

Charnwood Borough Council

Equality Impact Assessment 'Knowing the needs of your customers and employees'

■ Background

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

■ Legislation- Equality Duty

As a local authority that provides services to the public, Charnwood Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- ✓ Eliminate discrimination, harassment and victimisation
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex (Gender)
9. Sexual orientation

What is prohibited?

1. Direct Discrimination
2. Indirect Discrimination
3. Harassment
4. Victimisation
5. Discrimination by association
6. Discrimination by perception
7. Pregnancy and maternity discrimination
8. Discrimination arising from disability
9. Failing to make reasonable adjustments

Note: Complete the action plan as you go through the questions

■ **Step 1 – Introductory information**

Title of the policy	Hackney Carriage and Private Hire Licensing Policy
Name of lead officer and others undertaking this assessment	Grace Dowson, Licensing Manager
Date EIA started	3 rd October 2019.
Date EIA completed	

■ **Step 2 – Overview of policy/function being assessed:**

Outline: What is the purpose of this policy? (Specify aims and objectives)
The Hackney Carriage and Private Hire Licensing Policy was approved by the Licensing Committee in 2017, and brought together existing piecemeal guidance and advice into one document, which ensured all factors are taken into account when considering changes in guidance and legislation, to avoid duplication or conflict. The policy set out the requirements and standards that must be met and will guide the work of the Council in the way in which it carries out its function. It was agreed to be reviewed at at three yearly intervals or as required. The policy is to be reviewed for April 2020
What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?
The policy acts as the main vehicle for setting out the Licensing authorities approach to administration and regulation of the hackney carriage and private hire trade to promote its overall aim of protecting the public and promoting public safety for the people of the Borough of Charnwood.
The policy seeks to promote the following objectives; <ul style="list-style-type: none"> • Protection of the safety of the public, safeguarding children and the vulnerable • The health and safety of drivers • Protection of the environment • Access to an efficient and effective transport service • Provide and maintain a professional and respected hackney carriage and private hire trade, by continued monitoring and improvement of their required standards of service
Which groups have been consulted as part of the creation or review of the policy?
On reviewing the Hackney Carriage and Private Hire Licensing Policy ,the Council consults with all existing licensees and the garages used to test vehicles.

■ **Step 3 – What we already know and where there are gaps**

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.
Data/information such as: <ul style="list-style-type: none"> ▪ Consultation ▪ Previous Equality Impact Assessments ▪ Demographic information ▪ Anecdotal and other evidence
The policy brought together existing advice and guidance previously approved by the Councils Licensing Committee and to aid transparency by placing it all in one place. The Licensing Section have worked within the existing advice issuing licences and undertaking enforcement checks. No significant risks have been identified which will impact on the review of this policy.

What does this information / data tell you about diverse group? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

The current licensing database has been recently updated and data in respect of ethnicity can be recorded. The introduction of the new policy will see new applications developed and implemented and ethnicity will be collected and recorded. The database is also used to monitor and record complaints and this will include complaints made by relevant vulnerable groups.

■ **Step 4 – Do we need to seek the views of others? If so, who?**

In light of the answers you have given in Step 2, do you need to consult with specific groups to identify needs / issues? If not please explain why.

NO

■ **Step 5 – Assessing the impact**

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

	Comments
Age	Postive impact as the policy has elements for the protection of children and vulnerable with the introduction of Safeguarding Awareness training as mandatory for all new and existing drivers. Rules and regulations are clearly communicated to all drivers and operators through the policy.
Disability (Physical, visual, hearing, learning disabilities, mental health)	A responsible and transparent licensing policy for the drivers and operators within the trade makes a contribution to ensuring that drivers and operators are aware of vulnerable groups and their requirements within their role, including those under legislation such as the Equality Act 2010.
Gender Reassignment (Transgender)	No impacts identified
Race	No impacts identified
Religion or Belief (Includes no belief)	No impacts identified
Sex (Gender)	No impacts identified

Sexual Orientation	No impacts identified
Other protected groups (Pregnancy & maternity, marriage & civil partnership)	No impacts identified
Other socially excluded groups (carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)	A responsible and transparent licensing policy for the drivers and operators within the trade makes a contribution to ensuring that drivers and operators are aware of vulnerable groups and their requirements within their role, including those under legislation such as the Equality Act 2010.

Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.

Please note:

- a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- b) Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

There is a requirement for all new drivers to sit a written knowledge test. This replaces the existing High Way Code Test and Hackney Carriage test. There is a requirement for a driver to be able to speak and write a certain degree of English to be able to take instruction (i.e where to go) and write a receipt on request.

The driver will need to pass all three papers, which will be based on the new policy. Should an applicant appear to be experiencing difficulty in completing the test Officers will seek to ascertain why. Facilities will be made available if an applicant is dyslexic for example, (provided medical proof is available) for the applicant to take the test with two licensing staff where the test is delivered verbally rather than written. If due to a language barrier, the applicant will be advised to seek a better understanding of English before continuing to resit the test. This is considered a reasonable and proportionate mitigating action.

Under the review of the Policy the applicant will be given three opportunities to pass each paper. Should they not pass after three attempts at each paper, they will be required to wait at least 3 months (from the date of the most recent failure) before being permitted to re-apply and take any further tests. This is to ensure that applicants understand the importance of learning the policy prior to the test and to avoid them continuously repeating it at a cost to themselves.

Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).

The new Hackney Carriage and Private Hire Licencing Policy outlined how Charnwood Borough Council administer and regulate the 'taxi' trade. The format of one document will allow a transparent and consistent approach to all members of the trade and therefore the public on them delivering their service. National Legislation and Best Practice has been used in the development which is designed to protect the vulnerable. Relevant enforcement practices and monitoring will assist in the protection of harm and will be in line with the Councils Equality & Diversity responsibilities.

■ **Step 6- Monitoring, evaluation and review**

Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?
The Hackney Carriage and Private Hire Licensing Policy guides the work of the (Council) and as such will work closely with the trade to ensure the new policy and guidance is communicated effectively. Reviews will be undertaken as required based on feedback from the trade and the introduction of new legislation.
How will the recommendations of this assessment be built into wider planning and review processes? e.g. policy reviews, annual plans and use of performance management systems.
The Licensing Committee of the Council are provided with update reports on the work of the Licensing Section , which includes the number of vehicle, driver and operators licence issued , complaints received and enforcement action taken.

■ **Step 7- Action Plan**

Please include any identified concerns/actions/issues in this action plan: The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan			
Reference Number	Action	Responsible Officer	Target Date
001	Continue to Monitor specific complaints (via the Licensing Data System) made by relevant vulnerable groups to remove any potential barriers or negative impacts. Report findings to the Licensing Committee of the Council as appropriate.	Licensing Manager	Ongoing

■ **Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?**

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	✓	The Policy will be published on the website and all existing members/partners of the trade will be notified in writing of the main changes and as to where the new policy can be viewed.
Service users	✓	
Partners and stakeholders	✓	
Others		
To ensure ease of access, what other communication needs/concerns are there?		

■ **Step 9- Conclusion (to be completed and signed by the [Service Head](#))**

Please delete as appropriate
I agree / disagree with this assessment / action plan
If <i>disagree</i>, state action/s required, reasons and details of who is to carry them out with timescales:
Signed (Service Head):
Date: 7th October 2019

[Please send completed & signed assessment to Suzanne Kinder for publishing.](#)