

Due Regard Statement

Name of the 'policy':	Procurement for the provision of Enforcement Agent Services in relation to the recovery of unpaid Parking Enforcement Penalty Charge Notices (PCN) debt.
Person(s) responsible for completing this statement	Alexis Newport – Parking Manager and Andy Burford – Parking Procurement and Contract Manager
Briefly describe the activity being considered including aims and expected outcomes	<p>The primary objective is the procurement of a company to provide Enforcement Agent services for the collection of Parking Penalty Charge Notices (PCNs).</p> <p>The contract will be let for a period of four years. The contract commencement date is 3rd February 2020. The contract is a retender of an existing contract and these proposals do not involve any changes in collection policy, vulnerability definition or any changes to the way in which debts are passed to the Enforcement Agent for collection.</p> <p>All parking activity is undertaken in line with the Road Traffic Act (1988) and the Traffic Management Act (2004).</p> <p>To ensure that any unpaid PCNs are paid the authority refers non-payers to the Traffic Enforcement Centre (TEC) at Northampton (a bulk handling civil court). This body processes unpaid PCNs and is able to issue warrants that enable enforcement agents to chase payment. This often takes the form of a payment plan, but can result in goods owned by a debtor being seized and sold.</p> <p>The enforcement agents follow strict statutory guidelines during the collection process with a</p>

	<p>particular focus on client vulnerability or protected characteristics. If a client is identified as vulnerable or having protected characteristics the enforcement agents have a duty to recognise this and treat the debtor in a suitable way so as to not aggravate any identified vulnerabilities.</p>
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Service information

<p>Who is responsible for delivering the service?</p>	<p>The GCC Parking Team, managed by Alexis Newport, currently manages parking services and will continue to do so, in line with relevant statutory legislation and guidance.</p> <p>Enforcement agent activity is undertaken under contract by an accredited enforcement agent.</p>
<p>Service user data/Needs analysis information</p>	
<p>Age</p>	<p>The systems used do not hold equality data and so it is not possible to run any analysis reports to see debts where the debtor has a protected characteristic.</p>
<p>Disability</p>	<p>The systems used do not hold equality data and so it is not possible to run any analysis reports to see debts where the debtor has a protected characteristic.</p>
<p>Sex</p>	<p>The systems used do not hold equality data and so it is not possible to run any analysis reports to see debts where the debtor has a protected characteristic.</p>

Race (including Gypsy & Traveller)	The systems used do not hold equality data and so it is not possible to run any analysis reports to see debts where the debtor has a protected characteristic.
Gender reassignment	The systems used do not hold equality data and so it is not possible to run any analysis reports to see debts where the debtor has a protected characteristic.
Marriage & civil partnership	The systems used do not hold equality data and so it is not possible to run any analysis reports to see debts where the debtor has a protected characteristic.
Pregnancy & maternity	The systems used do not hold equality data and so it is not possible to run any analysis reports to see debts where the debtor has a protected characteristic.
Religion or Belief	The systems used do not hold equality data and so it is not possible to run any analysis reports to see debts where the debtor has a protected characteristic.
Sexual Orientation	The systems used do not hold equality data and so it is not possible to run any analysis reports to see debts where the debtor has a protected characteristic.

Other information

In the period 2018-19 just over 50,000 PCNs were issued by the County Council. 60% of PCN payments were made within the initial 28 day payment period with 28% of recipients appealing their ticket. 9.36% of PCNs remained unpaid and were passed to enforcement agents to recover the debt. This equated to 4,144 unpaid PCN cases being progressed to warrant stage.

The current average enforcement agent recovery rate is 27.93% that amounts to 1,158 cases being recovered and 2,986 cases being returned to the council as unpaid.

Workforce data

Total number of GCC staff affected	Not affected
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Consultation and engagement

Service users	Ongoing review of complaints from debtors is undertaken and all feedback is reviewed and changes made to process, if required.
Workforce	The parking team responsible for overseeing enforcement agent activity have been involved in developing the

	procurement strategy and enforcement agent operating environment.
Partners	Discussions have taken place with the six Gloucestershire District Councils regarding joint tendering. Research indicates that collaborative arrangements are not practicable and not cost effective for GCC and the wider Districts at this point in time
External providers of services	A LACEF (Local Authority Civil Enforcement Forum) was attended in January and pre tender discussions had with suppliers and other local authorities. The Council has liaised with The Crown Commercial Service in relation to utilising CCS Frameworks and their debt recovery service. Discussions have taken place with the Yorkshire Purchasing Organisation and Rotherham Council to discuss the use of their frameworks to procure the enforcement agent service.

Equality analysis: Summary of what the evidence shows and how has it been used

Protected group	Challenge or opportunity considered and what we did
Age(A)	<p>The tender to obtain a new enforcement agent provider will have detailed requirements in relation to managing debt collection from vulnerable individuals. A number of heavily weighted quality questions will focus on vulnerability, protected characteristics, compliance, policy and procedures to ensure that those identified as having vulnerability or protected characteristics are managed in an appropriate way to avoid any disproportionate impact.</p> <p>The enforcement agents will have a policy and procedure for dealing with a situation appropriately that involves a minor at an address.</p> <p>Contract management and analysis of contract Key Performance Indicators (KPIs), including those focussed on protected characteristics, and complaints and any other data available will be used to review, on an ongoing basis, any disproportionate impact caused to vulnerable debtors by enforcement agents.</p> <p>The council has PCN discretionary cancellation policy where officers can take into account mitigating circumstances on a case by case basis.</p>

<p>Disability (D)</p>	<p>The tender to obtain a new enforcement agent provider will have detailed requirements in relation to managing debt collection from vulnerable individuals. A number of heavily weighted quality questions will focus on vulnerability, protected characteristics, compliance, policy and procedures to ensure that those identified as having vulnerability or protected characteristics are managed in an appropriate way to avoid any disproportionate impact.</p> <p>The enforcement agents will have a policy and procedure for dealing with a situation appropriately that involves a person with a disability at an address.</p> <p>Contract management and analysis of contract Key Performance Indicators (KPIs), including those focussed on protected characteristics, and complaints and any other data available will be used to review, on an ongoing basis, any disproportionate impact caused to vulnerable debtors by enforcement agents.</p> <p>It should be noted that the council operates a Blue Badge parking scheme for residents who have mobility challenges, this helps reduce the risk of an individual with a protected characteristic receiving a PCN and the potential for referral to an enforcement agent. GCC investigates Blue Badge fraud with a view to prosecuting unauthorised use.</p> <p>The Parking team work regularly with the councils Blue Badge Team to discuss new policy and legislation such as the introduction of hidden disabilities.</p> <p>The council has PCN discretionary cancellation policy where officers can take into account mitigating circumstances on a case by case basis.</p>
<p>Sex (S)</p>	<p>n/a</p>
<p>Race (including Gypsy & Traveller)(R)</p>	<p>The tender to obtain a new enforcement agent provider will have detailed requirements in relation to managing debt collection from vulnerable individuals. A number of heavily weighted quality questions will focus on vulnerability, protected characteristics, compliance, policy and procedures to ensure that those identified as having vulnerability or protected characteristics are managed in an appropriate way to avoid any disproportionate impact.</p> <p>Contract management and analysis of contract Key Performance Indicators (KPIs), including those focussed on protected characteristics, and complaints and any other data available will be used to review, on an ongoing basis, any disproportionate impact caused to vulnerable debtors by enforcement agents.</p>

Gender reassignment(GR)	<p>The tender to obtain a new enforcement agent provider will have detailed requirements in relation to managing debt collection from vulnerable individuals. A number of heavily weighted quality questions will focus on vulnerability, protected characteristics, compliance, policy and procedures to ensure that those identified as having vulnerability or protected characteristics are managed in an appropriate way to avoid any disproportionate impact.</p> <p>The council has PCN discretionary cancellation policy where officers can take into account mitigating circumstances on a case by case basis.</p>
Marriage & civil partnership (MCP)	<p>n/a</p>
Pregnancy & maternity (PM)	<p>n/a</p>
Religion and/or Belief (RAOB)	<p>n/a</p>
Sexual Orientation(SO)	<p>The tender to obtain a new enforcement agent provider will have detailed requirements in relation to managing debt collection from vulnerable individuals. A number of heavily weighted quality questions will focus on vulnerability, protected characteristics, compliance, policy and procedures to ensure that those identified as having vulnerability or protected characteristics are managed in an appropriate way to avoid any disproportionate impact.</p> <p>The council has PCN discretionary cancellation policy where officers can take into account mitigating circumstances on a case by case basis.</p>

Strengthening actions: Planning for further improvements

Action Plan

Action	Who is accountable	Time frame
Ongoing review of complaints from debtors and implement any strengthening actions	Parking Manager	Monthly team meetings
Pro active management of enforcement agent contract	Parking Manager	On going
Review and implement any new best practice, legislation or government guidance in relation to parking debt recovery.	Parking Manager	On going
Review Due Regard Statement	Parking Manager	Annual Review – next review October 2020

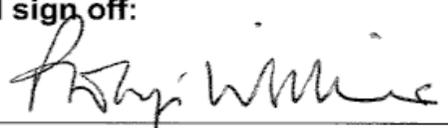
Monitoring and Review

Please indicate what processes/actions will be put in place to keep this 'activity' under review. For example will progress be monitored/ reported to a board, scrutiny committee, project board etc

This due regard statement will be reviewed on a regular basis by the Parking Manager. Amendments will be made to this Due Regard statement and a new version produced should any material changes as a result of the ongoing review be identified.

Sign off and Scrutiny

By signing this statement off as complete you are confirming that 'you' have examined sufficient information across all the protected groups and used that information to show due regard to the three aims of the general duty. This has informed the development of the activity

Senior level sign off: 	LEAD COMMISSIONER COMMUNITY INFRASTRUCTURE	Date: 3/10/2019
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I am in agreement that sufficient information and analysis has been used to inform the development of this 'activity' and that any proposed improvement actions are appropriate and I confirm that I as the decision maker have been able to show due regard to the needs set out in section 149 of the Equality Act 2010.

Name of relevant Portfolio Holder/Cabinet Member: Cllr Dave Norman	
Signed by Portfolio Holder/Cabinet Member: 	Date: 3.10.19

Publication

If this statement accompanies cabinet paper it will be published as part of the cabinet report publication process. Statements accompanying cabinet reports are also published on our website. If this statement is not to be submitted with a cabinet paper please maintain a copy for your own records that can be retrieved for internal review and also in case of future challenge.