

Integrated Impact Assessment (IIA)

Part 1 Scoping

1 Details of the Proposal

Title of Proposal:	Managing Unauthorised Encampments of Gypsy/Travellers Policy and Procedure
What is it?	A revised Policy/Strategy/Practice
Description of the proposal: (Set out a clear understanding of the purpose of the proposal being developed or reviewed (what are the aims, objectives and intended outcomes, including the context within which it will operate).	<p>The aims and objectives of the Policy and Procedure are:</p> <p>To comply with the legislation and guidance in relation to unauthorised encampments. Unauthorised encampments are defined by the Government as “encampments of caravans or other vehicles on land without the landowner or occupier’s consent and constituting trespass. Unauthorised encampments fall into two main categories: those on land owned by the local authorities (highways, schools, public car parks etc), and those on privately owned land.</p> <p>Enactment of the procedure will ensure a fair and balanced approach across the Scottish Borders when dealing with unauthorised encampments.</p>

	<p>Additionally, unauthorised encampments will be managed in a transparent, efficient and effective way taking account of the potential level of nuisance for local residents and the rights and responsibilities of Gypsies and Travellers thereby increasing the confidence of all communities.</p> <p>Furthermore within the policy and procedure partners are identified together with their role and responsibilities when managing unauthorised encampments.</p> <p>The procedure provides an audit trail of the decision making process, for example: completing an initial site assessment and an eviction rationale record. This not only allows for responsibility and rationale for the various parts of the process to be seen but also makes it easy to identify and disseminate good practice.</p> <p>Key stakeholders such as Gypsy and Traveller communities, settled communities, Police, Fire employees etc. are those most likely to be affected by the Policy and its procedure.</p>
<p>Service Area: Department:</p>	<p>Scottish Borders Council Safer Communities Team</p>
<p>Lead Officer:</p>	<p>Stuart Easingwood Director of Social Work and Practice.</p>
<p>Other Officers/Partners involved:</p>	<p>Graham Jones - Group Manager - Safer Communities & Homelessness Greg Aitken – Safer Communities Policy Officer inc. Gypsy Traveller Liaison Officer (GTLO) role. James Harrison (Police Scotland) Emma Sowerby (Headteacher, Education & Lifelong Learning)</p>

	Alan Weir (Fire & Rescue Service Liaison Officer) Simone Doyle (HR Equalities & Diversity Officer) Christina Donald (Community Services Managing Solicitor) David Kemp (Homelessness Services Manager) Susan Bell (Communications & Marketing Officer) Donna Bogdanovic Lead Officer (Head of Housing Strategy & Development) Sarah Thompson (Solicitor) Fiona Cameron (Parks & Environment Operational Manager) Lindsey Renwick (Strategic Housing Development Officer) Craig Blackie (Neighbourhood Area Manager)
Date(s) IIA completed:	4 th October 2022

2 Will there be any cumulative impacts as a result of the relationship between this proposal and other policies?

Yes
<p>Scottish Government (SG) – Guidance for Local Authorities in Managing Unauthorised Camping by Gypsy/Travellers in Scotland (SG Apr 17), Improving the Lives of Scotland’s Gypsy/Travellers (SG 19-21), Improving Educational Outcomes for Children and Young People from Travelling Cultures (SG 18), Scottish Borders Council’s: Local Housing Strategy, Homeless Policy, Equality & Diversity Policy.</p>

3 Legislative Requirements

3.1 Relevance to the Equality Duty:	
Do you believe your proposal has any relevance under the Equality Act 2010?	
Yes	
Equality Duty	Reasoning:
Elimination of discrimination (both direct & indirect), victimisation and harassment.	Helping those involved in unauthorised encampments to understand the law will hopefully help any situation where the process has to be used. The procedure sets out a framework to effectively manage issues relating to unauthorised encampments. It is designed to engage all other agencies at an early stage including representatives of the travelling community to properly assess and manage the impact of any eviction process. Implementation of the policy and procedure should also protect the surrounding environment thus limiting impacts on the wider community. All of which will ultimately have a positive effect on promoting good relations, eliminating discrimination, victimisation and harassment, as well as promoting equality of opportunity.
Promotion of equality of opportunity	
Foster good relations	

3.2 Which groups of people do you think will be or potentially could be, impacted by the implementation of this proposal? (You should consider employees, clients, customers / service users, and any other relevant groups)				
	Impact			Please explain the potential impacts and how you know this
	No Impact	Positive Impact	Negative Impact	
Age Older or younger people or a specific age grouping		X	X	Older and younger people may be negatively impacted staying in an unauthorised encampment as access to services such as health care and education may be limited, however the council's policy around managing unauthorised encampments may allow for the GTLO to build relationships and encourage people to access suitable services. In addition there are a number of Scottish Borders Council's procedures out with the scope of this policy and procedure in place to ensure that Gypsy/Travellers have access to education, health provision and financial support. The GTLO can assist with this.
Disability e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring			X	People with a disability will be negatively impacted from being in an unauthorised encampment. They are more likely to struggle to access health services which is detrimental to them. The GTLO can work closely with these people and assist if required.
Gender Reassignment/ Gender Identity anybody whose gender identity or gender expression is different to the sex assigned to them at birth	X			There are no known specific implications for a person who has a different gender identity to the one assigned at birth. The policy and procedure will be applied fairly.
Marriage or Civil Partnership people who are married or in a civil partnership	X			There is no evidence to suggest people who are married or in a civil partnership will be negatively or positively impacted by the policy or its procedures.

Pregnancy and Maternity (refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth),			X	Being pregnant whilst in an unauthorised encampment and out with settled accommodation can negatively impact pregnant women. Access to pre or post-natal care may be limited and they will not be able to receive the consistent care which being in a settled environment would provide.
Race Groups: including colour, nationality, ethnic origins, including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers)		X	X	GT in unauthorised encampments can experience hostility from the settled community. People often see the presence of GT Families as a negative for the area, this of course can be an inaccurate representation of the GT Community. Police made aware of the unauthorised encampment and regular communication via the GTLO and community groups can help alleviate this tension/negativity. This policy and procedure will be applied fairly irrespective of colour, nationality, ethnic origins etc.
Religion or Belief: different beliefs, customs (including atheists and those with no aligned belief)	X			No specific implications re religion or belief. The policy and procedure will be applied fairly.
Sex women and men (girls and boys)	X			No specific implications re sex. The policy and procedure will be applied fairly.
Sexual Orientation , e.g. Lesbian, Gay, Bisexual, Heterosexual	X			No specific implications re sexual orientation. The policy and procedure will be applied fairly.
<p>3.3 Fairer Scotland Duty</p> <p>This duty places a legal responsibility on Scottish Borders Council (SBC) to actively consider (give due regard) to how we can reduce inequalities of outcome caused by socioeconomic disadvantage when making <u>strategic</u> decisions.</p> <p>The duty is set at a strategic level - these are the key, high level decisions that SBC will take. This would normally include strategy documents, decisions about setting priorities, allocating resources and commissioning services.</p>				

Is the proposal strategic?

Yes

If yes, please indicate any potential impact on the undernoted groups this proposal may have and how you know this:

	Impact			State here how you know this
	No Impact	Positive Impact	Negative Impact	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.		X	X	It is widely recognised people from a Gypsy Traveller ethnic group have little to no income. Families will often travel to find work. Their nomadic way of life means they are unlikely to have savings, some are not able to open bank accounts. GTLO will signpost families to access SBCs Financial inclusion team.
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies Area Deprivation – where you live (e.g. rural areas), where you work (e.g. accessibility of transport)		X	X	With no fixed address Gypsy Travellers will have limited access to services such as financial products, life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies etc. Where practicable the GTLO will liaise with families to access such services.
Socio-economic Background – social class i.e. parents’ education, employment and income		X	X	Whilst Gypsy Travellers do have access to health services and education, their nomadic way of life means they are unlikely to be settled long enough to gain access. Travellers who have permanent accommodation or are on a permanent site have gained access to health services and some children attend local schools. Living in unauthorised encampments means this is very difficult, families will live in fear of being removed from the

				encampment therefore are less likely to want to access these services. The GTLO role is in place to help facilitate these basic needs.
Looked after and accommodated children and young people	X			If a child is required to be accommodated or looked after the same assessment process of need would be applied.
Carers paid and unpaid including family members	X			Gypsy Travellers and their families tend to move from place to place and care is likely to be provided from within the family setting, unless settled accommodation or a permanent site is found.
Homelessness			X	Living in unauthorised encampments can be looked upon as being homeless as these people have no settled/permanent accommodation. That being said some people choose this nomadic way of life and some are happy moving around the country without settled or permanent accommodation. They have the same rights to the settled community regarding available accommodation. This may not be a site as there is a general shortage.
Addictions and substance use	X			It is not known if this is an issue for the Gypsy Traveller community.
Those involved within the criminal justice system	X			The Gypsy/Traveller community would be treated as any other member of the community whether as an accused or victim.

4 Full Integrated Impact Assessment Required

Yes

Part 2 Full Integrated Impact Assessment

5 Data and Information

What evidence has been used to inform this proposal?

(Information can include, for example, surveys, databases, focus groups, in-depth interviews, pilot projects, reviews of complaints made, user feedback, academic publications and consultants' reports).

No data and information has been gathered as the policy reflects the guidance of Scottish Government and has been tailored to meet local needs.

Describe any gaps in the available evidence,-then record this within the improvement plan together with all of the actions you are taking in relation to this (e.g. new research, further analysis, and when this is planned)

6 Consultation and Involvement

Which groups are involved in this process and describe their involvement

Impact assessment completed by the Councils GTLO and relevant partners. As this is a strategic policy and procedure there is no requirement for input from the Gypsy Traveller community. This links back to how do the GT know about their responsibilities. Think we need to extend this out to cover this aspect.

Describe any planned involvement saying when this will take place and who is responsible for managing the process

At this stage of the process no further involvement is planned.

Describe the results of any involvement and how you have taken this into account.

**What have you learned from the evidence you have and the involvement undertaken? Does the initial assessment remain valid?
What new (if any) impacts have become evident?**

(Describe the conclusion(s) you have reached from the evidence, and state where the information can be found.)

The Policy and its supporting procedure has been prepared in consultation with SBC officers and its relevant partners. Both the Policy and procedure reflects good practice as identified in several of Scottish Governments' Publications and guidance. It is for this reason it is believed that the Policy and procedure are both relevant and fit for purpose.

7 Mitigating Actions and Recommendations

Mitigation Please summarise all mitigations for approval by the decision makers who will approve your proposal			
Equality Characteristic/Socio economic factor	Mitigation	Resource Implications (financial, people, health, property etc)	Approved Yes
No mitigating actions are required.			

8 Recommendation and Reasoning

- Implement proposal with no amendments

Reason for recommendation: The policy and its procedures reflects the guidance of Scottish Government and has been tailored to meet local needs. The procedure sets out a framework to effectively manage issues relating to unauthorised encampments. Consistently and fairly applied, the procedure will help foster good relations with the travelling community and the wider settled community. To ensure that the policy and its procedures remain fit for purpose they will be reviewed a minimum of every 2 years or as Scottish Government or legislation dictates.	
Signed by Lead Officer:	Graham Jones
Designation:	Group Manager -Safer Communities & Homelessness, Social Work
Date:	29 November 2022

Counter Signature Director	Stuart Easingwood - Director of Social Work and Practice
Date:	29 November 2022