

Customer Access Review – Full Assessment

Assessment details		
Assessment area		Kingdom - Littering and Dog Fouling Patrols
Date of assessment		16th February 2016
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?	<ul style="list-style-type: none"> To improve the quality and effectiveness of litter and dog fouling enforcement work across the borough and to help encourage behaviour-change and keep the streets free from litter, including cigarette butts. To provide an increased deterrent against litter and dog fouling offences, provide an increased level of enforcement patrols in shopping areas, local neighbourhoods, parks and other open spaces. Provide targeted enforcement patrols in known litter and dog fouling 'hot spot' areas, taking enforcement action against those caught committing litter and dog fouling offences. Reduce the amount of litter and dog fouling across the borough and reduce the cost of litter and dog fouling.
2	Who will be affected?	All Dartford residents, visitors, locally based businesses, individuals working in Dartford and staff of Dartford Borough Council.
3	How does the activity or proposal contribute to: a) any key performance indicators? b) policies, values or objectives of Dartford Borough Council?	<p>Current targets to local environmental quality 'Standard of cleanliness in the Borough (% of areas with an acceptable standard of litter)' linked to ET4 below.</p> <p>Enhanced enforcement activities will result in improving the quality of existing spaces and contribute towards producing a cleaner, safer, community and environment. This service contributes to the Corporate Plan 2014-17 strategic objective ET4 of 'ensuring a high quality street scene'.</p>

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4	<p>Which aspects of the activity or proposal are dictated by legislation/regulation and where do we have discretion in how they are delivered?</p>	<p>The processing procedures for fixed penalty notices 'DEFRA Guidance'. Guidelines have been developed by the DOE to provide guidance and information about litter prevention. They are aimed at councils to help them to contain and reduce litter on their land and provide guidance about taking enforcement action in their area.</p> <p>Enforcement officers work to DEFRA guidance which recommends not issuing FPN's where there is no criminal liability, enforcement action is inappropriate or would be disproportionate for the offence (not in the public interest to do so, the offender is vulnerable, the offence is trivial), prosecution is more suitable (offence is major, committed by a persistent offender, the offender is violent or aggressive) and littering is done accidentally (item falls from an individual's pocket, no evidence of intent to drop, give offenders the chance to pick up the litter before an FPN is issued).</p>
<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>The issuing of FPN's 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 DEFRA guidance, the enforcement activity has a greater negative impact upon the protected characteristic customer groups than on the general population.</p>
6	<p>What consultation has taken place with affected groups? Please describe who was consulted and the key findings</p>	<p>Consultation via DBC Management Team, Corporate Communications, Portfolio Holder for EARs, Relevant Head of Service and Delivery Team.</p> <p>Dog fouling and littering were high on the public's agenda and it impacts upon their feelings of safety and their confidence in all unformed services. This is regarded as an aspect of anti-social behaviour and has a negative impact upon their community, health (in the case of dog fouling) and house prices.</p> <p>Consultation took place for a 4 week period utilising the Media, Information Posters, DBC website and Enforcement Officers from DBC carrying out public engagement / information patrol work one week prior to the scheme commencing. A review of findings highlighted there being almost unanimous</p>

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		<p>support for the scheme with 1 negative response from almost 90 received which made reference to the scheme being an additional means to raise revenue. No representations or concerns were raised from any protected characteristic groups.</p>
<p>7</p>	<p>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>	<p>DBC Officers will monitor the situation throughout the 6 month trial pilot scheme and if necessary liaise with community groups, including the protected characteristic groups regarding the pilot scheme.</p> <p>Several councils have already successfully introduced a private company to issue FPN's, including a number of those within Kent.</p> <p>The Council already issues FPN's for litter and dog fouling and to date, no equality issues have been raised. The main objection is the affordability of FPN fines. Fine levels are set within legislation (DBC - £75 litter and £50 dog fouling).</p> <p>There is a risk that the Council will experience negative publicity. This can be mitigated by careful planning, raised public awareness and robust contract monitoring.</p>
<p>Step 3: Assessing the equality impact</p>		
<p>8</p>	<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 	

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		POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
a	Age	<p>All residents should benefit from improved local environmental quality.</p> <p>The service also carries educational events where cigarette pouches are handed out to members of the public to assist them in discarding of the finished cigarette safely and appropriately.</p> <p>Dog Fouling Control: dog fouling is a nuisance to both residents and visitors to the borough. Dog fouling can also be dangerous for health particularly to young children.</p> <p>The long term impacts of having comprehensive littering and dog fouling patrols is anticipated to reduce the incidence of dog fouling, dog faeces often contains the roundworm <i>Toxocara Canis</i> that can cause <i>Toxocariasis</i> in humans. The impacts on health are far more significant and likely in young children and the elderly who have weakened immune systems (e.g. blindness, pneumonia and in very rare cases even respiratory failure and death).</p> <p>The issuing of FPN's is offender specific and not age specific.</p>	<p>Potential reputational impact due to introduction of enforcement services targeting littering and dog fouling offences throughout 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>The service delivery contractor 'Kingdom' may not have as robust policies and training in place, in comparison to DBC, in order to comply with the 2010 Equality Act and in particular the advancement of equal opportunities.</p> <p>Vulnerable or infirm adults in particular may not always be able to comply with the littering / dog fouling laws, depending on where the littering / dog fouling takes place and weather conditions at that time (e.g. a blind person whose dog has fouled in an area where a dog control order applies), (unable to form intent and knowledge that they were committing an offence).</p> <p>Adults on low incomes may not have the means to pay the FPN's within the given timescales and be more likely to be prosecuted in the magistrates court which could lead to even higher penalties.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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b	Disability	<p>All residents should benefit from improved local environmental quality.</p> <p>The Service does not record disability on the FPN ticket. However we may consider including this in the future and re-design the tickets used by the Service.</p> <p>The issuing of FPN's is offender specific and not disability specific, although there is a need for the patroller 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>Litter can cause potential obstructions to public highways and this could be problematic to people with disabilities.</p> <p>The service provider also understand through training that if a guide dog defecates that the owner must be informed as the dog could be ill. Guide dogs are trained to defecate in an appropriate place and failure to do so could indicate a problem that the owner would need to be aware of.</p>	<p>Potential reputational impact due to introduction of enforcement services targeting littering and dog fouling offences throughout 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>The service delivery contractor 'Kingdom' may not have as robust policies and training in place, in comparison to DBC, in order to comply with the 2010 Equality Act and in particular the advancement of equal opportunities.</p> <p>Vulnerable or infirm adults in particular may not always be able to comply with the littering / dog fouling laws, depending on where the littering / dog fouling takes place and weather conditions at that time.</p>	<input type="checkbox"/>	<input type="checkbox"/>
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c	Gender (including reassignment)	<p>All residents should benefit from improved local environmental quality.</p> <p>The issuing of FPN's is not gender specific but offender specific.</p>	<p>Potential reputational impact due to introduction of enforcement services targeting littering and dog fouling offences throughout 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>The service delivery contractor 'Kingdom' may not have as robust policies and training in place, in comparison to DBC, in order to comply with the 2010 Equality Act and in particular the advancement of equal opportunities.</p>	<input type="checkbox"/>	<input type="checkbox"/>
d	Race	<p>All residents should benefit from improved local environmental quality.</p> <p>The issue of an FPN is offender specific and not race specific.</p>	<p>Potential reputational impact due to introduction of enforcement services targeting littering and dog fouling offences throughout the borough.</p> <p>For those whose first language is not English, the FPN instructions and procedures may need to be explained more fully.</p> <p>Need to ensure that any customer / workforce conflict does not arise through any form of displayed or perceived prejudice.</p> <p>The Fixed Penalty Notice (ticket issued by the patrollers) is only</p>	<input type="checkbox"/>	<input type="checkbox"/>

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			<p>available in English. It would not be cost effective for patrollers to carry the ticket in different languages in case they needed to issue to a non-English speaking member of the community. FPNs are issued by patrollers 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.</p> <p>Ethnicity is in itself not a barrier to issuing of FPNs it is a language issue.</p> <p>No data is available as to the ethnicity of the individual.</p> <p>The service delivery contractor 'Kingdom' may not have as robust policies and training in place, in comparison to DBC, in order to comply with the 2010 Equality Act and in particular the advancement of equal opportunities.</p>		
e	Religion/Belief	<p>All residents should benefit from improved local environmental quality.</p> <p>A persons religious belief will not normally be known by the service and is not a barrier or target for enforcement work to be carried out and does not impact upon littering or</p>	<p>Potential reputational impact due to introduction of enforcement services targeting littering and dog fouling offences throughout the borough.</p> <p>Need to ensure that any customer / workforce conflict does not arise through any form of displayed or perceived prejudice.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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		<p>dog fouling offences committed.</p> <p>The issuing of FPN's is offender specific and not religion / belief specific.</p>	<p>The service delivery contractor 'Kingdom' may not have as robust policies and training in place, in comparison to DBC, in order to comply with the 2010 Equality Act and in particular the advancement of equal opportunities.</p>		
f	Sexual Orientation	<p>All residents should benefit from improved local environmental quality.</p> <p>A person's sexuality is not known by the service and is not a barrier or target for enforcement work to be carried out. There is no data available to indicate a person's sexuality. We have no information in terms of Gay/Lesbian/Transgender members of the community therefore have no knowledge to contribute to this assessment. Sufficient data does not exist to monitor any patterns and sexuality does not have any impact upon littering or dog fouling offences committed.</p> <p>The issuing of FPN's is offender specific and not sexual orientation specific.</p>	<p>Potential reputational impact due to introduction of enforcement services targeting littering and dog fouling offences throughout 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>The service delivery contractor 'Kingdom' may not have as robust policies and training in place, in comparison to DBC, 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>All residents should benefit from improved local environmental quality.</p>	<p>Potential reputational impact due to introduction of enforcement services targeting littering and dog fouling offences throughout the borough.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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		<p>The long term impact of having littering and dog fouling patrols is anticipated to reduce the incidents of littering, small fly tips and dog fouling that often obstruct the public rights of way, requiring wheelchair users and parents with prams to move into dangerous carriageways etc.</p> <p>Pregnancy is s not a barrier or target for enforcement work to be carried out and does not impact upon littering or dog fouling offences committed. The issuing of FPN's is offender specific and not pregnancy / maternity specific.</p>	<p>Need to ensure that any customer / workforce conflict does not arise through any form of displayed or perceived prejudice.</p> <p>The service delivery contractor 'Kingdom' may not have as robust policies and training in place, in comparison to DBC, in order to comply with the 2010 Equality Act and in particular the advancement of equal opportunities.</p> <p>Vulnerable or infirm adults in particular may not always be able to comply with the littering / dog fouling laws, depending on where the littering / dog fouling takes place and weather conditions at that time.</p>		
9	<p>If 'no impact' or 'unknown' was selected, please explain</p>				
10	<p>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</p>	<p>The issuing of FPN's 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 the enforcement activity has a negative impact upon any customer group, including the protected characteristic groups, or that any customer group is discriminated against.</p> <p>The customer monitoring system used by the service provider 'Kingdom' is adequate and this is supported through regular meetings between DBC and Kingdom.</p> <p>There are limitations caused by the design of the Fixed Penalty Notice ticket currently used as it</p>			

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	<p>records age and gender but doesn't record disability, sexual orientation, Religion and Race. However, it would not be appropriate to ask or determine this information when issuing a Fixed Penalty Notice to a member of the public.</p> <p>Documented evidence is available in electronic format and hard copy and provided to DBC on a monthly basis.</p> <p>The enforcement work carried out by the service provider 'Kingdom' supports DBC to achieve the very highest standards when delivering local environmental quality services. Every group benefits from this activity in terms of clean neighbourhoods and environment which in turn encourages people to live and work in the Borough.</p> <p>The Customer Service Review has shown that there aren't any negative consequences for those with protected characteristics to this work being carried out.</p>
11	Any other comments

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Step 4: Action plan					
11. Based on the information in Steps 1 to 3, 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	This can be mitigated by careful planning, raised public awareness and robust contract monitoring	Public understanding, awareness and support	24/7/16	Social Media, Compliments / Complaints and DBC / Kingdom meetings	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
FPN ticket does not record ethnicity and disability and there are limitations to the size of the FPN ticket	Review the design of the ticket to consider to include disability and ethnicity	Accurate monitoring around issue of FPN	24/7/16	Monthly DBC and Service Provider meeting	Richard Cherry
Trying to issue FPN's to people who do not speak English	To consider the provision and use of simple translation cards for patrollers to carry with them	More effective communication between officer and recipient	24/7/16	Monthly DBC and Service Provider meeting	Richard Cherry
Service provider and client to regularly review all customer	Monthly report from service provider, regular daily and	Reduce the amount of complaints	24/7/16	Monthly DBC and Service Provider meeting	Richard Cherry

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complaints 'at monthly meeting' in order to identify any potential emerging trends / areas of concern.	weekly meetings with DBC and Team Leader and monthly DBC / Kingdom Managers update meeting.				
Street cleansing monitoring to be proposed to measure the impacts of the initiative on litter and dog waste levels.	Following receipt of monthly report, liaison between waste and enforcement to establish levels of change identified.	More effective street cleansing, cleaner environment	24/7/16	Monthly DBC and Service Provider meeting. Waste Services feedback.	David Thomas and Richard Cherry
Consider the further development of a protocol for issuing FPN's to include clear guidelines as to the alternative procedures to tackle litter / dog fouling offences by vulnerable adults who may not be able to pick up 'accidentally' dropped litter or dog fouling that has occurred in difficult to reach locations.	<p>To ensure that this is embedded into service provider ongoing training programme.</p> <p>Also monitoring of tickets issued through DBC and service provider meetings and monthly report. Also review of complaints.</p> <p>Weekly monitoring meetings take place between the CSU Enforcement Manager and Kingdom Contract Manager. Any complaints relating to enforcement officers will be investigated initially by Kingdom and a report produced for the Council in line with the Council's Corporate</p>	Culture change within Kingdom following ongoing training	24/7/16	Monthly DBC and Service Provider meeting	Richard Cherry

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	<p>Complaints Policy and in accordance with the procedure set out in the contract.</p> <p>Any representations / challenges made regarding the issue of a FPN will be dealt with / reviewed / investigated at the appropriate level deemed most suitable (Kingdom), (Kingdom/DBC).</p>			
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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 meeting between DBC and the service provider. Monthly performance report – review.
15	When will you review this Customer Access Review?	This is at present a 6 month pilot initiative and should therefore be review prior to 24/7/16.

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