

Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

Completed by: Michelle Aspey **Role:** Housing Strategy Manager

Head of Service: Keir Duffin **Date:** 10/05/2018

I confirm that the above Head of Service has agreed the content of this assessment

Yes

When you complete this FEIA, it is your responsibility to submit it to
impact.assessment@newport.gov.uk

1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.

The policy being assessed is the Gwent Regional Protocol on Managing Unauthorised Encampments. The aim of the protocol is to ensure that unauthorised encampments by Gypsies and Travellers are managed in a fair and transparent way that takes into consideration the needs of encampment occupiers as well as the wider community.

2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal.

The protocol is collaboration between Gwent Police, Aneurin Bevan Health Board and all the local authorities in the Gwent Police area. All stakeholders agree to follow the protocol once it is adopted.

3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.

During the year 2017/18 fourteen unauthorised encampments were recorded in Newport. Unauthorised camping, particularly on areas such as parks and public open spaces can lead to tensions between the Gypsy and Traveller community and the settled community. Encampments on the highway or in industrial areas can present a safety risk to occupants, particularly if there are young children present. Welsh Government guidance recommends that local authorities adopt protocols along with their partners in order to clearly set out how unauthorised camping will be managed.

4. Equalities and Welsh language impact





Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Gypsy and Traveller households are more likely to contain dependent children. The 2011 Census found that of the 28 households identified in Newport as being headed by a Gypsy or Irish Traveller 6 contained dependent children, around a fifth of households. In Newport as whole only about 15% of households contain dependent children. The true number of Gypsy and Traveller households with dependent children is likely to be much high as we know the census under records the number of Gypsies and Travellers in Newport. The Gypsy Traveller Accommodation Assessment (GTAA) carried out in 2015 interviewed 23 Gypsy and Traveller households of which 17 contained dependent children. Assessments are carried out for all encampments on local authority owned land. Of the assessments conducted over the last year the majority have recorded children as being on site.</p> <p>Of the 85 Gypsies and Irish Travellers recorded in Newport as part of the 2011 Census only 5 were aged 65 plus. The GTAA had no respondents over the age of 60. Gypsies and Irish Travellers have a lower than average expectancy when compared to the general population and old age and ill health are one of the most common reasons for ceasing to travel.</p> <p>The protocol sets out a process to be followed by all partners when incidents of unauthorised camping occur. It is compliant with the Children and Families Wales Measure as it ensures children present on unauthorised encampments are recorded and their needs considered. It also makes</p>


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				<p>provisions around safe guarding and ensuring children are free from potential harm. This policy is likely to have less of an impact on older Gypsies and Irish Travellers as fewer numbers have been recorded in Newport and old age is one of the most common reasons for ceasing to travel.</p> <p>The protocol also makes specific reference to encampments on sensitive sites such as school playing fields and the need to ensure these facilities are made available again as soon as possible.</p>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Gypsies and Travellers are more likely to report being in poor health than the population as a whole. Although poor health is frequently given as a reason for ceasing to travel some encampments can occur due to people seeking medical care or attending appointments. This is particularly the case in Newport due to the presence of the Royal Gwent Hospital.</p> <p>The protocol ensures that any health or welfare needs of encampment occupants are taken into consideration when deciding what action to take. Occupants are also provide with contact details of local health services that can assist them.</p>
Gender reassignment/ transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The protocol will be used to manage incidences of unauthorised camping. Whilst data on gender reassignment and people who identify as transgender is limited there is no evidence of a link between this issue and unauthorised camping.</p>
Marriage or civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The protocol will be used to manage incidences of unauthorised camping. Whilst some unauthorised encampments may occur due to a wedding being held in the area there is no evidence that the protocol will have a differential impact on people depending on their marital status.</p>
Pregnancy or maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The protocol requires that assessments of unauthorised encampments take place that specifically ask about</p>

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				pregnant women on site. Occupants will also be provided with details of on-call midwives should they need them. The health and wellbeing of any pregnant women on site, as well as the presence of children are one of the factors that will be considered when making a decision about how best to manage an instance of unauthorised camping.
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gypsies and Irish Travellers are both recognised ethnic minorities. The protocol will have a differential impact on Gypsies and Irish Travellers, aimed as it is on addressing the issue of unauthorised encampments. The protocol includes an information leaflet that will be given out to occupants of unauthorised encampments. This leaflet includes details of support and advocacy organisations that specifically work with Gypsies and Travellers. Having a clear process in place for dealing with unauthorised encampments may also lead to an improvement in relations between Gypsies and Travellers and the settled community. Both parties will be able to understand the rationale behind decisions which could counteract accusations of bias and lead to greater mutual understanding.
Religion or Belief or non-belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The protocol will be used to manage incidences of unauthorised camping. There is no evidence that the protocol will have a differential impact on people depending on their religious beliefs.
Sex/ Gender Identity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The protocol will be used to manage incidences of unauthorised camping. There is no evidence that the protocol will have a differential impact on people depending on their sex or gender identity.
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The protocol will be used to manage incidences of unauthorised camping. There is no evidence that the

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				protocol will have a differential impact on people depending on their sexual orientation.
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rates of Welsh speaking amongst the Gypsy and Irish Traveller community are very low but we are able to make information available in Welsh if requested. Members of the public are able to report instances of unauthorised camping through the medium of Welsh if they wish.

5 How has your proposal embedded and prioritised the sustainable development principle in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p>The protocol is a long term policy that seeks to formalise how the local authority and its partners manage instances of unauthorised camping. The protocol contains a decision making process that balances the immediate needs of the encampment occupiers and local communities against the long term consequences of any action taken.</p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p>The protocol is a partnership between Gwent Police, Aneurin Bevan Health Board and all the local authorities that fall within the Gwent Police area. It will ensure that all partners deliver the same service in a collaborative way no matter where encampments occur in the Gwent Police area.</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>The protocol has been discussed at various multi agency meetings which are attended by groups that work with Gypsies and Irish Travellers as well as those that advocate on their behalf. We will endeavour to seek the views of both the Gypsy and Irish Traveller communities in any future reviews of this protocol.</p>
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The protocol aims to prevent unauthorised encampments becoming problematic for both occupiers and the wider community. It does this by ensuring assessments are carried out at an early stage and shared with all relevant partners so that a decision can be made about how best to manage the encampment.</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>Well-being goals – adoption of the protocol will meet the goal of a resilient Wales as it contains provisions to ensure encampments are not tolerated in ecologically significant areas such as SSSIs. It also meets the goal of a Wales of cohesive communities as both Gypsies and Travellers and the settled community will be able to understand how decisions are reached on unauthorised encampments.</p> <p>Well-being plan interventions – the protocol fits with the strong and resilient communities intervention as it considers the needs of both Gypsies and Travellers and the settled community. It also fits with the green and safe spaces intervention as it aims to protect public open space from harmful unauthorised camping.</p> <p>Well-being objectives – the adoption of the protocol will make a positive contribution to the objective to build cohesive & safe communities. As previously mentioned it is anticipated that the protocol will lead to an increased understanding between Gypsies and Travellers and the settled community. It also ensures that any safety risks of unauthorised encampments to both the occupants and the neighbouring communities are identified and addressed.</p>

6 Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?

No. Unauthorised encampments are known to occur in various locations across the city.

7 How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission

- Equal treatment whilst recognising difference – the protocol seeks to manage unauthorised encamping for the benefit of both Gypsies and Travellers and the settled community.
- Mutual obligations between citizens and local government – as well as setting out the process the local authority and its partners will take in addressing instances of unauthorised camping the protocol also has standards of behavior encampment occupiers are expected to adhere to.

- Interdependency and reciprocity within community relations – having a clear protocol with associated decision making framework will help both Gypsies and Travellers and the settled community understand why decisions were reached and should lead to a greater understanding of the issues each group faces.
- Transparency and accountability in decision-making – the protocol is a clear statement of how instances of unauthorised camping will be managed.

8 Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?

The provision of a transit site within the Gwent region would assist with managing unauthorised camping. The provision of such a site is a target for delivery in the adopted LDP and the issue is currently being addressed at a regional level.

9 Monitoring, evaluating and reviewing

The implementation of the protocol will be monitored on a case by case basis as the policy is implemented. It was also be reviewed as part of the work of the task and finish group established to manage instances of unauthorised camping.

10 Involvement

The FEIA will be available on the local authority website.

11 Summary of Impact (for inclusion in any report)

Equality Act 2010 AND Welsh Language

Both Gypsies and Irish Travellers are recognised ethnic minorities, which falls within the protected characteristic of race under the Equalities Act 2010. Gypsies and Irish Travellers are also, proportionately, more likely to suffer from poor health or a disability than other ethnic groups and to live in households containing dependent children.

The protocol will have a differential impact on Gypsies and Irish Travellers, aimed as it is on addressing the issue of unauthorised encampments. There are provisions within the protocol for carrying out welfare assessments that take into account the health and

wellbeing of encampment occupiers. It will also take into account any pregnant women or newborn children present. The protocol also includes an Information Leaflet that provides details of services including advocacy groups in the local area. Having a clear process in place for dealing with unauthorised encampments may also lead to an improvement in relations between Gypsies and Travellers and the settled community. Both parties will be able to understand the rationale behind decisions which could counteract accusations of bias and lead to greater mutual understanding.

Rates of Welsh use amongst Gypsies and Irish Travellers are very low but information will be made available in Welsh if requested. Members of the public can report unauthorised encampments through the medium of Welsh.

Wellbeing of Future Generations (Wales) Act 2015

Adoption of the protocol will mean the implementation of a **long term** policy that aims to **prevent** unauthorised encampments from causing issues for both the occupiers and neighbouring communities. It is a **collaboration** between the local authority, Gwent Police and health partners who have all been **involved** in developing the protocol. This **integrated** approach ensures that the protocol is making a significant contribution towards meeting adopted well-being goals.