

Midlothian Council Equality Impact Assessment Form



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Lead contact:

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Section A: Introduction

1. Title of policy, procedure or function being assessed

Removal / permanent cessation of Out of Hours Noise Service

2. Divisions/organisations/groups involved in doing this Equality Impact Assessment

Education, Communities and Economy

3. Date started:

14/1/16

Date completed:

14/1/16

Section B: Information

4. Please describe the Policy, Procedure or Function you are impact assessing

For a number of years the Environmental Health Service has operated a service on a Friday and Saturday evening under which residents who are bothered by a noise nuisance (usually loud partying neighbours) can call our Out of Hours Noise team who can then visit the relevant premises.

The operation of an out of hours noise service was introduced in terms of the Antisocial Behaviour (Scotland) Act and allowed Local Authorities to address domestic noise issues on a rapid response basis. The Police retain the statutory powers to also investigate noise matters and may continue to do so depending on resources.

The operation of an out of hours service is not a statutory service; the statutory duty is to investigate complaints of noise nuisance.

The Out of Hours noise team nominally consists of four part time posts. Only one post is currently filled, and that is by a part time officer who acts on a range of Environmental Health Public Health duties. In practice, because two officers are needed there are some shifts when the service does not operate.

The other three vacant posts could be deleted.

5. What information and consultation data do you have to inform your assessment? What does it tell you?

6. Do you need more information or more consultation/engagement data?

- Do you need anything more:
 - i. to do this Equality Impact Assessment (EQIA)
 - ii. to monitor or assess, in future, the impact of the policy/procedure or function you are EQIAing on people with different equalities characteristics
- Lack of data is not a sufficient reason to conclude there is no impact. It is insufficient to state that a policy will affect everyone equally without having considered the different barriers some people may encounter.

Service user profile: is the service used predominantly by equalities groups, e.g. the elderly, those with a disability, those of a minority ethnic background, because they are less likely to address the noise-maker directly?

The limited information that was available at the time this assessment was carried out suggested that slightly more service users were female and, anecdotally, that a wide range of age groups use the service although more of them are elderly or are families with young children.

Section C: Assessment

Midlothian Council equality impact assesses on **all** of the characteristics in the shaded area below, so you should consider all of these in your assessment. If you want you can consider other groups as well.

Race (this includes ethnic or national origins, colour and nationality)

Disability (e.g. physical disabilities, sensory impairments, learning disabilities, mental health conditions or long-term illnesses)

Sex(male/female)

Age (all ages)

Sexual Orientation (gay man, gay woman/lesbian, bisexual, heterosexual/straight)

Religion or belief (including having no religion or belief)

Pregnancy and maternity (having just had a baby or being pregnant)

Gender reassignment or transgender status (a person who is proposing to undergo is undergoing or has undergone a process to change their sex)

Marriage and Civil Partnership

People experiencing poverty or at risk of poverty: (poverty may be simply defined as not having enough money to meet one's basic daily needs or to have the things that most people in the UK take for granted).

As you answer questions 7i. to 7iv. over the page:

a) Think about the policy, practice or function you are assessing and

- people with the above characteristics
- people associated with them (e.g. a parent or carer)
- people mistakenly assumed to have the above characteristics

Remember to consider impacts on staff as well as communities and customers.

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b) Consider whether the above people are likely to have different needs, or be affected in different ways by what you are doing/proposing. e.g.

- People may need, or benefit from, information provided in a particular format, like large print or easyread.
- A queuing system which relies on people standing for long periods will make it very difficult for some people to use the service.
- Charging more for a service is likely to affect people from several of the groups in the shaded area above, as on average they have a lower income.
- Targeting an area of high poverty could leave people experiencing poverty outside the area even worse off in comparison

c) Consider the General Equality Duty requirements to pay due regard to the need to:

- eliminate discrimination, victimization, harassment or other local conduct that is prohibited under the Equality Act 2010 in relation to the characteristics listed in shaded area at the top of this page (except poverty)
- advance equality of opportunity between and foster good relations between people who share a characteristic in the shaded area and those who do not (except marriage and civil partnership and poverty)

7i. Note any positive impacts on the above equalities groups

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7ii. Note any negative impacts on equalities groups

The Out of Hours Noise service is a universal service, accessible equally by all. The information available at this time suggests that the service is used more by the elderly and families with young children.

The negative impact of any reduction or cessation of the service would be upon residents who are the victims of noise nuisance and who cannot be assisted at the time when the noise nuisance is being perpetrated.

Any noise nuisance that is *targeted* at an individual or group as a result of equalities characteristics would access the antisocial behaviour service or Police.

The service currently operates on the majority of weekends although shifts are occasionally cancelled due to staff availability.

7iii. How significant would this negative impact be, and what kind of numbers would be affected?

There are on average three antisocial noise calls received per shift.

7iv. Note any opportunities for making a positive impact on equalities groups.

Section D: Actions and Outcomes

Questions 8 and 9 below ask about actions which have been taken, or will be taken **as a result** of this Equality Impact Assessment (EQIA). Any pre-existing actions should be included in earlier sections.

8. Note any actions you will be taking as a result of this EQIA:

Think about what you can do to:

- minimise or remove any negative impacts, and
- maximise the opportunities for positive impacts

9. Please note any actions you have already taken as a result of this EQIA here.

10. How will you track/monitor that the actions you mentioned in 8. have been achieved?

e.g. by adding them to a work plan, service plan etc.

11. If you have decided not to take any action please note why this is, and any justification, here.

A significant negative impact, even if it affects only a small number of people, should be addressed.

12. Is a more detailed assessment recommended?

No
Information recently gathered through an engagement exercise with the users of the service and the general public indicates this to be a universal service