

Equality Impact Assessment (EqIA) Proforma

Equality Impact Assessment (EqIA) Proforma

An EqIA is a tool to assess whether a decision, policy, service or function pays 'due regard' to the Public Sector Equality Duty (PSED).

This Duty requires public bodies to:

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

The Equality Duty covers the following **9 protected characteristics**:

Age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership. In addition, this EqIA process includes; **care experience, rurality, socio-economic status** and the **armed forces community**.

The EqIA process has two stages:

- **Screening EqIA:** This checks whether a decision, policy, service or function pays due regard to the Equality Duty; to provide any high-level advice or take immediate action; to determine if a full EqIA is required.
- **Full EqIA:** Sometimes called Equality Analysis, this looks at a decision, policy, service or function with supporting data, information, research and evidence from consultation/engagement. The EIA covers the nine protected characteristics as well as rurality, socio-economic status, care experience and armed forces personnel/ veterans. A full EqIA includes an action plan.

Where an EqIA relates to a Council Member Decision it should be included as an appendix to the committee report.

Equality Impact Assessment – Screening

1) Decision/Policy/Service/Function EIA Proforma

2) Background and summary of Equality Advice

The Council as the Licensing Authority is responsible for authorising licensable activities, the issue of personal licences and other matters set out in the Licensing Act 2003 (the Act) within its area. This policy relates to all those licensable activities identified as falling within the provisions of the Act, namely:

- Retail sale of alcohol
- Supply of alcohol by or on behalf of club members
- Provision of regulated entertainment under certain circumstances that is entertainment (unless exempted by the Act) which is provided for the public, club members or for consideration with a view to profit.
- Supply of late-night refreshment that is, supply of hot food and/or hot drink from any premises (subject to any statutory exemption) including food stalls, between 23:00 hours and 05:00 hours

In addition to the above the Act also makes provision for the licensing of individuals to sell alcohol (personal licences); the permitting of certain licensable activities on a temporary basis (temporary event notice); and provisional statements. The purpose of the Statement of Licensing Policy is to:

- To provide Members of the Licensing Committee with a decision-making framework. The policy will be taken into account at a hearing following representations.
- To inform applicants of the parameters within which the Authority are able to make licensing decisions and allow them to take this into account when making applications.
- To provide guidance to local residents and businesses of the boundaries within which the Licensing Authority will make licensing decisions. This will assist those parties when making representations in relation to various applications.
- To support the Licensing Authority if it has to demonstrate in a court of law how it reached its licensing decisions.

Section 5 of the Licensing Act 2003 (the act) requires a Licensing Authority to prepare and publish a statement of the licensing policy every five years. Such a policy must be published before the authority carries out any function in respect of individual applications made under the terms of the Act. This is the Councils first Statement of Licensing Policy and until adopted, the former sovereign Councils of Barrow, Eden and South Lakeland policies' will remain until 31st March 2024.

3) Consultation

The Council will consult with ‘Responsible Authorities’ (Police, Fire & Rescue, Planning, Trading Standards, Child Safeguarding, Public Health and Immigration), existing license holders, businesses, voluntary groups and residents. Consultation will take place between 1st October and 31st December 2023.

4) Equality screening

Equality protected characteristic	Impact Y/N	Describe impact (if Yes)	Measures to address impact (if Yes)	Full EqIA needed Y/N
Age	Y	Age is mentioned throughout the document with regards to the sale of alcohol to children. Protecting children from being harmed by alcohol is a key objective of the policy. It is recognised that licensed premises and hot food takeaways may be attractive places for children and young people to congregate.	Licensing officers and our partners will continue to promote this licensing objective with the licensing trade and proactively carry out ‘test purchasing’	N
Disability	Y	The Licensing Policy requires that new premises comply with legislation and guidance with regards to access issues. Particularly in existing premises, there remains an issue with access for disabled people to all parts of the premises.	More assistance could be given proactively to customers in order to make the licensed premises a more inclusive and welcoming environment.	N

Equality protected characteristic	Impact Y/N	Describe impact (if Yes)	Measures to address impact (if Yes)	Full EqIA needed Y/N
Gender reassignment	Y	Hate crime and harassment based on gender, sex or sexuality has previously been remains an issue, particularly in premises where alcohol is being consumed.	Licensing officers and our partners will continue to encourage licensees to report incidents of this kind, ensuring that the licensed premises are safe places for all.	N
Marriage or civil partnership	N			
Pregnancy or maternity	N			
Race	Y	<p>The majority of Late Night Refreshment licence holders are thought to be from black or ethnic minorities.</p> <p>Whilst each licence application is dealt with on its merits, irrespective of the applicant's race, there may be language problems in communicating with applicants.</p> <p>Late Night Refreshment premises may be the focus of hate crime and harassment against customers and employees</p>	<p>Where required, interpreter or translation services will be made available.</p> <p>Licensing officers and our partners will continue to encourage licensees to report incidents of this kind.</p>	<p>N</p> <p>N</p>
Religion or belief	Y	Whilst each licence application is dealt with on its merits, irrespective of the applicant's religion or belief, there	Where required, interpreter or translation services will be made available.	N

Equality protected characteristic	Impact Y/N	Describe impact (if Yes)	Measures to address impact (if Yes)	Full EqIA needed Y/N
		<p>may be language problems in communicating with applicants.</p> <p>Late Night Refreshment premises may be the focus of hate crime and harassment against customers and employees.</p>	Licensing officers and our partners will continue to encourage licensees to report incidents of this kind.	N
Sex	Y	Hate crime and harassment based on gender, sex or sexuality has previously been remains an issue, particularly in premises where alcohol is being consumed.	Licensing officers and our partners will continue to encourage licensees to report incidents of this kind, ensuring that the licensed premises are safe places for all.	N
Sexual orientation	Y	Hate crime and harassment based on gender, sex or sexuality has previously been remains an issue, particularly in premises where alcohol is being consumed.	Licensing officers and our partners will continue to encourage licensees to report incidents of this kind, ensuring that the licensed premises are safe places for all.	N
Care Experience	N			
People in rural areas	N			
Socio-economic status	N			
Armed-forces personnel/veterans	N			

Equality protected characteristic	Impact Y/N	Describe impact (if Yes)	Measures to address impact (if Yes)	Full EqIA needed Y/N
General (other considerations)	N			

5) Full EqIA required (evidence of substantial impact)?

Yes

No

Full Equality Impact Assessment template

Section 1: About the Decision, Policy, Service or Function

Name and relevance of Decision/Policy/Service/Function being assessed to the PSED	
Job Title of Officer completing EIA	
Department/service area	
Telephone number and email contact	
Date of Assessment	
Objectives of decision/policy/service/function. Which objectives relate to the PSED?	
Key stakeholders and consultees	

Section 2: Information Gathering

What relevant information, evidence, data and research have you used to build up a picture of the likely impacts of your decision/policy/service/function on the protected characteristic and other groups listed below.

What is the negative/adverse impact or area for further action	Actions proposed to reduce/eliminate the negative impact	Who will lead on the actions?	Resource implications/ resources required	When? (target completion date)	Monitoring Arrangements

Add rows as necessary.

Section 5. Outcome of Equality Impact Assessment (tick appropriate box)

No major change needed - the analysis shows the policy is robust and evidence shows no potential for discrimination.	<input checked="" type="checkbox"/>
Adjust the policy/service/function - alternatives have been considered and steps taken to remove barriers or to better advance equality.	<input type="checkbox"/>
Complete the action plan.	<input type="checkbox"/>
Adverse impact(s) identified but continue - this will need a justification or reason. Complete the action plan.	<input type="checkbox"/>

Section 6. Review

Date of next review of the Equality Impact Assessment	Who will carry out this review?
4 th January 2024. Following the results of the 3 month consultation, no changes are required.	Head of Public Protection
2028/9 or earlier if there are significant changes to the policy, during its lifetime.	Head of Public Protection