

SECTION A

<p>Name of policy / project / service</p>	<p><b>Joint Protocol Document – Dealing with unauthorised encampments within Lincolnshire</b></p>
<p>Background and aims of policy / project / service at outset</p>	<p><b>The overall aim of the Joint Protocol Document is to ensure that unauthorised campers are dealt with in a fair, open, consistent and transparent manner when deciding whether to tolerate or evict them from land owned or the responsibility of the Council. It also provides guidance as to how to deal with encampments on private land.</b></p> <p><b>The specific objectives of this policy are:</b></p> <ul style="list-style-type: none"> <li>• <b>To provide a public statement on our approach to dealing with unauthorised camping;</b></li> <li>• <b>To monitor and regulate unauthorised encampments within our boundaries;</b></li> <li>• <b>To ensure that any action undertaken is done so in a balanced and lawful way to prevent successful legal challenges;</b></li> <li>• <b>To protect the legitimate interests of lawful users of the site concerned and neighbours to the site;</b></li> <li>• <b>To ensure that the policy does not discriminate against persons on the grounds of race, gender, sexual orientation, religion and belief, disability or age;</b></li> <li>• <b>Through monitoring and feedback to continuously improve our services to all our residents and persons subject to our actions who may not be residents.</b></li> </ul> <p><b>The Protocol takes account of relevant legislation and best practice.</b></p>
<p>Person(s) responsible for policy or decision, or advising on decision, and also responsible for equality analysis</p>	
<p>Key people involved <i>i.e. decision-makers, staff implementing it</i></p>	

## SECTION B

This is to be completed and reviewed as policy / project / service development progresses

	Is the likely effect positive or negative? (please tick all that apply)			Please describe the effect and evidence that supports this?*	Is action possible to mitigate adverse impacts?	Details of action planned including dates, or why action is not possible
	Positive	Negative	None			
Age	✓			<b>As part of the decision making process the Council offers all unauthorised campers the opportunity to request a needs assessment. This includes an assessment of health which could assist those of all ages. The findings of the assessment can determine whether there is a need to tolerate an encampment for a given period of time or whether formal proceedings to remove the encampment can proceed.</b>	NA	
Disability (see Glossary of Terms)	✓			<b>As part of the decision making process the Council offers all unauthorised campers the opportunity to request a needs assessment. This includes an assessment of health which could assist all individuals who are have a disability. The findings of the assessment can determine whether there is a need to tolerate an encampment for a given period of time or whether formal proceedings to remove the encampment can proceed.</b>	NA	
Gender re-assignment			✓	<b>As part of the decision making process the Council offers all unauthorised campers the opportunity to request a needs assessment. The findings of the assessment can determine whether there is a need to tolerate an encampment for a given period of time or whether formal proceedings to remove the encampment can proceed.</b>	Yes/No/NA	
Pregnancy and maternity	✓			<b>As part of the decision making process the Council offers all unauthorised campers the opportunity to request a needs assessment.</b>	Yes/No/NA	

			<p>This includes an assessment of health which could assist women in this category. The findings of the assessment can determine whether there is a need to tolerate an encampment for a given period of time or whether formal proceedings to remove the encampment can proceed.</p>		
Race		✓	<p>Whilst the protocol is not specifically aimed at Gypsies and Travellers, it is recognised that the majority of unauthorised encampments will be occupied by Gypsies and Travellers due to their transient lifestyle.</p> <p>Literacy levels amongst the Travelling community are statistically low compared to other groups. Some Travellers may therefore have difficulty understanding the written documentation that forms part of the process connected to this protocol.</p> <p>It is well documented that there are significant shortages of authorised long term Traveller sites and transit Traveller sites throughout the country. Section 225 of the Housing Act 2004 places a duty on local authorities with housing responsibilities to take account of the accommodation needs for Gypsies/Travellers. The recent Lincolnshire Gypsy and Traveller Accommodation Assessment and the South Holland GTAA have identified shortages of Traveller accommodation throughout the county. Whilst there remains a shortage of pitch provision for these groups they will have little alternative other to continue stopping on unauthorised locations. Persons who have nowhere else to stop other than on unauthorised sites are recognised in law as being homeless.</p> <p>Various independent studies have shown that literacy levels amongst the Traveller community to be lower than other ethnic groups.</p>	Yes	<p>As previously mentioned, there is a shortage of authorised pitch provision across the county. The Council recognises the findings of the GTAA's and will support and engage with the Lincolnshire district councils on the identification of land and/or additional pitches. By increasing authorised pitch provision this should curtail the number of incidents of unauthorised encampments throughout the county.</p> <p>The documentation is read out to the travellers by officers when they attend on the site. Officers are aware that they need to do this to ensure that they understand it fully given its importance.</p>

Religion or belief	✓			As part of the decision making process the Council offers all unauthorised campers the opportunity to request a needs assessment. The findings of the assessment can determine whether there is a need to tolerate an encampment for a given period of time or whether formal proceedings to remove the encampment can proceed. In addition, there is specifically reference to funerals being a reason to hold off taking action which is a positive element in respect of this protected characteristic	NA	
Sex			✓	As part of the decision making process the Council offers all unauthorised campers the opportunity to request a needs assessment. The findings of the assessment can determine whether there is a need to tolerate an encampment for a given period of time or whether formal proceedings to remove the encampment can proceed.	NA	
Sexual orientation			✓	As part of the decision making process the Council offers all unauthorised campers the opportunity to request a needs assessment. The findings of the assessment can determine whether there is a need to tolerate an encampment for a given period of time or whether formal proceedings to remove the encampment can proceed.	NA	
Marriage / civil partnership			✓	As part of the decision making process the Council offers all unauthorised campers the opportunity to request a needs assessment. The findings of the assessment can determine whether there is a need to tolerate an encampment for a given period of time or whether formal proceedings to remove the encampment can proceed.	NA	
Human Rights (see page 8)	✓			The following articles: Article 2 (right to life), Article 3 (prohibition of torture, inhuman and	Yes	These will be taken into consideration at the time a

				degrading treatment), Article 8 (right to respect for private and family life), Article 9(freedom of expression of belief) and Article 14 (prohibition on discrimination) when taking action.		decision is made as to what action is to be pursued.
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- *Evidence could include information from consultations; voluntary group feedback; satisfaction and usage data (i.e. complaints, surveys, and service data); and reviews of previous strategies*

Did any information gaps exist?	Y/N/NA	If so what were they and what will you do to fill these?
NO		

**SECTION C**  
**Decision Point - Outcome of Assessment so far:**

Based on the information in section B, what is the decision of the responsible officer (please select one option below):

- |   | <b>Tick here</b> |
|---|------------------|
| • <b>No equality or human right Impact</b> (your analysis shows there is no impact) - sign assessment below                         | [ ]              |
| • <b>No major change required</b> (your analysis shows no potential for unlawful discrimination, harassment)- sign assessment below | [ ]              |
| • <b>Adverse Impact but continue</b> (record objective justification for continuing despite the impact)-complete sections below     | [✓]              |
| • <b>Adjust the policy</b> (Change the proposal to mitigate potential effect) -progress below only AFTER changes made               | [ ]              |
| • <b>Put Policy on hold</b> (seek advice from the E&D officer as adverse effects can't be justified or mitigated) -STOP progress    | [ ]              |

Conclusion of Equality Analysis (describe objective justification for continuing)	No negative impact on individuals which cannot be mitigated and on balance the potential harm to individuals far out weighs the risk of not implementing this Protocol.
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When and how will you review and measure the impact after implementation?*	When an encampment is dealt with, there is a de-brief to consider how it was managed and therefore there will be consideration of any impact considered in this assessment accordingly.
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Checked and approved by responsible officer(s) (Sign and Print Name)	BECKY SCOTT	Date	280918
Checked and approved by Director (Sign and Print Name)	SIMON WALTERS	Date	280918

When completed, please send to [info.equality@lincoln.gov.uk](mailto:info.equality@lincoln.gov.uk) and include in Committee Reports which are to be sent to the relevant officer in Democratic Services

The Equality and Human Rights Commission guidance to the Public Sector Equality Duty is available via: [www.equalityhumanrights.com/new-public-sector-equality-duty-guidance/](http://www.equalityhumanrights.com/new-public-sector-equality-duty-guidance/)