

Appendix C

Kent County Council Equality Analysis/ Impact Assessment (EqIA)

Directorate/ Service:

GET / Waste Management

Name of decision, policy, procedure, project or service:

Household Waste Recycling Centre Enforcement Policy

Responsible Owner/ Senior Officer:

Hannah Allard, Waste Business Development Manager

Version:

Version	Author	Date	Comment
1	Kirsty Bareham	10/09/19	Initial draft
2	Hannah Allard	04/10/19	Amendments

Author:

Kirsty Bareham, Waste Business Development Officer

Pathway of Equality Analysis:

The Enforcement Policy will be taken to Environment and Transport Cabinet Committee on 29 November 2019. The Cabinet Member for Environment, Transport and Waste will take the decision after this date.

Summary and recommendations of equality analysis/impact assessment.

- **Context**

Kent County Council (KCC) Waste Management operates within a two-tier system as the Waste Disposal Authority (WDA), for receiving and disposing or onward processing of Kent's household waste.

This waste is collected by the district and borough councils as the Waste Collection Authorities (WCA) or delivered directly by householders to Household Waste Recycling Centres (HWRCs) around the County.

It is the statutory responsibility of the WDA to provide a HWRC service to residents in accordance with the Environmental Protection Act 1990;

EPA Section 51: Functions of waste disposal authorities

(1) It shall be the duty of each waste disposal authority to arrange:

(b) For places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited.

KCC currently operate 18 HWRCs around the County, six of which are collocated with a Waste Transfer Station (WTS) for the bulk loading of WCA collected household waste.

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The Kent Waste Disposal Strategy (2017-2035) was adopted in February 2017 and sets out the overarching ambition for KCC Waste Management in managing waste generated by householders.

Enforcement of policies was reviewed and considered during the first phase implementation process. Although strong enforcement practices are already in place, it was felt a dedicated and transparent policy would enable customers and stakeholders to clearly understand KCC's duties to enforcement practices.

- **Aims and Objectives**

The purpose of the Enforcement Policy is to determine good practice and to demonstrate clarity and consistency in the delivery of those environmental enforcement duties and powers relevant to KCC's functions to deliver a HWRC service.

In this context, environmental enforcement relates to the following issues which can occur at the HWRCs:

1. **Trade waste abuse** – where a person deposits, or attempts to deposit, trade or commercial waste (waste emanating from a business) at a HWRC.
2. **Theft of materials** – where a person or persons other than those contracted to do so, removes waste materials from the HWRCs/WTSs without permission.
3. **Fly-tipping** – where waste is left at the entrance to the HWRC.
4. **Abuse of staff and other customers** – where a member of staff or any other HWRC user/ customer is subjected to harassment, physical harm or verbal abuse by a site user.
5. **Non-adherence to HWRC policy** – where a person disregards site management policy e.g. limits and/or charging for specific material streams, type of vehicle used to access sites, and health and safety policies.

The intended audience of the Enforcement Policy is members of the public and any other interested parties in order to help ensure that KCC's approach to enforcement at the HWRCs is as open and fair as possible. It will be published on the KCC website.

Note: The Enforcement Policy is largely an aggregation of existing policies. There are no substantive changes to policies already agreed by Members.

The Enforcement Policy aims to clarify procedures that may be taken to ensure compliance with existing KCC HWRC operating policies by site users.

This EqIA considers the impact of introducing the Enforcement Policy.

- **Summary of equality impact**

Adverse Equality Impact Rating **Low**

Attestation

I have read and paid due regard to the Equality Analysis/Impact Assessment concerning **Household Waste Recycling Centre Enforcement Policy**. I agree with risk rating and the actions to mitigate any adverse impact(s) that has /have been identified.

Head of Service

Signed:

Name: David Beaver

Job Title: Head of Waste Management
& Business Services

Date:

DMT Member

Signed:

Name: Simon Jones

Job Title: Director of Highways,
Transportation and Waste

Date:

Part 1 Screening

Could this policy, procedure, project or service, or any proposed changes to it, affect any Protected Group (listed below) less favourably (negatively) than others in Kent?

Could this policy, procedure, project or service promote equal opportunities for this group?

Protected Group	Please provide a <u>brief</u> commentary on your findings. Fuller analysis should be undertaken in Part 2.			
	High negative impact EqIA	Medium negative impact Screen	Low negative impact Evidence	High/Medium/Low Positive Impact Evidence
Age			<ul style="list-style-type: none"> • Children are required to remain in vehicles at HWRCs and should not be directly using the facilities. Therefore, children should not be affected by the Enforcement Policy • Where Body Worn Cameras are utilised, children will not be filmed as they must remain in vehicles and site staff will also be informed as part of their training not to film children on site • Interviews will be arranged at a time that is reasonable and practical for all customers 	

			<ul style="list-style-type: none"> • Interviews are generally arranged to be held at district/ borough council offices as close to registered address of the interviewee as possible to reduce travel time 	
Disability			<ul style="list-style-type: none"> • Where facility users with disabilities are invited to interviews, local meeting venues with any required facilities will be used to ensure customers are able to attend and access the interviews at a time that is reasonable and practical • Information will be read to customers if requested. Audio copies of recorded interviews will be available as well as 	

			<p>a printed version upon request.</p> <ul style="list-style-type: none"> • With regards to the use of Body Worn Cameras on site, for those with hidden disabilities or mental health and wellbeing problems, site staff will be advised that if the customer informs site staff, they should ask if the customer is happy for filming to continue 	
Sex				
Gender identity/ Transgender				
Race			<ul style="list-style-type: none"> • Information regarding the Enforcement Policy and any related correspondent relating to enforcement actions will be available in alternative 	

			<p>languages where requested</p> <ul style="list-style-type: none"> • Interpreters will be provided where required for interviews 	
Religion and Belief			<ul style="list-style-type: none"> • Awareness of religious ceremonies - Every effort will be taken to ensure interviews are not arranged at a time that would affect the customers religion e.g. prayer times etc. 	
Sexual Orientation				
Pregnancy and Maternity			<ul style="list-style-type: none"> • Consideration will be given to customers with dependencies and family commitments to ensure any interviews/meetings are arranged at a time that is 	

			reasonable and practical	
Marriage and Civil Partnerships				
Carer's Responsibilities			<ul style="list-style-type: none"> • Consideration will be given to customers with carers responsibilities to ensure any interviews/meetings are arranged at a time that is reasonable and practical 	

Part 2

Equality Analysis /Impact Assessment

Protected groups

The initial screening has recognised that there may be a low negative impact on the following characteristics through the implementation of the Enforcement Policy:

- Disability
- Race
- Religion and Belief
- Pregnancy and Maternity
- Carer's Responsibilities

However, it should also be noted there may be positive impacts by the introduction of the Enforcement Policy, as current policies and procedures will be clearly identified.

Information and Data used to carry out your assessment

Information and data sourced from kent.gov.uk.

Age

Kent has an older age profile than the national average with greater proportions of people aged 45+ years than England.

Disability

46.7% of Kent residents describe their health as being very good, while 1.1% are in very bad health. 17.6% of Kent residents have some limitation to their day to day activities. The remaining 82.4% stated that their day to day activities were not limited.

Race

The largest ethnic group in Kent is White. 93.7% of all residents are of white ethnic origin. The remaining 6.3% of Kent residents belong to other four broad ethnic groups which we have identified as the Black Minority Ethnic (BME) group. The Asian/ Asian British group is the 2nd largest ethnic group after the "White" ethnic group in Kent equating to 3.3% of the total population.

Religion

The largest followed religion in Kent is Christian (62.52%) and other stated religions lower in percentage are Buddhist (0.46%), Hindu (0.75%), Jewish (0.12%), Muslim (0.95%) and Sikh (0.72%) and other religion (0.42%).

Who have you involved consulted and engaged?

KCC's Enforcement Officer has been consulted, to understand any actions required to be undertaken relating to enforcement, to ensure we are complying with KCCs equalities duty.

Analysis

It has been identified that Disability, Race, Religion and Belief, Pregnancy and Maternity and Carer's Responsibilities characteristics have the potential to be slightly affected by the Enforcement Policy but nothing that cannot be easily mitigated against. See action plan.

Adverse Impact

No adverse impacts were noted for the introduction of the Enforcement Policy. Procedures and actions have been identified to mitigate against any low negative impacts. See action plan.

Positive Impact:

Procedures are in place to reduce impacts and/or positively support protected groups.

JUDGEMENT

- **No major change** - no potential for discrimination and all opportunities to promote equality have been taken

Internal Action Required YES

There is potential for adverse impact on particular groups but mitigation will be actioned as identified in the action plan.

Equality Impact Analysis/Assessment Action Plan

Protected Characteristic	Issues identified	Action to be taken	Expected outcomes	Owner	Timescale	Cost implications
Age	Access to venues	Ensure interviews are arranged at a time and a venue that is reasonable and practical and to help reduce travel time	There are no barriers to people of any age (16 and above) being able to attend interview	Enforcement Officer	Ongoing	Not applicable. Interviews are usually held within District Council Offices
Age	Body Worn Videos	Children must remain in vehicles at all times at the sites, so should not be subject to being filmed using Body Worn Cameras, however, site staff will also be told during training to ensure that no children are filmed	No filming of children on site	Enforcement Officer	Ongoing	Not applicable.
Disability	Access to venues	Ensure there is disability access when booking venues for	There are no barriers to people with disabilities being able to	Enforcement Officer	Ongoing	Not applicable. Interviews are usually held within District

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@kent.gov.uk or telephone on

		interviews	attend interview			Council Offices which will be DDA compliant
Disability	Availability of information in an accessible format	Information will be read to customers if requested. Audio copies of recorded interviews will be available as well as a printed version upon request.	There are no barriers to people with disabilities being able to access information during interviews	Enforcement Officer	Ongoing	Minimal cost for production of audio notes where required
Disability	Body Worn Videos	For those with hidden disabilities or mental health and wellbeing problems, site staff will be advised that if the customer informs site staff, they should ask if the customer is happy for filming to continue	Filming should cease if requested by an individual who has identified to site staff that they have mental illness or wellbeing problem	Enforcement Officer	Ongoing	Not applicable.
Race	Language barriers	Information available in alternative	There are no barriers to people whose first	Waste Management Team	Ongoing	Nominal cost for interpreters and translation of

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		languages where requested. Provision of interpreters will be provided where required for interviews.	language is not English. HWRC staff have the knowledge and skills to communicate and support customers.			documents to alternative languages, where required. Waste Business Development Team budget.
Religion and belief	Interruption to religious ceremonies	Every effort will be taken to ensure interviews are not arranged at a time that would affect the customers religion e.g. prayer times etc.	There are no scheduling conflicts with interviews and religious ceremonies	Enforcement Officer	Ongoing	Not applicable
Pregnancy and Maternity	Scheduling/access challenges due to pregnancy and child-care	Consideration will be given to customers with dependencies and family commitments to ensure any interviews/meetings are arranged at a venue and time that is reasonable	There are no barriers to people with child-care responsibilities or who are pregnant, being able to attend interview	Enforcement Officer	Ongoing	Not applicable

		and practical				
Carer's Responsibilities		Consideration will be given to customers with carers responsibilities to ensure any interviews/meetings are arranged at a venue and time that is reasonable and practical	There are no barriers to people with carer responsibilities being able to attend interview	Enforcement Officer	Ongoing	Not applicable

Have the actions been included in your business/ service plan?

No - this policy is adhered to on a day to day basis.

Please forward a final signed electronic copy and Word version to the Equality Team by emailing diversityinfo@kent.gov.uk

If the activity will be subject to a Cabinet decision, the EqlA must be submitted to committee services along with the relevant Cabinet report. Your EqlA should also be published .

The original signed hard copy and electronic copy should be kept with your team for audit purposes.