimental direct or indirect impact is identified, an appropriate **mitigating action** should be integrated into the development of the proposal. A mitigating action is an adjustment to the proposal that will reduce or minimise the impact. This is covered in STEP SIX of the EIA Process.

The Impact Analysis is separated between two steps: STEP TWO (here) and STEP FIVE (below). In this step:

- State whether any direct or indirect impacts have been identified under each protected characteristic.
- List the impacts identified under each protected characteristic.
- Identify whether a mitigation action is required.

There is **no requirement** at this stage to provide the detailed evidence about each impact or identify specific mitigating actions.

When identifying impacts, think about:

- Information and intelligence you have access to (e.g. data that is publicly available)
- Experiences and knowledge of residents and service users
- Experiences and knowledge of colleagues, including frontline staff
- Experiences in other local boroughs, particularly Greater Manchester and statistical neighbours
- Research reports from think tanks, academia, government organisations, and charities
- '**Multiple marginalisation**' – how the proposal may impact people with combinations of protected characteristics (e.g. Age and Race/Ethnicity) rather than consider each protected characteristic singularly. A proposal may impact people with one combination of protected characteristics more than another combination of protected characteristics. For example, moving a service from physical to digital provision may detrimentally affect elderly people of Bangladeshi backgrounds more than elderly people of a White British background.

Protected Characteristic	Direct Impact	Indirect Impact	Mitigation Required
<i>Select yes or no from the drop-down list in each box to identify whether any direct or indirect have been identified under each protected characteristic, and also select yes or no to determine whether a mitigating action is required. Subsequently, list these impacts.</i>			
Age	No	Yes	No

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	<p>A study of interpretations of anti-social behaviour (ASB) in the Crime Survey for England and Wales found a significant gap between the views of different age groups - with older people more likely than younger people to interpret certain public behaviour as anti-social, particularly when associated with young people. Young people are also often the target of ASB, with young men aged 16- 24 most at risk of being the victims of violent crime. This means that different approaches and mechanisms will likely be required for engaging with different age groups. In addition, some ASB may be directed at an individual based on their age and therefore this policy would provide further protection for that characteristic.</p>		
Sex	No	Yes	No
	<p>Both men and women may be victims and perpetrators in ASB cases. However, the Crime Survey for England and Wales indicates that men are more likely to be victims of violent crime, whereas women are more likely to be subject to domestic abuse or sexual harassment. While the proposed policy will apply to residents regardless of sex, officers should be aware that sex may be a motivating factor in ASB cases and ensure that appropriate action is taken in respects to each case.</p>		
Race (including colour, nationality, and ethnicity)	No	Yes	No
	<p>Research from the Home Office has shown that while people from white ethnic backgrounds reported the most impact from ASB, other ethnic groups reported having experienced or witnessed more types of ASB. Non-white ethnic groups were also more likely to be victims of hate crime or racial harassment which have significant overlap with ASB. There is a risk that non-white residents, particularly those who do not speak English as a first language, may feel isolated and unsure/unaware of the procedures for reporting ASB. While the proposed policy will apply to residents regardless of race, officers should be aware that race may be a motivating factor in ASB cases and ensure that appropriate action is taken in respects to each case</p>		
Religion or Belief	No	Yes	No
	<p>There is a significant overlap between religious-motivated hate crime or harassment and ASB. A 2020 ONS report on religion and crime in England and Wales found that half of all religiously motivated hate crimes recorded by the police were for public order offences (for example, causing fear, alarm or distress). While the proposed policy will apply to residents regardless of religion or belief, officers should be aware that it may be a motivating factor in ASB cases and ensure that appropriate action is taken in respects to each case. It is also possible for cases of ASB to have more than one motivating factor, with religion and race being the most typical combinations</p>		
Disability	No	Yes	No
	<p>Research from the Equality and Human Rights Commission show that there is evidence that disabled people, particularly those with mental health disabilities, are significantly more vulnerable to becoming a victim of ASB, often as a result of their impairment. Data from the ONS suggests that disabled people are also more likely to be socially isolated and therefore possibly unable/unwilling to report incidents of ASB. Disabled people with mental health issues may also be more severely impacted by individual incidences of ASB. While the proposed policy will apply to residents regardless of disability, officers should be aware that it may be a motivating factor in ASB cases and ensure that appropriate action is taken in respects to each case.</p>		
Sexual Orientation	No	Yes	No

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	<p>Members of the LGB community are, and perceive themselves to be, significantly more at risk from incidents of ASB. Data collected from the GMCA Police and Community Safety survey that LGB people feel less safe in their local area in comparison to heterosexual people, and 53% reported experiencing antisocial behaviour or a disturbance in the last 12 months. LGB people also reported feeling less safe outside of their local areas compared to heterosexual people, and were less confident that they could get help from the police in an emergency. While the proposed policy will apply to residents regardless of sexual orientation, officers should be aware that it may be a motivating factor in ASB cases and ensure that appropriate action is taken in respects to each case.</p>		
Gender Identity	No	Yes	No
	<p>Members of the transgender community are significantly more vulnerable to ASB than the LGBT+ community as a whole, with some surveys suggesting that up to 80% of transgender people have suffered some kind of transphobic hate crime in the past 12 months. Most transphobic incidents reported to Stop Hate UK were verbal abuse, threatening behaviour, harassment and anti-social behaviour. The GMCA Police and Community Safety survey indicates that transgender people are also far less likely to report incidents of ASB and other abuse, and are less confident that their concerns will be listened to. While the proposed policy will apply to residents regardless of sexual identity, officers should be aware that it may be a motivating factor in ASB cases and ensure that appropriate action is taken in respects to each case.</p>		
Pregnancy/Maternity	No	No	No
	<p>It is not anticipated that development of the Anti-Social Behaviour Policy will have an impact on pregnancy and maternity based on evidence available.</p>		
Marriage/Civil Partnership	No	No	No
	<p>It is not anticipated that development of the Anti-Social Behaviour Policy will have an impact on marriage and civil partnership based on evidence available.</p>		
Carers	No	No	No
	<p>It is not anticipated that development of the Anti-Social Behaviour Policy will have an impact on carers based on evidence available.</p>		
Cared for Children and Care Leavers	No	Yes	No
	<p>There is evidence to suggest that cared for children and care leavers are more likely to be both victims and perpetrators of ASB. A report from the Greater London Authority stated that the majority of cared-for children have suffered adverse childhood experiences, trauma, and an absence of consistent reparative attachment relationships with supportive adults. This can make them more vulnerable to falling into criminality which can include ASB. Care leavers moving into supported accommodation or their own independent flat, who were interviewed as part of a survey for Barnardo's, have also indicated that the money provided from the leaving care grant often forced them into deprived areas where ASB is more prevalent, resulting in them feeling unsafe and vulnerable.</p>		
III Mental Health	No	Yes	No
	<p>The vast majority of people with mental health problems do not commit ASB, and are indeed more likely to be victims of ASB themselves. However, researched by Shelter appears to indicate that, among people who are accused of ASB, there is a high</p>		

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	correlation with unmet mental health support need. Research from the Home Office has shown that victims of ASB often report on its negative impact on their mental health and quality of life, with some manifesting behaviours such as avoiding certain areas or changing routines. Other mental health implications of ASB include living in fear, stress and anxiety, which can lead to panic attacks and depression. This consequences are more pronounced in people that were already suffering from mental health issues prior to experiencing ASB.		
Neurodivergence	No	Yes	No
There is currently limited evidence available on the link between neurodivergence and ASB. However, there is some academic research that suggests a lack of appropriate support for neurodivergent individuals, particularly those with autism spectrum disorder, attention deficit hyperactivity disorder, and speech, language and communication needs, can result in behaviour that leads them to being more vulnerable to both perpetrating and becoming victims of ASB. While the proposed policy will apply to residents regardless of neurodivergence, officers should be aware that it may be a motivating factor in ASB cases and ensure that appropriate action is taken in respects to each case.			
Socio-Economic Disadvantage	No	Yes	No

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	There is a strong link between socioeconomic disadvantage and ASB. Research from the Home Office and other Parliamentary research bodies has shown that those living in the most deprived areas were more likely to have personally experienced or witnessed ASB in the 12 months, and are more likely to have experienced a significant impact from ASB on their quality of life compared to those who lived in the least deprived areas. It is suggested that this could be connected to wider socio-economic issues experienced in these areas, including reduced access to services like youth clubs, higher levels of unemployment and substance abuse issues. In addition, while ASB is more prevalent in deprived areas, fewer incidents were reported to the relevant agencies and organisations. More affluent communities were perceived to be less tolerant of ASB, whereas more deprived communities tended to accept a higher level of ASB.		
Multiple Marginalisation	No	Yes	No
	There are a number of incidences where multiple marginalisation could make a resident more at risk of being a victim of ASB. This includes, but is not limited to, experiencing social disadvantage and another protected characteristic (age, disability, race, gender reassignment etc), experiencing mental health issues and another protected characteristic, or experiencing multiple protected characteristics such as being a younger disabled person or a non-white member of the LGBT+ community. While the proposed policy will apply to all residents, officers should be aware of all equalities characteristics that may impact an ASB case and ensure that appropriate action is taken.		

Step 3: Initial Screening Sign Off

Purpose:	To determine whether a proposal should proceed from the Initial Screening to the Full Equality Impact Assessment.
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SEE INSTRUCTION:

A full Equality Impact Assessment should be undertaken when:

- There is a formal decision relating to changes in service delivery
- A detrimental impact against a protected group has been identified, irrespective of whether the impact is direct or indirect
- There are substantial, important gaps in knowledge that prevent proper consideration of the proposal's potential impacts

Sign off is only required if the Initial Screening does not proceed to the Full Equality Impact Assessment.

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1e.	Does the proposal require a full EIA?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1f.	If you are not undertaking a full EIA, please provide justification as to why not.	While there is evidence to suggest that people with different protected characteristics may be more vulnerable to (or in some cases, more likely to be perpetrators of) ASB, the Anti-Social Behaviour Policy as it stands will apply to all residents. In addition, the Anti-Social Behaviour Policy sits underneath the wider Community Safety Strategy. As a full Equality Impact Assessment was conducted for the Community Safety Strategy, this still has relevance for the Anti-Social Behaviour Policy. On that basis, it is believed that a full EIA for the Anti-Social Behaviour Policy is not required. However, officers should be aware of all equalities characteristics that may impact ASB cases and ensure that appropriate action is taken.	

This initial screening has been completed by the EIA Lead Officer:	Name:	Dave Smith
	Signature:	
	Department:	Operations and Neighbourhoods
	Date:	05/12/2023
This Initial Screening has been checked by the Assistant Director / Director:	Name:	Emma Varnam
	Signature:	
	Department:	Operations and Neighbourhoods

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Date:	05/12/2023
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