



# Equality Impact Assessment

Preliminary assessment form v5 / 2013

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The preliminary impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies which require a full EIA by looking at:
  - negative, positive or no impact on any of the equality groups
  - opportunity to promote equality for the equality groups
  - data / feedback
- prioritise if and when a full EIA should be completed
- justify reasons for why a full EIA is not going to be completed

**Directorate:**

Director of Regulatory, Community Safety & Troubled Families

**Function e.g. HR,  
IS, carers:**

Regulatory

**Title of policy, service, function, project or strategy (new or old) :**

The Psychoactive Substances Act 2016 implementation

**Type of policy, service, function, project or strategy:**

- ☐ Existing
- ☒ New / proposed
- ☐ Changed

**Q1 - What is the aim of your policy, service, function, project or strategy?**

The Director of Regulatory Services, Community Safety and Troubled families is delegated to deliver new enforcement powers contained in the Psychoactive Substances Act 2016, on behalf of the city council, in respect of retail business premises in conjunction with the police, and may authorise appropriate officers within the directorate to carry out these new enforcement functions.

**Q2 - Who is this policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?**

The policy will enable the Director of Regulatory Services, Community Safety and Troubled Families to authorise principally trading standards officers and any other officer within the directorate to enforce the provisions of the act in retail premises ie 'Head Shops' using criminal and civil sanctions. The sale of so called 'legal highs' will now be illegal. In England in 2014, there were were 67 deaths directly related to psychoactive substances. Clearly they have a detrimental effect on our community and have caused various harm to individuals who have been subject to addiction, and the resulting effects of that addiction. As well as individual harm, local communities have also been affected by the resulting actions of those people who have been 'high' after taking psychoactive substances purchased from 'head shops'. In one particular case the resulting antisocial behavior was such that the police imposed a three month closure order upon the premises, after which the antisocial incidents stopped immediately. The community as a whole will benefit from these substances being taken out of the high street, and the supply ranked along side that of drugs caught under the Misuse of Drugs Act.

**Q3 - Thinking about each group below, does, or could the policy, service, function, project or strategy have a negative impact on members of the equality groups below?**

Group	Negative	Positive / no impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "negative" or "unclear" consider doing a full EIA

**Q4 - Does, or could the policy, service, function, project or strategy help to promote equality for members of the equality groups?**

Group	Yes	No	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy or maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "no" or "unclear" consider doing a full EIA

**Q5 - Do you have any feedback data from the equality groups that influences, affects or shapes this policy, service, function, project or strategy?**

Group	Yes	No	Unclear
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "no" or "unclear" consider doing a full EIA

**Q6 - Using the assessments in questions 3, 4 and 5 should a full assessment be carried out on this policy, service, function or strategy?**

☐ yes ☒ No

**Q7 - How have you come to this decision?**

The evidence from the substance misuse strategy coordinator is that the city council has conducted some research with users of psychoactive substances which are not exclusive to any group. The use of these substances has a negative impact both upon the user and the community as a whole. The impact of this legislation is wide reaching to any person who commits offences, is not exclusive or group based. Anecdotal evidence is that younger people are more likely to be users

If you have to complete a full EIA please contact the Equalities and diversity team if you require help  
Tel: 023 9283 4789 or email:equalities@portsmouthcc.gov.uk

**Q8 - Who was involved in the EIA?**

Peter Emmett, Trading Standards Manager  
Alan Knobel, Substance Misuse Strategy Coordinator

**This EIA has been approved by:** Rachael Dalby

**Contact number:** 023 9283 4040

**Date:** 29 February 2016

Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your preliminary EIA.

Telephone: 023 9283 4789

Email: [equalities@portsmouthcc.gov.uk](mailto:equalities@portsmouthcc.gov.uk)