

Customer Access Review – Full Assessment

Assessment details		
Assessment area		Dartford Borough Council - Use of Body Worn Video Devices (BVD's)
Date of assessment		15 th January 2020
Directorate and Service		Enforcement and Regulatory Services
Manager		Mark Salisbury
Officer conducting assessment		Richard Cherry
Step 1: Scoping the assessment		
1	What are the aims and objectives of the activity or proposal?	<p>Authorised Officers (AO's) including the Civil Enforcement Officers (CEOs) employed by Dartford Borough Council (DBC), undertaking the enforcement of parking restrictions throughout Dartford, are each equipped with a Body Worn Video Device (BWVD), which has both video and audio recording capability.</p> <p>During their work, the AOs are vulnerable to verbal and physical abuse and the Council sometimes receives complaints about the behaviour of a AOs. The BWVDs can act as a deterrent to abusive and aggressive behaviour and prevent a situation escalating and the recording can also be used as evidence in cases where a CEO is assaulted or abused. It can also be used to investigate complaints about a AO.</p>
2	Who will be affected?	All Dartford residents, visitors, locally based businesses and landowners, individuals working in Dartford and staff of DBC. (Drivers, other road users and pedestrians). The issue of a PCN, is not 'group specific' and would affect drivers of motor vehicle 17 years and over, that have allegedly committed a parking offence / contravention.
3	How does the activity or proposal contribute to: a) any key performance indicators? b) policies, values or objectives of Dartford Borough Council?	<ul style="list-style-type: none"> • General Road Safety throughout the borough • Safety of drivers and pedestrians • Reduce offending driver behaviour • Promote lawful parking and positively contribute to the challenge of minimising congestion and 'keeping Dartford traffic moving' • Staff / Officer Safety
4	Which aspects of the activity or proposal are dictated by legislation/regulation and where do we have discretion in how they are delivered?	The lawful basis for processing - that it is necessary in the public interest or in the exercise of official authority vested in the Council

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		<p>The following legislation and guidance is applicable the use of BWVDs.</p> <ul style="list-style-type: none"> • General Data Protection Regulation. • Data Protection Act 2018. • Freedom of Information Act 2000. • Human Rights Act 1998. • Protection of Freedoms Act 2012. • Home Office Surveillance Camera Code of Practice. • Information Commissioner’s Office - In the Picture: A data protection code of practice for surveillance cameras and personal information. • Home Office guidance – safeguarding boy worn video data. • Home Office guidance – technical guidance for body worn video devices. • College of Policing guidance – Body Worn Video.
<p>Step 2: Information collection</p> <p>Note: Equality and Diversity information for Dartford can be found at http://www.kent.gov.uk/about-the-council/information-and-data/Facts-and-figures-about-Kent/equality-and-diversity-data</p>		
5	<p>What do you know about the groups of people who will be affected? i.e. demographic information in relation to the protected characteristic groups (age, disability, pregnancy and maternity, religion or belief, race, sex, sexual orientation, gender reassignment)</p>	<p>DBC records the age and gender of persons issued with PCNs but does not record any further information regarding other protected characteristics. The issuing of PCN’s is however offender specific and not group specific in terms of age, disability, race, gender, religion/belief, sexual orientation and pregnancy/maternity.</p> <p>In terms of Penalty Charge Notice (PCN) offences, enforcement action to deal with these are offence /offender specific and not group specific in terms of age, disability, race, gender, religion/belief, sexual orientation and pregnancy/maternity. DBC AO’s, their BWVDs can act as a deterrent to abusive and aggressive behaviour and prevent a situation escalating and the recording can also be used as evidence in cases where a AO is assaulted or abused. It can also be used to investigate complaints about a AO and is offence specific and not group specific in terms of age, disability, race, gender, religion/belief, sexual orientation and pregnancy/maternity. .</p>
6	<p>What consultation has taken place with affected groups? Please describe who was consulted and the key findings</p>	<p>BWV as been in use by DBC CEOs for a considerable number of years (5 years minimum). This now forms part of their operational patrol equipment and is in daily use. The public are familiar with BWV use and the circumstances around when activated by the CEO/AO. Any issues around use of the equipment that are brought to the attention of DBC by the public /</p>

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		affected groups, are received, reviewed and actioned appropriately around the information provided along with outcomes.			
7	Are there any gaps in information? If so, what additional research and/or consultation is needed to ensure that affected groups needs and views are taken into account?	<p>There is a risk that the Council will experience negative publicity in a failure that they may be seen to deal robustly and effectively with incidence of unlawful, illegal and indiscriminate, nuisance parking. This can be mitigated by positive enforcement action and, raised public awareness/education, robust recording and monitoring of reported incidents and keeping the public and informants updated and appraised of outcomes. In terms of unauthorised parking within the borough, information is and may be shared via the DBC Parking Page Website and the DBC Parking Services Annual Report. Information is also provided through FOI requests.</p> <p>CEOs have and continue to perform their duty whilst wearing BWV for a considerable number of years (5 at least). They are visible to the public and are used as highlighted within Step 1 of this review.</p>			
Step 3: Assessing the equality impact					
8	<p>Consider whether the activity or proposal has or will have any positive or negative equality impacts on the protected characteristic groups in relation to the following aims of the General Equality Duty:</p> <p>a) tackling unlawful discrimination b) promoting equality of opportunity c) promoting good relations</p> <p><u>NOTES:</u></p> <ul style="list-style-type: none"> • The Initial Screening will have identified which aims of the Public Sector Equality Duty are relevant to the activity or proposal for consideration • For existing activities, consider how they are working in practice for each relevant protected group • For new proposals, consider whether there is anything that could give rise to positive and negative equality impacts for each relevant protected group • If there is no identified equality impact, please tick the 'No Impact' box and explain why in question 9 • If the equality impact is unclear, please tick the 'Unknown' box and explain why in question 9 				
		POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
a	Age	Use of BWV: The issuing of PCN's for alleged parking offences / contraventions is offender specific and not age		<input type="checkbox"/>	<input type="checkbox"/>

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		specific (driver age 17 years and over)			
b	Disability	<p>Use of BWV: The issuing of PCN's is offender specific and not disability specific, although there is a need for the civil enforcement officer to evaluate each situation taking into account not only physical impairment but mental health and learning difficulties also. The expertise of the officers who have had full training on dealing with people with disabilities determines the course of action and the advice given.</p> <p>The long term impact of having civil enforcement officers / patrols is anticipated to reduce the incidents of unauthorised, indiscriminate and nuisance parking that often obstruct the public rights of way, requiring wheelchair users to move into dangerous carriageways etc.</p> <p>BWV may be used by the AO where the circumstances of each individual incident impacts on the action taken by them at the time.</p>	<p>The Service does not record disability on the PCN ticket. However we may consider including this in the future and re-design the tickets used by the Service.</p> <p>All forms of unauthorised, indiscriminate and nuisance parking, can cause potential obstructions to public highways and this could be problematic to people with disabilities.</p>	<input type="checkbox"/>	<input type="checkbox"/>
c	Gender (including reassignment)	<p>Use of BWV: The issuing of PCN's is offender: specific and not gender specific.</p> <p>BWV may be used by the AO where the circumstances of each individual</p>		<input type="checkbox"/>	<input type="checkbox"/>

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		incident impacts on the action taken by them at the time.			
d	Race	<p>Use of BWV: The issuing of PCN's is offender: specific and not race specific.</p> <p>BWV may be used by the AO where the circumstances of each individual incident impacts on the action taken by them at the time.</p>	<p>BWVs: For those whose first language is not English, the PCN instructions and procedures may need to be explained more fully along with the use of BWV by AO's.</p> <p>The PCN is only available in English. It would not be cost effective for CEOs to carry the ticket in different languages in case they needed to issue to a non-English speaking member of the community. PCNs are issued by CEOs but do occasionally meet language barriers due to the multi-cultural community Dartford enjoys. On the odd occasion that this has occurred there has normally been an English speaking family member or friend to translate to the offender re use of BWV and PCN issue.</p>	<input type="checkbox"/>	<input type="checkbox"/>
e	Religion/Belief	<p>Use of BWV: The issuing of PCN's is offender: specific and not religion / belief specific.</p> <p>BWV may be used by the AO where the circumstances of each individual incident impacts on the action taken by them at the time.</p> <p>A person's religious belief will not normally be known by the service and is not a barrier or target for</p>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

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		enforcement work to be carried out and does not impact upon parking offences / contraventions committed.			
f	Sexual Orientation	<p>Use of BWV: The issuing of PCN's is offender: specific and not sexual orientation specific.</p> <p>BWV may be used by the AO where the circumstances of each individual incident impacts on the action taken by them at the time.</p> <p>A person's sexual orientation is not known by the service and is not a barrier or target for enforcement work to be carried out and does not impact upon parking offences / contraventions committed.</p>	<p>Need to ensure that any customer / workforce conflict does not arise through any form of displayed or perceived prejudice.</p> <p>In achieving compliance and in terms of fairness and transparency, DBC to have in place robust training and policies, in order to comply with the 2010 Equality Act and in particular the advancement of equal opportunities.</p>	<input type="checkbox"/>	<input type="checkbox"/>
g	Pregnancy/Maternity	<p>Use of BWV: The issuing of PCN's is offender: specific and not pregnancy / maternity specific.</p> <p>BWV may be used by the AO where the circumstances of each individual incident impacts on the action taken by them at the time.</p> <p>Pregnancy is not a barrier or target for enforcement work to be carried out and does not impact upon parking offences / contraventions committed.</p>		<input type="checkbox"/>	<input type="checkbox"/>

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		The long term impact of having civil enforcement officers / patrols is anticipated to reduce the incidents of unauthorised , nuisance and indiscriminate parking that often obstruct the public rights of way parents with prams to move into dangerous carriageways etc.			
9	If ‘no impact’ or ‘unknown’ was selected, please explain				
10	If Dartford Borough Council works with partners to deliver the activity or proposal, please describe any circumstances that could give rise to positive or negative equality impacts between different groups	DBC Civil Enforcement Officers work closely with Police, KCC around the most appropriate and balanced enforcement of parking related offences and contraventions. All of the identified partners work to within the legislative requirements that relate to their specific area of business. Training is provided to them around the legislation and powers relating to their role and the appropriate use of BWV, along with any issues / considerations relating to equality and considerations around the strands of Diversity. Any issues that may impact either positively or negatively would be subject of discussion and review between the relevant parties.			
11	Any other comments	<p>The issuing of PCN’s, along with the subsequent legislative use of BWV is offender specific and not group specific in terms of age, disability, race, gender, religion/belief, sexual orientation and pregnancy/maternity.</p> <p>There is no evidence to show that, given adherence to the BWV / CCTV guidance, the enforcement/recorded engagement activity has a negative impact upon any customer group, including the protected characteristic groups, or that any customer group is discriminated against.</p> <ul style="list-style-type: none"> • Unauthorised, indiscriminate parking is a nuisance to both residents and visitors to the borough and can impact upon the safety of drivers and pedestrians. All residents should benefit from parking enforcement and officer intervention. The long term impacts of having comprehensive civil enforcement is anticipated to reduce the incidence of unauthorised, nuisance, indiscriminate parking, improve general road safety throughout the borough, safety of drivers and pedestrians, reduce offending driver behaviour, Staff / Officer Safety (by use of BWV) and promote lawful parking and positively contribute to the challenge of minimising congestion and ‘keeping Dartford traffic moving’. 			

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	<p>The customer monitoring system used by DBC is adequate and this is supported through regular meetings between DBC managers and staff (121, appraisal, informal daily meetings, and joint working).</p> <p>There are limitations caused by the design of the DBC PCN ticket currently used as it is and 'quite correctly' does not record any characteristics / driver details. However, it would not be appropriate to ask or determine this information when issuing a PCN to a member of the public. Use of BWV can assist to establish the age and gender of an individual, but does not and cannot capture personal information data and may only be used for the purposes as set out in Section 1 of this document.</p> <p>The civil enforcement work carried out by the enforcement officer / team supports DBC to achieve the very highest standards when delivering parking enforcement and parking services. Every group benefits from this activity in terms of reducing the incidence of unauthorised, nuisance, indiscriminate parking, improving general road safety, safety of drivers and pedestrians, reduce offending driver behaviour, all of which in turn encourages people to live and work in the Borough.</p> <p>Need to ensure that any customer / workforce conflict does not arise through any form of displayed or perceived prejudice.</p> <p>In achieving compliance and in terms of fairness and transparency, DBC to have in place robust training and policies, in order to comply with the 2010 Equality Act and in particular the advancement of equal opportunities</p> <p>The Customer Access Review has shown that there aren't any negative consequences for those with protected characteristics to this work being carried out.</p>
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Step 4: Action plan					
12. Based on the information in Steps 1 and 2, please list the actions that will be taken to address:					
a) any gaps in information and consultation b) how any negative impacts on equality will be mitigated or eradicated					
a) If additional information and/or consultation is required or the impact is still unclear, what actions will you put in place to gather the information you need?					
Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
There is a risk that the Council will experience negative publicity through their civil enforcement activity or in the absence of any action being taken.	This can be mitigated by careful planning, raised public awareness and engagement with the alleged perpetrators and recipients of PCN enforcement / BWV engagement explaining systems and processes and reasons 'in terms of powers and legislation' as to why or why not a specific course of action was decided upon.	Public understanding, awareness and support	Ongoing monitoring activity with a 12 month review	Social Media, Compliments / Complaints and DBC / manager 121 meetings	Martin Smith / Richard Cherry
b) If any negative impacts on equality were found, what actions will you put in place to mitigate or eradicate these impacts?					
Identified impacts (and who is affected)	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
PCN ticket does not record ethnicity and disability and there are	Review the design of the ticket to consider to include disability and ethnicity	Accurate monitoring around issue of FPN	Within a 12 month review process	DBC team and 121 meetings, contact from the public, customer services	Richard Cherry / Martin Smith

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limitations to the size of the FPN ticket				referral's and complaints monitoring	
Trying to issue PCN's to people who do not speak English and subsequent dialogue / communication on BWV.	To consider the provision and use of simple translation cards for civil enforcement officers to carry with them	More effective communication between the civil enforcement officer and recipient	Within a 12 month review process	DBC team and 121 meetings, contact from the public, customer services referral's and complaints monitoring	Richard Cherry / Martin Smith
To regularly review all customer complaints 'at monthly 121 meeting' in order to identify any potential emerging trends / areas of concern.	Monitoring of PCNs issued and BWV interaction by the Parking Services Supervisor and enforcement manager.	Reduction in complaints and improved customer confidence and satisfaction.	Within a 12 month review process	DBC team and 121 meetings, contact from the public, customer services referral's and complaints monitoring	Richard Cherry / Martin Smith

Step 5: Decision making and future monitoring

13	Which decision making process does this Customer Access Review need to go through? i.e. who does this need to be approved by?	Mark Salisbury (Head of Service) and Sheri Green (Strategic Director)
14	How will you continue to monitor the impact of the activity or proposal on the equality groups?	Monthly 121 meetings between civil enforcement officers and the parking services supervisor for DBC. Monthly performance report – review.
15	When will you review this Customer Access Review?	Annually or in a response to any change in legislation.

Step 6: Final steps

16	Once this Customer Access Review has been approved, send this assessment to the Policy & Projects Officer
17	If the subject of the Customer Access Review is going to committee, summarise your findings in the committee report
18	Implement the actions identified from this Customer Access Review and ensure progress is monitored and recorded