

## Equality Impact Assessment

### **Purpose of the Equality Impact Assessment process:**

The Equality Act (2010) introduced the [Public Sector Equality Duty](#) (PSED) requiring public bodies to give due regard to the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations

Consideration must be given to the protected characteristics covered by the Equality Act (2010). Assessments should consider relevant evidence relating to persons with protected characteristics in relation to assessments of potential impact.

The purpose of an Equality Impact Assessment (EIA) is to ensure that policies, functions, plans or decisions (hereafter referred to as 'policy/ decision') do not create unnecessary barriers for people protected under the Act. Where negative impacts are identified these should be eliminated or minimised, and opportunities for positive impact should be maximised. An EIA is not required for a decision in relation to an individual.

Screening is a short exercise to determine whether a policy/ decision is relevant to equalities, and if so, whether a full EIA should be conducted.

## Section 1: Equality Impact Assessment Screening

<b><u>Basic Details</u></b>	
Title and description of the policy/ decision:	Hackney Carriage and Private Hire Policy
Job title of the person(s) undertaking the assessment:	Team Leader (Commercial)
Council service:	Public Health and Housing Options
Date of assessment:	16 <sup>th</sup> May 2024

What are the aims, purposes, objectives and proposed outcomes of the policy/ decision?
<p>The main objective of the policy is to protect the public who may be at risk of harm from the activities associated with the Hackney Carriage and Private Hire Licensing regime.</p> <p>Specific outcomes are to:</p> <ul style="list-style-type: none"> <li>• ensure the organisation delivers a consistent and fair approach to Hackney Carriage and Private Hire vehicle licensing decision making</li> <li>• provide a clear and transparent set of criteria for potential applicants and licence holders.</li> <li>• provide a standard for enforcement, including a penalty point scheme, to hold to account where standards are not met/maintained.</li> </ul>

<b><u>Further Details</u></b>	
Who may be affected by the policy/ decision?	Licensee Service users
How have stakeholders been involved in the development of the policy/ decision? E.g. a consultation exercise	<p>12 week consultation open to everyone on the Lets Talk Mid Devon platform, and a directed consultation with key stakeholders, including:</p> <ul style="list-style-type: none"> <li>• face-to-face workshop for Licensees</li> <li>• face-to-face workshop with Regulatory committee</li> <li>• Devon and Cornwall Constabulary</li> <li>• Devon County Council</li> <li>• Community Safety Partnership</li> <li>• Town and Parish Councils within Mid Devon</li> <li>• Department for Transport</li> <li>• Driver and Vehicle Standards Agency</li> <li>• Age UK</li> </ul>
Will there be scope for prompt, independent reviews and appeals against decisions arising from the policy/ decision?	There are appeal mechanisms built in such as appeal of a penalty point issue (internal) and appeal to Magistrate Court following decision of the Regulatory Sub-Committee

To which part(s) of the Public Sector Equality Duties is the policy/ decision relevant:	Yes	No	Details
1. Eliminate unlawful discrimination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The policy includes requirements of the Equality Act 2010 which the authority has a legal obligation to enforce. Ensuring equal access to all service users and action to be taken against unlawful discrimination against service users.
2. Advance equality of opportunity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Foster good relations between different groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Through enhanced safeguarding training requirements and disability awareness training/assessment, we can help to break down barriers between service users within a vulnerable group and Licensees.

**Which of the protected characteristics is the policy/ decision relevant to?**

Tick and briefly describe any likely equalities impact (positive, negative, or neutral)

Characteristic	Positive	Negative	Neutral	Comments
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is a legal requirement that a Licensed driver must have held a valid driver's licences for 12 months, therefore restricting by age who can apply.  Additionally there are enhanced medical requirements (more frequent) for licensees over 65 years of age, due to the safety issue of age related ill health and driving.
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Investigation and enforcement against licensees who contravene Equality Act 2012.  Requirement for disability awareness assessment and/or training built into the Licensing process.
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Characteristic	Positive	Negative	Neutral	Comments
Pregnancy/ maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Marriage and Civil partnership*	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

\*Applies only to Employment and the duty to give regard to the elimination of discrimination.

**Decision by Corporate Manager to recommend this policy/ decision for an Equality Impact Assessment?**

**Yes/ No**

**If the answer is “Yes”, please continue to the Section 2 and complete the Equality Impact Assessment. If the answer is “No”, please give a brief reason here.**

**EIA Screening Complete**

## Section 2: Equality Impact Assessment

### **Evidence and Consultation**

What existing sources of information have you gathered to help identify how people covered by the protected characteristics may be affected by this policy/ decision? E.g. consultations, national or local data and/or research, complaints or customer feedback. Please identify any gaps in the available information that might make it difficult to form an opinion about the effect of the policy on different groups.

Please complete this table for all the Protected Characteristics. If you have identified any negative impacts you will need to consider how these can be justified or where possible mitigated either to reduce or remove them. (Please add rows where needed)

Protected Characteristic	Potential Impacts/ Issues Identified/ Opportunities identified	Mitigation required (action) or Justification	Lead Officer and target completion date	What is the expected outcome from the action?
Sex				
Age				
Disability				
Religion or Belief				
Race				
Sexual Orientation				
Gender Reassignment				

<b>Protected Characteristic</b>	<b>Potential Impacts/ Issues Identified/ Opportunities identified</b>	<b>Mitigation required (action) or Justification</b>	<b>Lead Officer and target completion date</b>	<b>What is the expected outcome from the action?</b>
<b>Pregnancy/ maternity</b>				
<b>Marriage and civil partnership*</b>				

\*(Applies only to Employment and the duty to give regard to the elimination of discrimination)

**Please provide details of arrangements to monitor and review the policy/ decision and any mitigating actions or actions to promote equality:**

**Please state where the EIA will be published (e.g. on the Mid Devon District Council website):**

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**Equality Impact Assessment Sign off**

**For completion by Corporate Manager**

**Are you prepared to agree and sign off the EIA?**

**Yes**                       **No**

If "No", provide details of why and next steps:

**Name:**

**Job Title:**

**Date:**