

Winchester City Council

## Equality Impact Assessment

### Section 1 - Data Checklist

When undertaking your Equality Impact Assessment for your policy or project, it is important that you take into consideration everything which is associated with the policy or project that is being assessed.

The checklist below is to help you sense check your policy or project before you move to Section 2.

		Yes/No	Please provide details
1	Have there been any complaints data related to the policy or project you are looking to implement?	No	No formal complaints have been received. The trade have made comments through the consultation process, Taxi and Private Hire Forum meetings and at the Licensing and Regulation Committee on 15 September 2020.
2	Have all officers who will be responsible for implementing the policy or project been consulted, and given the opportunity to raise concerns about the way the policy or function has or will be implemented?	Yes	Officers within the team have been briefed on the changes included in the policy and Team meetings are held regularly with updates to the Policy discussed.
3	Have previous consultations highlighted any concerns about the policy or project from an equality impact perspective?	No	
4	Do you have any concerns regarding the implementation of this policy or project?  <i>(i.e. Have you completed a self-assessment and action plan for the implementation of your policy or project?)</i>	No	Implementation plan is in place as set out in the Cabinet report and Policy document.
5	Does any accessible data regarding the area which your work will address identify any areas of	Yes	Applicants of several nationalities.

	concern or potential problems which may impact on your policy or project?		
6	Do you have any past experience delivering similar policies or projects which may inform the implementation of your scheme from an equality impact point of view?	Yes	I have previously reviewed the same Policy document and not identified any equality issues. The main basis of the Policy has been in force since 2011.
7	Are there any other issues that you think will be relevant?	No	

## Section 2 - Your Equality Impact Assessment form

<b>Directorate:</b> Services	<b>Your Service Area:</b> Public Protection	<b>Team:</b> Licensing	<b>Officer responsible for this assessment:</b> Carol Stefanczuk	<b>Date of assessment:</b> 27/10/2020
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	<b>Question</b>	<b>Please provide details</b>
1	What is the name of the policy or project that is being assessed?	Statement of Licensing Policy with respect to Hackney Carriage and Private Hire Vehicles, Drivers and Private Hire Operators.
2	Is this a new or existing policy?	Existing (revised)
3	Briefly describe the aim and purpose of this work.	To set out a clear Policy to applicants, members of the public and officers on the administration of Hackney Carriage and Private Hire Vehicles, Drivers and Private Hire Operators. It is best practice to review the Policy when appropriate, or at least every 5 years.
4	What are the associated objectives of this work?	To set out a minimum required standard which is implemented consistently. This is to ensure that applicants/licence holders are safe and suitable to hold a licence to provide a service to members of the public. Public safety is the Council's paramount consideration when producing and implementing this Policy.
5	Who is intended to benefit from this work and in what way?	Applicants, licence holders, members of the public and authorised officers. To ensure consistency of approach, applicants/licence holders meet the same minimum criteria and to ensure that the public can have confidence when using licensed vehicles in the Winchester City Council district.

6	What are the outcomes sought from this work?	To publish a clear Policy to applicants, members of the public and officers on the administration of Hackney Carriage and Private Hire Vehicles, Drivers and Private Hire Operators. The Policy is implemented to ensure public safety.
7	What factors/forces could contribute or detract from the outcomes?	Issue of new/updated guidance from Department of Transport or other government agency. Loss or reduction of resource.
8	Who are the key individuals and organisations responsible for the implementation of this work?	Authorised officers in Licensing section, Service Lead for Public Protection and Licensing Sub Committee (where referred for decision).
9	Who implements the policy or project and who or what is responsible for it?	The Policy must be adopted by the Cabinet prior to implementation. The Policy is implemented by the Licensing section, Winchester City Council.

		Please select your answer in <b>bold</b> . Please provide detail here.		
10a	Could the policy or project have the potential to affect individuals or communities on the basis of race differently in a negative way?	<b>Y</b>	<b>N</b>	Licensing authorities must ensure that applicants have a satisfactory understanding and be able to communicate in English to enable them to provide a service to the public. On initial application, applicants who have not lived in the UK for past 10 years continuously must supply a certificate of good conduct from their embassy, home country or from the country in which they have been living. This can be difficult to obtain from some countries.
10b	What existing evidence (either presumed or otherwise) do you have for this?	Where officers have had difficulties communicating with an applicant, they have been advised to improve their English language and during this time their application would be put on hold.		

11a	Could the policy or project have the potential to affect individuals or communities on the basis of sex differently in a negative way?	Y	N	
11b	What existing evidence (either presumed or otherwise) do you have for this?	Applicants and licence holders are not treated any differently due to their sex.		
12a	<p>Could the policy or project have the potential to affect individuals or communities on the basis of disability differently in a negative way?</p> <p><i>(you may wish to consider:</i></p> <ul style="list-style-type: none"> <li>• <i>Physical access</i></li> <li>• <i>Format of information</i></li> <li>• <i>Time of interview or consultation event</i></li> <li>• <i>Personal assistance</i></li> <li>• <i>Interpreter</i></li> <li>• <i>Induction loop system</i></li> <li>• <i>Independent living equipment</i></li> <li>• <i>Content of interview)</i></li> </ul>	Y	N	The Policy positively addresses a number of disability requirements by improving the provision of wheelchair accessible vehicles by including the option for applicants/licence holders to purchase a vehicle that allows a wheelchair user access to the vehicle from the rear rather than just from the side (as current Policy requires).
12b	What existing evidence (either presumed or otherwise) do you have for this?	<p>During the stakeholder consultation, 83% of respondents agreed that the Council should allow wheelchair accessible vehicles to be side and/or rear loading, 9% did not know and 8% disagreed.</p> <p>Due to the way in which wheelchairs are loaded into rear access vehicles, this could be less stressful to the wheelchair user as there is less manoeuvring required.</p>		
13a	Could the policy or project have the potential to affect individuals or communities on the basis of sexual orientation differently in a negative way?	Y	N	
13b	What existing evidence (either presumed or otherwise) do you have for this?	The Policy does not discriminate applicants based on their sexual orientation. Nor does it affect customers.		
14a	Could the policy or project have the potential to affect			

	individuals on the basis of age differently in a negative way?	Y	N	
14b	What existing evidence (either presumed or otherwise) do you have for this?	By law, applicants must be at least 21 years of age when applying to be a licensed driver. Once an applicant has reached 65 years of age, they must provide a medical assessment each year (rather than every five years up to 65 years of age). This is based on the DVLA requirement for HGV drivers – the same medical standard “Group 2” is adopted for taxi and private hire drivers licensed by Winchester City Council.		
15a	Could the policy or project have the potential to affect individuals or communities on the basis of religious belief differently in a negative way?	Y	N	
15b	What existing evidence (either presumed or otherwise) do you have for this?	On rare occasions, an applicant may consider as part of their religious beliefs that dogs are un-hygienic and therefore not wish to take assistance dogs or pets. As required under the Equality Act, unless the driver is issued with a medical exemption, a customer with an assistance dog must not be refused.		
16a	Could this policy or project have the potential to affect individuals on the basis of gender reassignment differently in a negative way?	Y	<b>N</b>	
16b	What existing evidence (either presumed or otherwise) do you have for this?	This Policy does not have the potential to effect applicants or customers on the basis of gender reassignment.		
17a	Could this policy or project have the potential to affect individuals on the basis of marriage and civil partnership differently in a negative way?	Y	<b>N</b>	
17b	What existing evidence (either presumed or otherwise) do you have for this?	This Policy does not have the potential to effect applicants or customers on the basis of marriage and civil partnership.		
18a	Could this policy or project have the potential to affect individuals on the basis of pregnancy and maternity differently in a negative way?	Y	<b>N</b>	

18b	What existing evidence (either presumed or otherwise) do you have for this?	This Policy does not have the potential to effect applicants or customers on the basis of pregnancy and maternity,		
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19	Could any negative impacts that you identified in questions 10a to 15b create the potential for the policy to discriminate against certain groups on the basis of protected characteristics?	Y	<b>N</b>	The Policy does not discriminate against any individual in relation to any of the protected characteristics.
20	Can this negative impact be justified on the grounds of promoting equality of opportunity for certain groups on the basis of protected characteristics? Please provide your answer opposite against the relevant protected characteristic.	Y	<b>N</b>	Race: N/A Sex: N/A Disability: N/A Sexual orientation: N/A Age: N/A Gender reassignment: N/A Pregnancy and maternity: N/A Marriage and civil partnership: N/A Religious belief: N/A
21	How will you mitigate any potential discrimination that may be brought about by your policy or project that you have identified above?	The overriding consideration must be the protection of the public and therefore the Policy must have measures in place to ensure that all applicants/licence holders are safe and suitable to drive a licensed vehicle with fare paying passengers.		
22	Do any negative impacts that you have identified above impact on your service plan?	Y	<b>N</b>	

Signed by completing officer	Carol Stefanczuk
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Signed by lead officer

A handwritten signature in black ink, appearing to read "David Legram". The signature is written in a cursive style with a large initial "D".