

Equality Impact Assessment

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

The general equality duty applies to all of the decisions made in the course of exercising public functions, not just to policy development and high-level decision-making. The functions of a public authority include all of its powers and duties. Examples of this include: policy decisions, strategies, individual decision-making, budgetary decisions, public appointments, service provision, statutory discretion, employment of staff and procurement of goods and services.

Public bodies are required in it to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- foster good relations between people who share a protected characteristic and people who do not share it.

The public sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation.

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

The Council has also decided to treat people who have care experience as if they had a protected characteristic under the law.

Having due regard means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the equality duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they considered the aims of the Equality Duty. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Executive Director	Lead officer responsible for EIA	Assistant Director – Environmental Services
Name of the policy or function to be assessed:		Environmental Enforcement	
Names of the officers undertaking the assessment:		Assistant Director – Environmental Services	
Is this a new or an existing policy or function?		Environmental enforcement has been a pilot service for one year. This EIA is undertaken to support the possible further year's extension.	
<p>1. What are the aims and objectives of the policy or function?</p> <p>In September 2024, Cabinet approved a one-year environmental enforcement pilot to strengthen enforcement and improve street cleanliness in response to resident feedback.</p> <p>Aim: To strengthen environmental enforcement to improve street cleanliness and protect the environment for the future.</p> <p>Objectives:</p> <ul style="list-style-type: none"> • Achieve a 25% reduction in litter-related complaints by 31 March 2027 • Achieve a 25% reduction in fly-tipping complaints by 31 March 2027 • Achieve a 25% reduction in fly-tipping incidents by 31 March 2027 • Achieve a 10% reduction in collected fly-tipped waste by March 2027 • In conjunction with WISE, undertake five school visits in 2026/27 to improve environmental awareness. 			

2. What outcomes do you want to achieve from the policy or function?

- Improved street cleanliness and litter reduction.
- Reduction in fly-tipping incidents across the Borough.
- Increased resident awareness of environmental enforcement activities.
- Higher resident satisfaction with street cleanliness in the annual budget survey.
- Positive behaviour changes which will improve environmental quality.

3. Who is intended to benefit from the policy or function?

Everyone who lives or works in the Borough of Broxtowe.

4. Who are the main stakeholders in relation to the policy or function?

- Members
- General Management Team (GMT)
- Employees in the Council
- Residents
- Third Party Environmental Enforcement Contractor
- Businesses
- Private Landowners

5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?

Equality Strands are considered as part of the overall street cleansing and enforcement process. For example, litter bins are in positions where they are easily accessible.

In the Borough there are 1,632 litter bins.

Operational Teams:

- 2 channel street sweepers
- 2 pavement sweepers (Image 1)
- 5 Street cleansing teams consisting of 2 per team
- 3 Town Centre Attendants

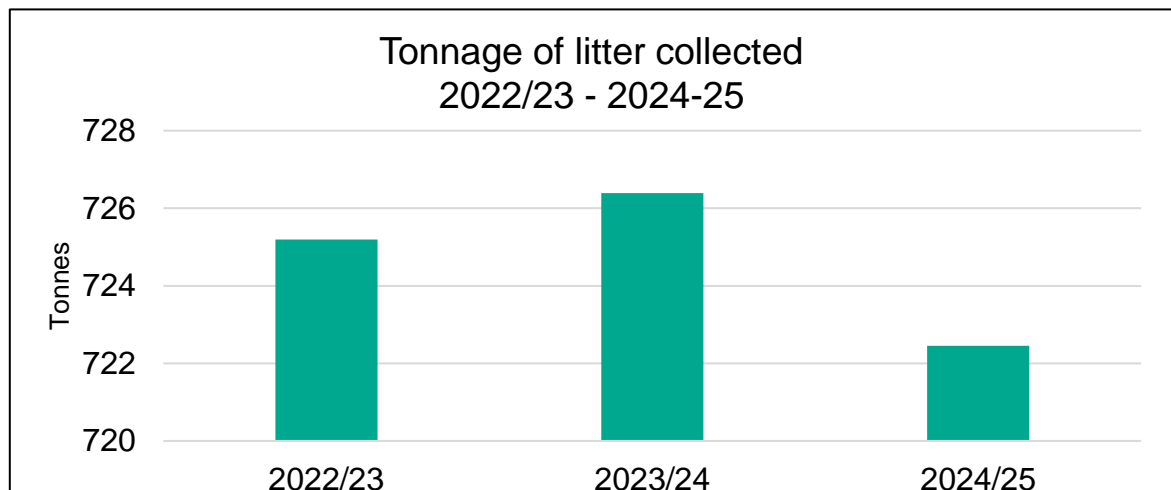
Key Performance Indicator	Baseline measure for the year 2024/25
Number of litter complaints received	30
Number of fly tipping complaints received	427
Number of Fixed Penalty Notices issued for litter	5
Number of Fixed Penalty Notices issued for fly tipping	1
Litter tonnage collected by Street Cleansing Teams	722 tonnes
Fly tipping tonnage collected by Street Cleansing	78.12 tonnes
Number of Clean and Green Events undertaken	405

Number of presentations on litter and environmental issues undertaken	2
Number of litter/dog bins in the Borough	1,632

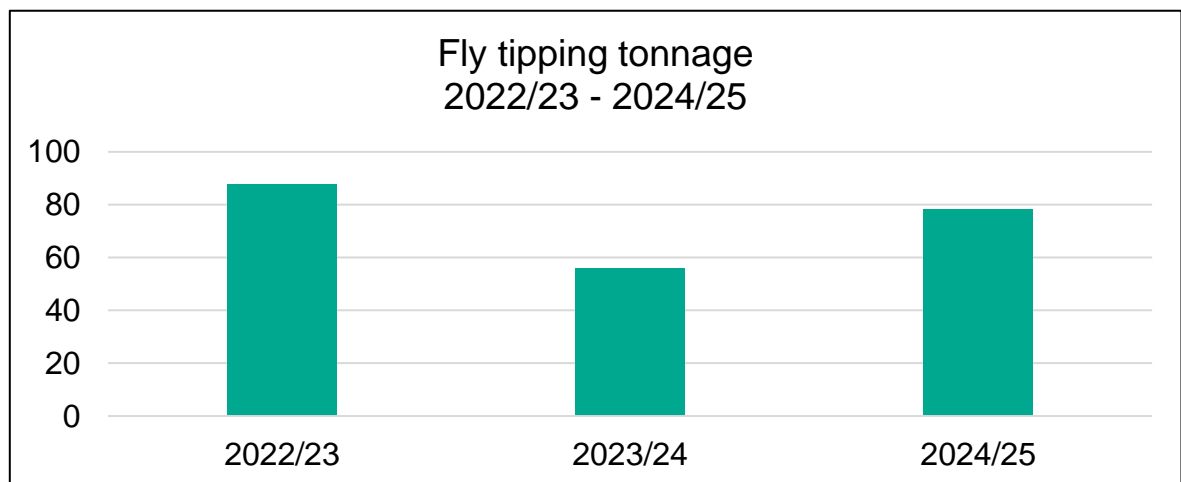
Table 1: KPI's for Environmental Enforcement

Year	Percentage of transects achieving grade B or above for litter	Percentage of achieving grade B or above for detritus (sweepers)
2021/22	96%	95%
2022/23	96%	95%
2023/24	96%	87%
2024/25	100%	95%

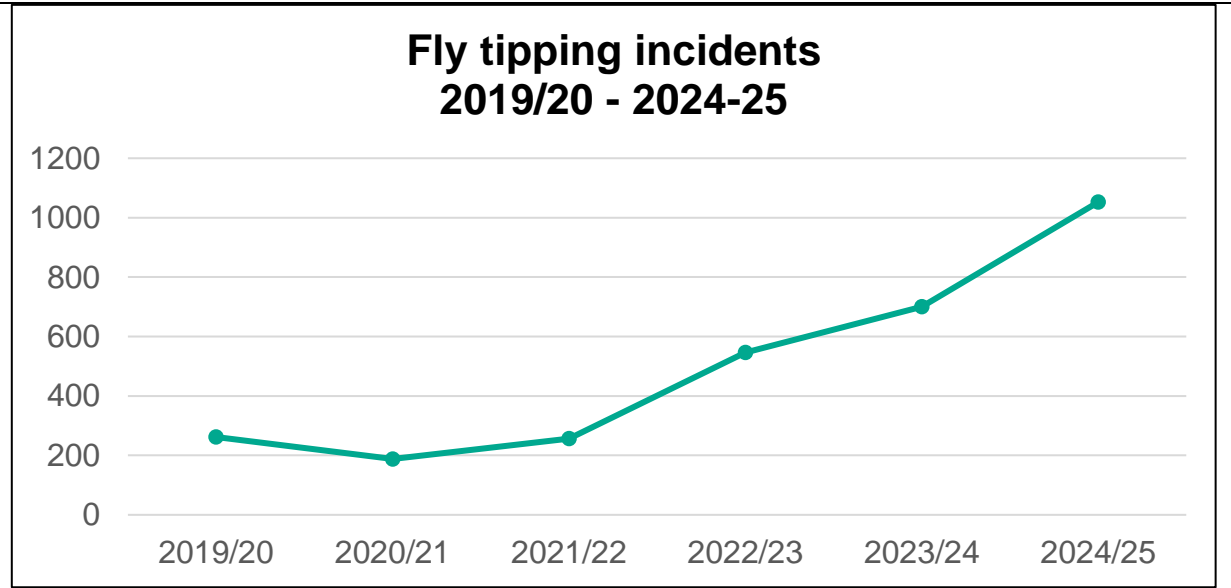
Table 2: Results from the litter and detritus cleanliness survey's



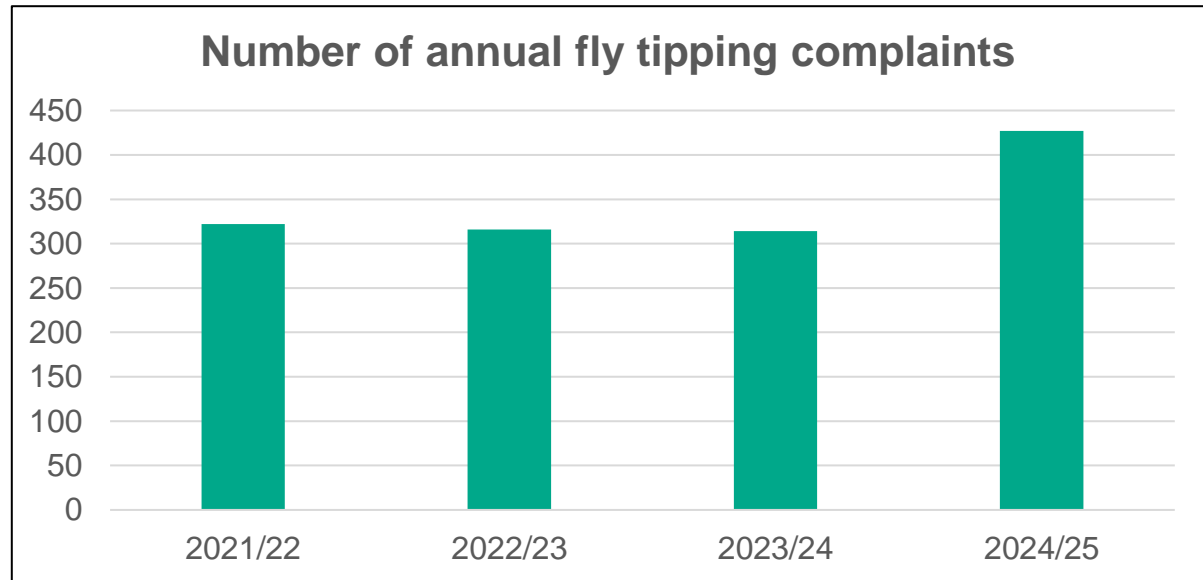
Graph 1: Tonnage of litter collected.



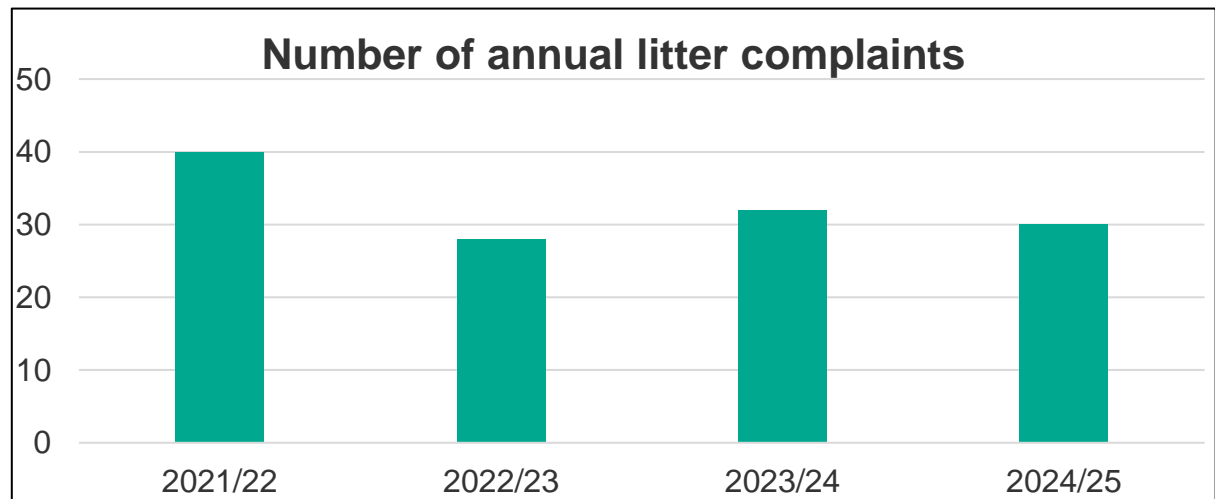
Graph 2: Tonnage of fly tipping collected.



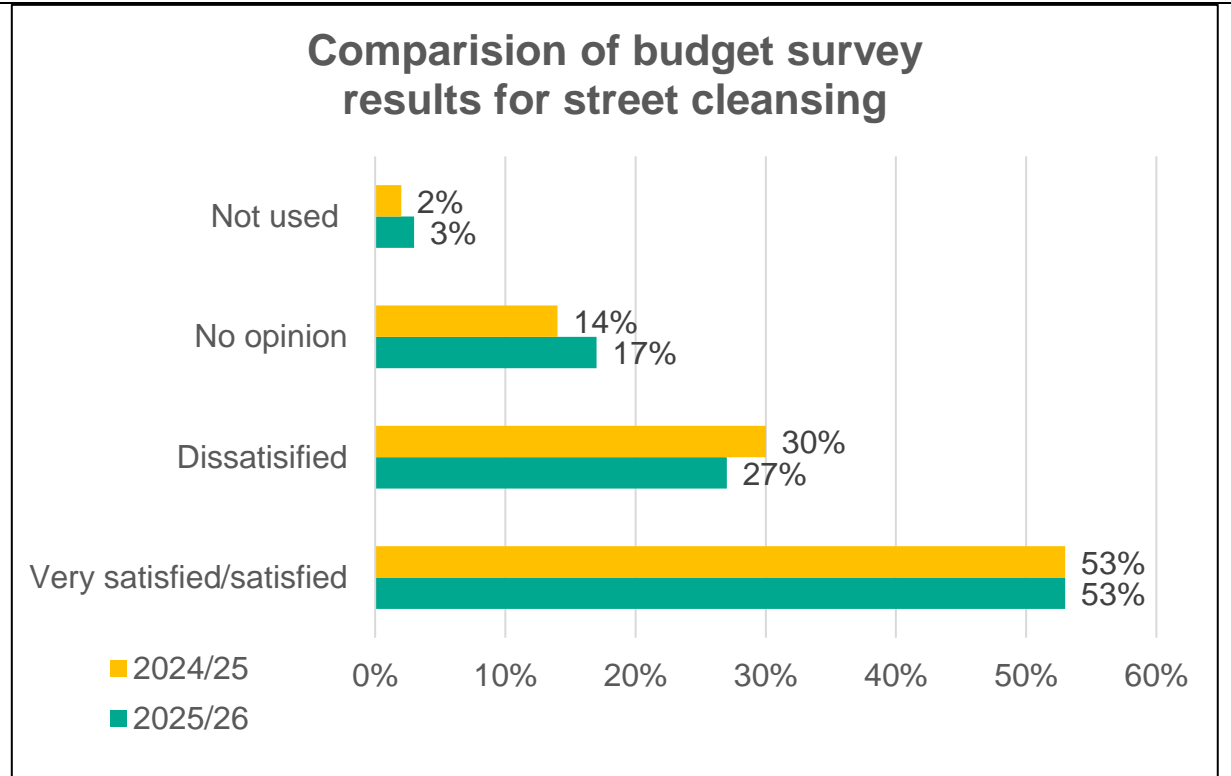
Graph 3: Number of fly tipping incidents



Graph 4: Number of fly tipping complaints



Graph 4: Number of annual litter complaints received.



Graph 5: Comparison of budget survey results for Street Cleansing

6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?

None relating to equality strands. However, the Council does have the following records:

- Complaints regarding litter issues from residents and Members
- Feedback from the budget survey.
- Feedback on the service when attending local events.

7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?

There has not been any direct public consultation regarding this service; however, a wider budget setting consultation undertaken in November 2025 covered the issues of street cleanliness.

8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways? In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:

- **Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?**

Yes

The environmental enforcement function recognises that fixed penalty notices should not be issued to people under the age of 18 years or to vulnerable individuals. This is detailed in the Councils contract specification.

While the specification does not explicitly set out financial considerations, the third-party contractor is aware of the need to avoid placing individuals into hardship. Payment plans can be extended where appropriate, and in cases of significant financial difficulty a case may be reviewed by the contractor and referred to the Council where necessary. These measures ensure that enforcement action remains fair, reasonable and proportionate, and that no equality group is disadvantaged by the policy.

- **Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?**

Environmental enforcement is intended to be accessed fairly by all. While some residents may face barriers where English is not their first language, the third party contractor will use translation tools and provide practical support to ensure that individuals understand the interaction and the reason for any action being taken. The service recognises that an offence is an offence regardless of personal characteristics, but also that some situations require discretion. For example, a person who is registered blind may unintentionally drop an item they cannot see, and in such cases an FPN would not be issued in line with the service specification and the Enforcement Policy. Any differences in how residents experience the service arise from the need to apply enforcement proportionately while making reasonable adjustments for those who require them.

- **Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?**

There are no barriers that prevent any equality group or community from accessing the environmental enforcement service, as it operates in public spaces and is available to all residents. However, certain considerations are required to ensure that the service is applied fairly. Fixed penalty notices are not issued to individuals under the age of 18, and the service specification requires officers to exercise appropriate judgement where a person may have a vulnerability or disability. These adjustments ensure that the service remains accessible while recognising that some residents may require a different level of consideration to ensure that enforcement is applied proportionately and fairly.

- **Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?**

Environmental enforcement does not directly promote equality or strengthen relationships between different groups, as its primary purpose is to address environmental offences. However, the consistent and fair application of the service can make a positive indirect contribution by ensuring that all communities experience clean and safe environments. By applying enforcement proportionately and making reasonable adjustments for those who need them, the service supports a sense of fairness and helps maintain trust that all residents are treated appropriately.

- **What further evidence is needed to understand the impact on equality?**

Further evidence is obtained through the EDI data provided each month by the third-party environmental enforcement partner, which is reviewed as part of the monthly account meetings. The data currently shows a very close alignment with the ethnic makeup of the Borough, which indicates that the service is not disproportionately affecting any group. Continued monitoring of these trends will help identify any emerging disparities over time so that appropriate action can be taken if needed.

9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?

Age:

The Council's Enforcement Policy states that fixed penalty notices will not be issued to anyone under the age of 18. In addition to this safeguard, the third-party enforcement contractor provides presentations to local schools as part of their social value contribution. These sessions help younger people understand environmental responsibilities and the consequences of littering and fly tipping, which supports prevention rather than enforcement.

Disability:

Consideration is given to individuals with disabilities to ensure that action is appropriate and proportionate. Some disabilities may affect a person's ability to dispose of waste correctly or may result in accidental behaviours. In these circumstances enforcement action would not be taken, in line with the service specification and Enforcement Policy. The Council and the third-party contractor will continue to provide reasonable adjustments where required and ensure officers are trained to recognise when a disability may affect a person's actions. This approach supports fair decision making and maintains confidence that the service does not disadvantage residents with disabilities

Gender: No impacts identified.

Gender Reassignment: No impacts identified.

Marriage and Civil Partnership: No impacts identified.

Pregnancy and Maternity: No impacts identified.

Race: No impacts have been identified. Review of EDI data shows a close match with the ethnic profile of the Borough, indicating that enforcement activity is proportionate and is not disproportionately affecting any racial groups.

Religion and Belief: No impacts identified.

Sexual Orientation: No impacts identified.

Care Experience: No impacts identified.

Chief Executive:

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

Signature: Chief Executive