

# Charnwood Borough Council

## Equality Impact Assessment

<b>Title</b>	Drivers convictions and disciplinary policy
<b>Date</b>	17 <sup>th</sup> January 2011
<b>Lead Officer</b>	Malcolm Burton
<b>Team Members</b> this could include representatives from the service, other services in the Authority, service users, partners, stakeholders and external service providers.	Rachel Beaumont, Humaa Noori

### Step 1 – Setting Out the Parameters of the Assessment

<b>A. Scope: Outline the scope of what is being assessed</b>	
The updated convictions policy and the proposed “penalty points scheme” for licensed drivers and operators	
<b>B. Objectives and outcomes: Identify the objectives/outcomes of what is being assessed</b>	
1.	The convictions policy is based on best practice guidance given by Local Government Regulation, and is a comprehensive and universal policy which assists in the determination of any applicant as to their fitness to obtain a Hackney Carriage or Private Hire Drivers licence, and for determining the fitness of an existing licensed driver to continue to hold a drivers licence, where the applicant or licensed driver has convictions for any offences. The policy also refers to pending matters.
2.	
3.	
4.	

### Step 2 – What we already know and where there are gaps

<b>Available research and data</b> <ul style="list-style-type: none"><li>▪ Details/results of consultation undertaken i.e. who, when, how, and findings from consultation</li><li>▪ Findings from previous Equality Impact Assessments</li><li>▪ Demographic information</li><li>▪ Anecdotal and other evidence</li><li>▪ Areas where we lack the information required</li></ul>	<p>There is no precise measure of ethnicity amongst drivers, as they are not required to complete the ethnic monitoring section of the application form.</p> <p>There is anecdotal evidence that there are a higher proportion of BME drivers who are licensed as hackney drivers. Nevertheless, the policy seeks to identify only those applicants and current drivers who can not be considered as “fit and proper” persons to hold a drivers licence by virtue of there being criminal convictions recorded against them, (the convictions policy), or to identify those current drivers whose behaviour and activity gives cause for concern and attracts penalty points as per the table attached to the policy.</p> <p>The penalty points scheme is not a punitive scheme, it is a mechanism to identify those drivers who repeatedly act against either conditions of licence, byelaws, or legislation at a</p>
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low level where individual breaches are of a minor nature.

There is no evidence of licence holders complaints about disciplinary action due to equality characteristics

### Step 3 – Do we need to seek the views of others and if so, who?

#### Determine whether there is a need for further consultation or satisfaction testing

The proposed penalty points scheme has been widely consulted upon prior to its introduction by the taxi trade, and there was little reaction to it. The feedback received was supportive of the scheme.

### Step 4 – Findings

Diversity areas	Evidence of adverse/differential impact on specific groups Unmet needs that have been identified Any evidence of non-compliance with legislation
Age	None
Disability (physical, learning, sensory, mental health)	<p>One of the requirements of having a Hackney Carriage or Private Hire licence is that the driver must be able to offer assistance to disabled passengers, and all drivers must undergo a medical examination which would identify any disqualifying disability. The medical examination standards are those applied by the DVLA for vocational drivers and which were adopted by this authority in 1991. They are known as the "group 2 standards", and if an applicant, or indeed an existing licensed driver, fails to reach the required standard the initial licence would not be granted and the renewal may not take effect until and unless the medical standard is achieved.</p> <p>In the case of learning difficulty, the pre-licensing tests that are required would normally help to identify this issue, and in cases where the applicant displays difficulties in understanding, probing takes place to try to identify the cause. (See below for language difficulties).</p> <p>Where further qualification is required, e.g. the drivers BTEC, we are assured by Loughborough College that resources exist to overcome most learning difficulties.</p>
Gender	None, but there is a much higher take-up of drivers licences by males
Religious Belief	None
Racial Group	Currently, where English is the second language, and that is leading to difficulty in passing the Highway Code test, we will suggest that the application process is suspended whilst the applicant attends one of the ESOL course offered locally, and re-commence once the applicant is more equipped to complete the process

<b>Sexual Orientation</b>	None
<b>Transgender</b>	None
<b>All</b>	Personal circumstances are taken into consideration for each application where declared or identified

**Assessment rating at first assessment:** Red  Amber  Green

#### Step 5 – What we need to do

This could include issues such as: gaps in data hence further consultation/research is required, actions needed to address inequality/adverse impact, the need to amend processes e.g. future procurement arrangements or ease of accessibility to a service.

*The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan*

Objective	Action	Time-scale	Responsible Officer
	Review the policy after 12 months	April 2012	Licensing Manager
	Record equality information at disciplinary hearings		

#### Step 6 – Who needs to know and how they will be informed

	<b>Who needs to know</b>	<b>How they will be informed</b>
<b>Employees in the service</b>	Licensing Staff, contact centre and customer service staff	Details of policy will be circulated, and the policy will form part of the advice section of the licensing section web pages
<b>Employees in other services</b>	As above	
<b>Service users</b>	Applicants and current licence holders	Application guidance to be amended to reflect the policies, and circulation of policy to all current licence holders either electronically or by paper copy
<b>Partners and stakeholders</b>		
<b>Others</b>		
<b>To ensure ease of access, what other communication needs/concerns are there?</b>		