



Scarborough Borough Council Equality Impact Assessment

Service:	Licensing	Date:	10 November 2016
Impact Assessment:	Taxi and Private Hire Policy 2016		
Name and roles of officers completing the assessment:	Petra Jackson, Performance and Admin Manager Jonathan Bramley, Environment and Regulation Manager Una Faithfull, Licensing Manager Mark Heaton, Licensing Officer		
Background Information	Under the Equality Act 2010, Local Authorities have a duty to have regard to three aims <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. • Advance equality of opportunity between people who share a protected characteristic and those who do not. • Foster good relations between people who share a protected characteristic and those who do not. 		

There are nine protected characteristics which **employees** might have:

- Age
- Disability
- Gender Reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion and Belief
- Sex (gender)
- Sexual Orientation.

There are eight protected characteristics of **people who use services**, which are:

- Age (over 18s only)
- Disability
- Gender Reassignment
- Pregnancy and maternity
- Race
- Religion and Belief
- Sex (gender)
- Sexual Orientation.

PART 1: AIMS & OBJECTIVES

What is the service / policy / function / project trying to achieve and for who?

Is this a new service / policy / function / project or a review of an existing one?

Review of existing Policy

What are the Aims, Objectives or Purpose of the service / policy / function / project?

What is the Council trying to achieve, and what outcomes are sought?

Please give a brief description of the service / policy / function / project

If you are assessing a proposed change to the service or policy what is the aim of the change?

Aims of Licensing

The principal aim of hackney carriage and private hire licensing is to protect the public whilst ensuring that they have reasonable access to high quality hackney carriage and private hire services. It is accepted that such services play an important role in local transport provision.

Objectives

The LA shall adopt and carry out its hackney carriage and private hire licensing functions with a view to promoting the following licensing objectives:

- Safety, health and comfort of the public and drivers
- Prevention of crime and disorder, safeguarding of children and the vulnerable
- Vehicle safety, comfort and access
- Provision of high quality vehicles and services
- Promoting the tourism and the Borough of Scarborough

Who are the main stakeholders? What do the stakeholders want?

E.g. Consider: Employees/potential employees, Members and Councillors, residents of the Borough, visitors & tourists, retailers, businesses, contractors & suppliers, service users etc.

The main stakeholders are:

- Members of the Public
- Residents
- Visitors
- Applicants
- Licence Holders
- Borough Council Services
- Trade Bodies/organisations
- Retailers/Businesses
- Police
- Fire Service
- NYCC Trading Standards
- NYCC Children and Young People's Service
- Councillors and all Borough Council staff
- Neighbouring Local Authorities

Stakeholders want the following:

- A licensing regime which is fair, transparent, consistent and accessible to all
- Adequate protection and safeguarding for the public
- The promotion of the Policy Objectives

PART 2: EQUALITY DATA – Available data, research and information

What information is available about the service / policy / function / project? E.g. usage data, satisfaction data, census data, national statistics, surveys, consultation, focus groups, complaints feedback and other quantitative or qualitative feedback

- Who are the applicants/Licence holders? i.e. breakdown by equalities group
- Does this tell us anything about gaps in or issues with service provision?
- Statistical data on applicants who have failed the knowledge tests
- Unmet demand survey (Hackney Carriages) – provides data in relation to need for Hackney Carriage provision in the Borough
- Taxi rank consultation has been undertaken which will include seeking the views of disabled people on location and suitability of taxi ranks.

What do you need to know about this service / policy / function / project? What information is needed to ensure that all perspectives are taken into account?

- Are there any barriers to particular groups applying for/gaining licences?
- Are there any barriers to particular groups accessing the services e.g. do disabled people have sufficient taxi provision for their needs?
- What are the statutory requirements and do they conflict with any objectives/aims?
- Who are the applicants/Licence holders? I.e., breakdown by equalities group
- Does this tell us anything about gaps in or issues with service provision?

Are there identified gaps in the information needed? (Actions to collect this data should be included within the action plan)

Some gaps, information could be collected through renewals

PART 3: ASSESSING NEEDS & IMPACTS

Consider the particular characteristics of the groups and communities and assess whether there is likely to be a differential impact upon each of the groups because of the way the service / policy / function / project is designed or delivered.

- How are the current needs of different equalities groups and communities met through the service / policy / function / project?
- Do people from different equalities groups have varying needs and/or expectations of the service / policy / function / project?
- Does it disadvantage or exclude groups?
- Is it likely to affect the relationship between different groups? E.g. Any issues of perceived bias, tension or other issues affecting community cohesion
- Is there any initial evidence that any part of it could discriminate unlawfully, directly or indirectly, against particular groups of people?
- Is there an opportunity to promote equality?
- Is there any evidence that information in relation to it is not accessible to particular groups of people? E.g. Publicity, knowledge, access to information (e.g. languages, large print)

	Are there any impacts?	What evidence do you have?	Are any negative impacts mitigated? If not, actions to mitigate the effects should be include in the action plan
RACE/ ETHNICITY:	There may be issues arising from language barriers for applicants for Taxi/Hackney Carriage Licences		<ul style="list-style-type: none"> • Licensing Policy and other relevant licensing documents are available on the internet • Offer support to Licence applicants, licence holders and potential objectors – may need assistance with documentation • Language line available • Language may be an issue in Enforcement cases • Knowledge tests can be administered on a one to one basis • An ability to communicate with customers in English is an essential element of driving a taxi • Requirement to undertake safeguarding training
GENDER	Possible impacts re dress code		<ul style="list-style-type: none"> • Dress code to be gender neutral • Requirement to undertake safeguarding training within 6 months of grant
GENDER IDENTITY:	Possible impacts re dress code		<ul style="list-style-type: none"> • Dress code to be gender neutral • Requirement to undertake safeguarding training

	Are there any impacts?	What evidence do you have?	Are any negative impacts mitigated? If not, actions to mitigate the effects should be include in the action plan
DISABILITY:	<p>Some disabilities and illnesses may prevent an applicant being certified medically fit to drive a licensed vehicle</p> <p>Positive impacts on service users in that conditions are in place to improve access to the service to those with a disability</p>	<p>Medical certificate is required for drivers</p> <p>DVLA Medical Examination Report D4 information booklet contains a list of the medical conditions that may prevent an applicant from being certified medically fit to drive a licensed vehicle.</p>	<ul style="list-style-type: none"> • Medical requirements relating to drivers are justified on the grounds of public safety • Interviews under caution are held in the PACE room, in the Customer First Centre which is fully accessible • Hearing loop available in the Council Chamber, • Consultation is undertaken with Disablement Action Groups and disabled residents re Taxi policy/Taxi rank provision and other Licensing policies • All Hackney carriages are required to have swivel cushions to assist clients who may need this facility • Wheelchair accessible/purpose built hackney carriages – advantages provided in age of car– vehicles that are so adapted as suitable for the conveyance of wheelchairs may continue to be licensed for an extra 2 years • Minimum space requirements to allow a folded wheelchair to be carried • Whilst the number of wheelchair accessible Hackney Carriages has been determined by the Council there is no power to restrict numbers in the private hire sector. • Requirement to undertake safeguarding training
SEXUAL ORIENTATION:	<ul style="list-style-type: none"> • None identified 		<ul style="list-style-type: none"> • Requirement to undertake safeguarding training

Appendix 3

	Are there any impacts?	What evidence do you have?	Are any negative impacts mitigated? If not, actions to mitigate the effects should be include in the action plan
AGE:	<ul style="list-style-type: none"> Promote the protection of children and vulnerable people from harm – safeguarding training mandatory There is a legislative requirement that applicants for taxi and private hire licences must have held a full driving licence for at least 12 months before making application. There is no upper age limit for taxi and private hire driver’s licence holders. However, over 65 Drivers must produce a medical certificate on an annual basis, justified on the grounds of public safety and in line with DVLA requirements. 	With regard to a driver who has attained the age of 65, a Medical Certificate must be produced annually	<ul style="list-style-type: none"> Justified on grounds of public safety Requirement to undertake safeguarding training
RELIGION / BELIEF:	<ul style="list-style-type: none"> Possible Impact of dress code – need to take into account of any aspects of dress requirements relating to religion/belief 		<ul style="list-style-type: none"> Revised dress code should address and dress requirements relating to religion/belief.
OTHER SOCIAL EXCLUDED GROUPS, INC ECONOMIC DEPRIVATION:	<ul style="list-style-type: none"> Driver knowledge test could be a bar to some groups, e.g. low levels of literacy 		<ul style="list-style-type: none"> Mitigated by test being in two parts and use of multiple choice questions Request can be made for the test to be undertaken on a one to one basis.
ALL GROUPS	<ul style="list-style-type: none"> Requirement for DBS may exclude some groups 		<ul style="list-style-type: none"> Justified on the grounds of public safety

PART 4: MITIGATING ADVERSE IMPACTS

Adverse Impacts – “Discriminates or disadvantages one or more groups”

Summarise any adverse impacts of the service / policy / function / project in the table below. If you have identified that the service / policy / function / project is having, or might be having an adverse impact, is it justifiable or legitimate?

- If the adverse impact **is** justifiable or legitimate, please provide reasons why. Detail what actions could be taken to mitigate the adverse impact on people?
- If the adverse impact **is not** justifiable or legitimate and is therefore illegal, please detail what actions have been taken to remedy this immediately?

(please include all actions within the action plan)

Any adverse impacts re Taxi Drivers in relation to age are justified in that public safety is a priority

- Taxi/Private Hire Drivers aged over 65 years are subject to more frequent medicals justified on grounds of public safety and in line with DVLA requirements.
- Applicants for driver licences required to submit a certificate certifying medical fitness to drive – may exclude some disabled applicants – justified on grounds of public safety and in line with DVLA requirements.
- Language knowledge and ability, and local knowledge may be a barrier to some ethnic communities applying for hackney carriage and private hire licences – however, there is a need for licensed drivers to read road signs, communicate with passengers, and have knowledge of the area, therefore written/oral understanding of English is required
- Language may be a barrier for some ethnic communities in understanding regulations and enforcement issues – assistance is provided, language line is available.
- DBS checks may prevent some from becoming licence holders – justifiable on grounds of public safety

The Policy has positive impacts through requirements such as accessibility of vehicles, dress code (ie no slogans/logos etc), requirement for Safeguarding training to be undertaken, etc. Policy aims to protect vulnerable people.

PART 5: FORMAL CONSULTATION

What gaps in knowledge or data have been identified and what further data / consultations are required? *(Actions to collect this data should also be included within the action plan)*

None identified

PART 6: DECISION MAKING

A decision will need to be made regarding the adoption of any new and any changes to existing policies, strategies or projects *(e.g. through the Council's Cabinet/Committee or relevant Partnership Board for any partnership and regional strategies and policies)* which should take account of all assessments and consultation. The decision will need to ensure that the strategy or policy complies with the equality legislation including the duty to promote equality.

Please provide details of how the decision to adopt the policy, strategy or project will be made, including who will make the decision, what information will inform the decision-making process and how the decision-making process be recorded

Approval at Cabinet 13 December 2016
Final Approval at Council 9 January 2017

Please note in line with the Council's Policy Framework, drafts of all new/amended policies and strategies together with the Equality Impact Assessment must be reviewed by Policy & Performance

PART 7: EQUALITY MONITORING

How will the impact of this service / policy / function / project continue to be monitored?
(Actions to collect this data should also be included within the action plan)

Monitored and reviewed on a three year basis

PART 8: AUDIT TRAIL & PUBLICATION

Officer Completing the Form:

Signed:		Name:	Petra Jackson
		Date:	10/11/16
		Job Title:	Performance and Admin Manager

Head of Service:

Signed:		Name:	
		Date:	
		Service:	

Audit Trail: (To be completed by Policy & Performance)

Received by:	
Date:	
Published on Website?	Yes / No