

## **Equalities Analysis Assessment January 2017**

### **Animal Welfare Charter**

#### **1. Introduction**

Equality Analysis Assessments (EAA) are a tool that the Council's uses for assessing the possible impact (positive and negative) of policies, service delivery plans, strategies, projects, programmes, commissioning activities or other initiatives. EAA's are a mechanism through which the Council demonstrates compliance with the Equality Act 2010. The Equality Act 2010 replaced all the previous anti-discrimination laws and brought them together into a single Act, including a new public sector Equality Duty which came into force in April 2011.

In addition to its statutory obligations under the Equality Act 2010, the Council has set its own equality objectives that underpin the Comprehensive Equalities Scheme (2012-2016). These five equality objectives are as follows:

1. Tackle victimisation, harassment and discrimination;
2. To improve access to services;
3. To close the gap in outcomes for citizens;
4. To increase understanding and mutual respect between communities; and
5. To increase participation and engagement.

In addition to the above, particular groups are covered against discrimination as they have "Protected characteristics".

This Equality Analysis Assessment considers the impact of the potential changes to the Animal Welfare Charter on the 'Protected Characteristics'. It is influenced by the requirements of the Public Sector Equality Duty and the Council's own equality objectives, and is proportionate in approach. It should be noted that there is no legal requirement on the Council to produce a formal Equality Analysis Assessment as part of this policy review, but to do so is currently considered to be best practice by the Council.

#### **2. Potential Changes**

An Equality Analysis is being undertaken as the Council is looking at updating the Animal Welfare Charter to bring it in line with current legislation and best practice. The drivers for this potential change are detailed below.

Legislation – The previous Animal Welfare Charter was adopted over 10 years ago and since then new legislation has been introduced that has significantly affected the way in which both commercial and companion animals are treated. The most notable of these are detailed below:

1. The Animal Welfare Act 2006 – This Act places a duty of care on owners and keepers of animals ensuring that their welfare needs are met. These include the need:
  - for a suitable environment
  - for a suitable diet
  - to exhibit normal behaviour patterns
  - to be housed with, or apart from, other animals (if applicable)
  - to be protected from pain, injury, suffering and disease
  -

The Council authorise officers to assist in implementing and enforcing this Act.

2. Clean Neighbourhood and Environment Act 2005 – Under this Act the Council has sole responsibility for the collection and detention of stray dogs. Sections 149 and 150 of the Environmental Protection Act 1990 outline the Council's duties with regards to discharging this role.

Best Practice - DEFRA and the RSPCA have published numerous documents aimed at improving the welfare of animals these include:

- Code of Practice for the Welfare of Cats
- Code of Practice for the Welfare of Dogs
- Housing and Animal Welfare
- Contingency Planning and Animal Welfare
- Ensuring the Welfare of Seized Dogs
- Behaviour and handling of dogs.

The London Animal Welfare Forum was set up to share best practice amongst London Local Authorities. The Forum is now chaired by the Corporation of London and meets once a year, and contact with the Working Group is throughout the year online.

### 3. Impact of Proposed Changes

As a result of the Animal Welfare Charter consultation a set of recommendations have been proposed for consideration by Mayor and Cabinet in February 2017.

Table 1 below identifies how these proposed recommendations might impact on equalities, and in particular the characteristics 'protected' under the Equality Act 2010.

**Table 1: Equalities Analysis Scoping Table**

Protected Characteristic	Assessment of Potential Impact (+/-) – High, Medium, Low, Neutral	Reason for this assessment
Age	(+/-) Medium	Potential for reduced opportunity to learn about animal welfare issues if access to animals in classrooms is restricted.  Potential to develop awareness of Animal Welfare issues by delivering education programmes through young people's forums e.g. schools, Young Advisors etc.
Disability	Neutral	The proposed changes to the Animal Welfare Charter should not adversely affect this protected characteristic.
Gender re-assignment	Neutral	The proposed changes to the Animal Welfare Charter should not adversely affect this protected characteristic.
Pregnancy and maternity	Neutral	The proposed changes to the Animal Welfare Charter should not adversely affect this protected characteristic.
Ethnicity	(+/-) Medium	Ability to access the Animal Welfare Charter may affect the ability to comply with the recommendations set out in it.  Potential to develop awareness of Animal Welfare issues by delivering education programs BME forums, community groups etc.
Religion or belief	(-) Low	Potential religious or other beliefs may restrict participation in practices recommended in the Animal Welfare Charter.

		Potential to develop awareness of Animal Welfare issues by delivering education programs through Religious or faith groups e.g. schools, churches, community groups.
Sex	Neutral	The proposed changes to the Animal Welfare Charter should not adversely affect this protected characteristic.
Sexual orientation	Neutral	The ability to access and use the proposed new services should not adversely affect this protected characteristic.

Scoping the assessment and determining where to focus attention has flowed from the analysis of potential impacts set out in the scoping table above. Proportionally, the assessment needs to concentrate on areas with highest potential impact. Key issues for consideration include:

- Tackling potential barriers to accessing information and utilizing services regarding Animal Welfare in particular relating to the protected characteristics of 'Age', 'Ethnicity' and 'Religion or Belief'.
- Tackling potential barriers to access to information and awareness raising in particular relating to the protected characteristics of 'Age', 'Ethnicity' and 'Religion or Belief'.

#### 4. Equalities Monitoring

Equalities monitoring has been undertaken as part of the consultation on the proposed changes to the Council's Animal Welfare Charter.

The consultation was in the form of a self-completion survey, which captured the protected characteristics of those 119 respondents that chose to provide this information about themselves. Promotion of the survey ensured that groups and individuals were targeted that represent the interests of particular protected characteristics (e.g. age and disability).

In addition to the online survey a meeting was held with the Young Advisors to inform them of the consultation and garner their views.

The following section examines each of the characteristics protected under the Equality Act 2010, and identifies key data and analysis that should be considered as part of the decision-making process during the development of any new services. Each of the protected characteristics are discussed in turn below.

##### 1. Age

Age is defined by reference to a person's age group. An age group can mean people of the same age or people of a range of ages.

#### Data Summary for Age

According to the 2011 Census:

- 70,100 Lewisham residents are aged between 0-19 (25% of the population);
- 179,800 Lewisham residents are aged between 20-64 (65% of the population);
- 26,200 Lewisham residents are older people aged 65 and over (9.5% of the population).

Analysis of responses to the survey questions by the protected characteristic of age, revealed the following findings:

- There were no responses received below the age of 25.
- The largest number of responses received was from the 55-59 age group. As a group over 90% strongly agreed / agreed with the Council's approach to responsible animal welfare ownership and a ban on performing animals. However, only 50% strongly agreed or agreed on discouraging the keeping of animals in a classroom environment.
- Those aged 30-34 strongly agreed or agreed (100%) to discouraging the keeping of animals in a classroom environment. Compared to 55% of the total number of respondents to the survey.
- Those aged 35-39 were the only age group to proportionately disagree or strongly disagree to the proposal discouraging the keeping of animals in a classroom environment (including hatching egg projects).

Analysis of the available qualitative feedback on the themes has highlighted a key issue that has been specifically attributed to age as a protected characteristic.

- 5 respondents expressed concern that discouraging the keeping of animals in a classroom environment would limit children's access to animals and reduce their potential to learn about animal welfare. Some respondents also highlighted that not all schools have a wildlife area and therefore in some cases classroom animals are their only opportunity to interact with animals and learn about their environment.

## **2. Disability**

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities. A summary of data on disability is set out below.

### **Data Summary for Disability**

According to the 2011 Census:

- 7.1% (19,523) Lewisham residents indicated that their day-to-day activities were limited a lot, and 7.3% (20,212) indicated that their day-to-day activities were limited a little;
- 5.3% (14,318) Lewisham residents indicated that they are in bad health or very bad health;
- 8.1% (22,521) Lewisham residents provide some form of unpaid care;
- Over 5,000 Lewisham residents provide 50+ hours of unpaid care per week;
- 160 Lewisham residents indicated that sign language was their main language.

Analysis of responses to the survey questions by the protected characteristic of disability, revealed the following findings:

- 8% respondents indicated that they were disabled, of these over half indicated that their disability related to physical impairment.

- 100% of respondents with a disability strongly agree/agree to the proposed update of the charter compared to 86% of the total number of respondents to the survey.
- Over three quarters (76%) of the total number of people who responded to the survey strongly agree/agree with the proposal to ban sky lanterns, this compares to 67% of those who indicated they had a disability.

Analysis of the available qualitative feedback has revealed that there are no key issues that have been specifically attributed to disability as a protected characteristic.

### **3. Gender**

Gender has the meaning usually given to it and refers to whether a person is male or female. A summary of data on gender is set out in the box below.

#### **Data Summary for Gender**

According to the 2011 Census:

- There are 135,000 males living in Lewisham and 140,900 females;

According to the 2015 mid-year population estimates:

- Total Population is 292,000;
- Females are more numerous than males with numbers at 148,412 and 143,521 respectively.

Analysis of responses to the survey questions by the protected characteristic of gender, revealed the following findings:

- 57 women completed the survey compared to 21 men.
- Both males and females agreed with the proposed updating of the charter and the Councils approach to responsible dog ownership.
- Females felt more strongly than males that the keeping of animals should be discouraged in a classroom environment: 70% of females strongly agree/agree compared to 52% of males. 24% of males disagree/strongly disagree with this proposal compared to 26% of females.
- Over 90% of both Males and females agreed with the proposal to ban performing animals on land owned or managed by the Council. However, only 66% of females strongly agreed/agree to allow performances following certain consideration's compared to 80% of males.

Analysis of the available qualitative feedback has revealed that there are no key issues that have been specifically attributed to gender as a protected characteristic.

### **4. Gender reassignment**

People who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex have the protected characteristic of gender reassignment. A summary of data on gender reassignment is set out in the box below.

### **Data Summary for Gender Reassignment**

- In 2006-07 Lewisham Council commissioned a research study of the LGBT populations who lived, worked, studied or socialised in the borough;
- Of the 316 respondents, seven identified as trans-people, which was insufficient to draw quantitative conclusions.

Analysis of responses to the survey questions by the protected characteristic of gender reassignment, revealed the following findings:

- 8 respondents indicated that their gender is different to their gender at birth.
- Respondents in this category were less likely (38%) to support the discouragement of keeping animals in classrooms when compared to the percentage for the total number of the respondents (55%).
- Respondents in this category were more likely to disagree / strongly disagree on the proposed ban on the use of sky lanterns and balloons on land either owned or managed by the Council 25% and 26% respectively, compared to the percentage for all respondents 8% and 10% respectively.

Analysis of the available qualitative feedback has revealed that there are no key issues that have been specifically attributed to gender as a protected characteristic.

### **5. *Pregnancy and maternity***

Pregnancy is the condition of being pregnant or expecting a baby. 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, and this includes treating a woman unfavourably because she is breastfeeding. A summary of data on pregnancy and maternity is set out in the box below.

### **Data Summary for Pregnancy & Maternity**

- The NHS Lewisham Clinical Commissioning Group (2013-18) states that Lewisham's birth rate is rising and is expected to continue at a high level for several years before starting to fall;
- The general fertility rate (number of live births per 1000 women aged 15-44) in Lewisham is higher than the London and England averages;
- In 2011 the wards with the highest rates were Crofton Park and Rushey Green; Brockley and Telegraph Hill had the lowest;
- For 2012 there were about 4,900 new babies recorded as Lewisham residents.

Analysis of responses to the survey questions by the protected characteristic of pregnancy & maternity, revealed the following findings:

- Off the total number of respondents, 2 indicated that they were either pregnant or on maternity leave.
- Respondents that were pregnant or on maternity leave were less likely to strongly agree or agree to the update of the Animal Welfare Charter (50%), compared to the total number of all respondents, (86%)
- 100% of respondents in this category agreed with the proposal to discourage animals in classrooms compared to 55% of the total number of respondents.

Analysis of the available qualitative feedback has revealed that there are no key issues that have been specifically attributed to gender as a protected characteristic.

## **6. Ethnicity**

Race refers to the equality group of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. A summary of data on race is set out in the box below.

### **Data Summary for Ethnicity**

According to the 2011 Census:

- 53.68% (147,686) of all Lewisham residents are white (White British, White Irish, White Gypsy or Irish Traveller, and White Other);
- People from a Black Caribbean, Black African and other Black ethnic background represent 27.2% (74,942) of the population;
- People from an Indian, Pakistani, Bangladeshi, Chinese and other Asian background represent 9.3% (25,534) of Lewisham's population;
- English is the main language for 79.4% (219,035) of Lewisham residents, though 1,038 Lewisham residents cannot speak English;
- Nearly one in ten households in Lewisham do not contain a resident who has English as a main language;
- Other than English, the top 3 languages spoken in the borough are Polish, French and Tamil.

Analysis of responses to the survey questions by the protected characteristic of ethnicity, revealed the following findings:

- Of the total number of respondents who provided their ethnicity, 99 indicated they were white, 1 indicated they were of mixed ethnicity and 2 indicated they were black.
- All ethnic groups strongly agree or agree that there should be a ban on the use of sky lanterns and balloons.

- Two thirds of respondents who identified as white strongly agree or agree to the discouragement of keeping of animals in a classroom environment compared to 100% of those who identified as black or mixed race.

Analysis of the available qualitative feedback has revealed that there are no key issues that have been specifically attributed to gender as a protected characteristic.

### **7. Religion or belief**

Religion has the meaning usually given to it, but belief includes religious and philosophical beliefs including lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition. A summary of data on religion and belief is set out in the box below.

<b>Data Summary for Religion or Belief</b>
<p>According to the 2011 Census:</p> <ul style="list-style-type: none"> <li>• 63.8% (176,225) of Lewisham residents described themselves as having a faith or religion, 27.2% (75,155) described themselves as having no faith or religion, whilst 8.9% (24,505) did not state a religion;</li> <li>• Amongst those residents that described themselves as having a faith or religion, 52.8% (145,588) identified their faith as Christian, whilst 6.4% (17,759) described themselves as Muslim;</li> <li>• Of other religions, Hindus represent 2.4% (6,562) of the population, whilst Buddhists represent 1.3% (3,664) of the population.</li> </ul>

Analysis of responses to the survey questions by the protected characteristic of religion or belief, revealed the following findings:

- Half of all respondents to the survey indicated that they had no religion. 24% indicated that they were Christian, 1 respondent indicated that they were Jewish, 1 respondent indicated that they were Muslim and 5 respondents indicated they had another religion or belief (2 pagan, 1 atheist, 1 humanist, 1 other).
- All groups with within this protected characteristic strongly agree/agree (over 75%) with the proposed update to the animal welfare charter and the Council's approach to animal ownership.
- The one respondent who indicated that they were Jewish strongly disagree/disagree with the proposals to ban sky lanterns and balloons. 13% of those who indicated they were Christian strongly disagree/disagree with a proposal to ban balloon releases and 6% and 4% of those that indicated they have no religion strongly disagree/disagree with the proposal to ban sky lanterns and balloons respectively.

Analysis of the available qualitative feedback has revealed that there are no key issues that have been specifically attributed to religion as a protected characteristic.

### **8. Sexual orientation**

Sexual orientation is defined as whether a person's sexual attraction is towards the opposite sex, their own sex or to both sexes. A summary of data on sexual orientation is set out in the box below.

## Data Summary for Sexual Orientation

According to the 2011 Census:

- 1,162 (0.5%) of Lewisham residents are in a registered same-sex Civil Partnership;
- In the 2012 Annual Resident Survey, a question on sexual orientation showed that out of a total of 1,013 people, 97% identified themselves as heterosexual/ straight and 1% identified as being lesbian, gay or bisexual.

Analysis of responses to the survey questions by the protected characteristic of sexual orientation, revealed the following findings:

- Of the respondents to the survey two thirds indicated that they were straight or heterosexual. Just under 10% (9%) indicated that they were gay or lesbian and 2 % indicated that they were bisexual or other.
- Over 90% of respondents who indicated that they were straight or heterosexual, bisexual or other strongly agree or agree that the keeping of animals in classrooms should be discouraged. However, 30% of those who identified as Gay or Lesbian disagree or strongly disagree with this proposal.
- Over 90% of all respondents in the categories covered in the survey for sexual orientation strongly agree or agree that use of performing animals should be banned except with permitted exceptions. However, 40% of those who indicated that they were Gay or Lesbian disagree or strongly disagree to performances being allowed following certain considerations, this is in contrast to 23% of the total number of respondents to the survey as a whole.

Analysis of the available qualitative feedback has revealed that there are no key issues that have been specifically attributed to sexual orientation as a protected characteristic.

## 5. Implementation and Equalities Analysis Action Plan

The Equality Duty has three aims. It requires public bodies (e.g. local authorities) to have ***due regard to the need to:***

- i. **Eliminate unlawful discrimination**, harassment, victimization and any conduct prohibited by the Act;
- ii. **Advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
- iii. **Foster good relations** between people who share a protected characteristic and people who do not share it.

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

- Remove or minimize 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.

In analysing the data, research and equalities monitoring from the Animal Welfare Charter survey, and having due regard to Equality Duty, the following action plan has been developed should the proposed recommendations be approved at Mayor & Cabinet in February 2017.

**Table 2: Equalities Analysis Action Plan**

Possible Issues	Protected Characteristic Affected	Assessment of Potential Impact (+/-): High, Medium, Low, Neutral	Actions to be Taken	Expected Outcome
Reduced opportunity to learn about animals, their environment and their welfare.	Age	High (+)	<p>Develop and maintain a schools education program with an emphasis on Animal Welfare.</p> <p>Develop and strengthen partnerships with other animal welfare organisations and assist them in the delivery of their outreach programs.</p>	<p>Increased awareness of animals, their environment and their welfare needs by young people.</p> <p>Strengthened links between the Animal Welfare Service and schools and nurseries.</p>
Reduced opportunity to learn about responsible animal ownership	Age	High (+)	<p>Develop and maintain a schools education program with an emphasis on responsible animal ownership.</p> <p>Develop and strengthen partnerships with other animal welfare organisations and assist them in the delivery of their outreach programs.</p> <p>Liaise with schools and nurseries to develop potential wildlife areas and identify areas where schools can keep animals such as bees and chickens.</p> <p>Responsible dog ownership days to be delivered with the assistance of Housing Associations and Animal Welfare partners. These will enable residents the opportunity to participate in free microchipping scheme and learn about how to care for their animals.</p>	<p>Strengthened links between the Animal Welfare Service and schools and nurseries.</p> <p>Increased partnership working with external organisations.</p> <p>Increase in the number of people attending responsible animal ownership days and increase in the number of dogs microchipped.</p>

Possible Issues	Protected Characteristic Affected	Assessment of Potential Impact (+/-): High, Medium, Low, Neutral	Actions to be Taken	Expected Outcome
Ability to access the Animal Welfare Charter may affect the ability to comply with the recommendations set out in it.	Ethnicity and Religion	Medium (-)	Ensure communications are in plain English and use images where possible.  Engage with amenity groups and target organisations who can communicate service changes with their communities.	Residents will have the opportunity to be informed about the animal welfare charter.

## 6. Conclusion

The adoption of the proposed Animal Welfare Charter should pay due regard to the equality considerations highlighted in this assessment, to ensure that the council is compliant with its statutory obligations under the Equality Act 2010 and the equality objectives of the Comprehensive Equalities Scheme 2012-2016.

The Council will continue to consider the impact on all protected characteristics on the adoption of the Animal Welfare Charter should approval for change be granted in February 2017. Where appropriate it will undertake additional engagement with the community or more detailed equality analysis where the possibility of negative impacts on specific protected characteristics are identified.