

Equality Impact Assessment Form

Name of Strategy/Policy:	Implementation of an Annual hackney carriage and private hire driver Licence, new fees, annual Statutory Declaration & adoption of the Group 2 Medical procedures	
Officer Name(s):	Tracy Brzozowski	
Job Title & Location:	Licensing Manager	
Department/Service Area:	Regulatory Services	
Telephone & E-mail Contact:	01706 228603 tracybrzozowski@rossendalebc.gov.uk	
Date Assessment: 05 th December 2007	Commenced: 05 th December 2007	Completed: 05 th December 2007

1. Impact Assessment – Policy and Target Outcomes

- a) Summarise the main aims/objectives of the strategy, policy, procedure or project (refer to “**Notes for Guidance**” for details).

It is proposed to Implement an Annual hackney carriage and private hire driver Licence, new fees, annual Statutory Declaration for the following reasons:

It has been highlighted that 24.8% of all Licensed hackney carriage and private hire drivers had failed to notify the Licensing Unit of convictions, cautions and/or fixed penalty notices received during the period of their driver licence. Some of these unreported convictions, cautions and/or fixed penalty notices were received within weeks of the licences being issued remaining undiscovered by the Licensing Unit for up to 3 years

The unreported convictions, cautions and/or fixed penalty notices varied in seriousness from points on the DVLA driver licence to criminal convictions for fraud/dishonesty.

The disclosure of convictions, cautions and/or fixed penalty notices is one of the ways the Licensing Unit assess whether or not an individual is a ‘fit and proper person’ to hold a hackney carriage / private hire driver licence:

- A Local Authority must not grant a licence to a Hackney Carriage or Private Hire driver unless they are satisfied that the applicant is a fit and proper person - Local Government (Miscellaneous Provisions) Act 1976, Section 59(1).
- A Local Authority may refuse an application, refuse to renew an application or suspend a Hackney Carriage or Private Hire Drivers Licence if:
 - Since the grant of the licence, the applicant has been convicted of an offence involving dishonesty, indecency of violence,

- Since the grant of the licence, the applicant has been convicted of an offence under that Act or failed to comply with the Act or any conditions or a licence or,
- There is any other reasonable cause.

This proposal is In the interest of public safety (who are the main beneficiaries) and in order to assist the Licensing Unit on obtaining current information relating to convictions, cautions and/or fixed penalty notices incurred by hackney carriage/private hire drivers, it is proposed that:

- An annual hackney carriage/private hire driver licence is introduced.
- An annual statutory declaration is introduced.

It is proposed Rossendale Borough Council adopt the DVLA Group 2 Medical procedures for the following reasons:

The House of Commons Transport Select Committee on Taxis and Private Hire Vehicles recommended in February 1995 that taxi Licence applicants should pass a medical examination before a Licence could be granted.

Responsibility for determining the standards, including medical requirements, to be applied to taxi drivers, over and above the driver licensing requirements, rests with the Public Carriage Office in the Metropolitan area and the Local Authority in all others areas.

Current best practice advice is contained in the booklet “Medical Aspects of Fitness to Drive” published by the Medical Commission on Accident Prevention in 1995. **This recommended that the Group 2 medical standards applied by DVLA in relation to bus and lorry drivers should also be applied by local authorities to taxi drivers.**

b) Is the policy under review (please tick)

New/proposed Modified/adapted Existing

The procedure relating to all areas concerning the Taxi Trade is currently being reviewed as part of a complete review of the Council's current systems and in line with the Council's Corporate Priorities.

c) Who will be the main beneficiaries, targets or users of this strategy, policy, project or procedure?

- Customers/citizens of the district**
- Targeted/specific groups of customers/citizens (indicate below in [d]).
- Elected Members/Councillors**
- Internal colleagues/customers or other public authorities e.g. government agencies
- Community Groups/voluntary sector groups or campaign/interest groups
- Staff/employees (in their contractual position) and/or potential employees/trainees.**
- Any other stakeholder e.g. trade unions, contractors, suppliers, district partners, public agencies (not directly under Council control), intermediaries representing interest groups e.g. tenants, developers, legal agencies or third parties.

Specify in box below:

Customers and Citizens of Rossendale will benefit as the proposals are in the interest of public safety.

The proposals are intended to provide Customers and Citizens of Rossendale, elected members and Rossendale Borough Council employees with a clear and concise assurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'.

d) Please detail below specific equality groups – for example disabled citizens, elderly or infirm/female or non-traditional users who are seen as intended beneficiaries from this policy/strategy/project/procedure (see "**Notes for Guidance**").

Key equality groups as intended beneficiaries (where appropriate):

None.

e) To assist with the assessment you may need to consider collecting the following information you require, before completing the table in Section 2:

- NATIONAL DATA eg surveys, reports, statistics, etc which point up specific areas/issues.
- LOCAL DATA eg demographics, service mapping studies & relevant research.
- MANAGEMENT INFO eg data collected for operational/financial or other purposes.
- MONITORING DATA eg information already available or collected. For example: disability type, age band, gender, location. (ref existing BVPIs).
- CONSULTATION/CONTACT DATA eg user group feedback, representations, specific consultation events etc.
- CUSTOMER COMPLAINT/FEEDBACK eg results of investigations, inquiries, elected member cases, normal complaints/compliments etc.
- Views of LSP Officers, independent externals, contractors/suppliers, partners and academia (if relevant).
- OTHER eg frontline employee feedback, other research, experiences of other agencies/local authorities, councillors mailbags/surgeries.

Consultation has been undertaken with the Taxi Trade, Legal Department and Lancashire Constabulary.

f) Is further consultation, data collection or research still required?

Yes

No

(If yes then complete Action Plan)

Key Actions (note responsible officer(s)):

The procedure relating to all areas concerning the Taxi Trade is currently being reviewed as part of a complete review of the Council's current systems and in line with the Council's Corporate Priorities. Therefore consultation around all these areas is ongoing.

2. Impact – Evidence

a) Using the table below please tick whether you have evidence that the policy/strategy has a negative, positive or neutral impact on any of the equality groups listed below

		Positive Impact – it could benefit	Negative Impact – it could disadvantage	Reason	Neutral Impact (Neither)
Gender	Women	✓		Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'	
	Men	✓		Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'	
Race (Ethnicity or Nationality)	Asian or Asian British people	✓	✓	Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person' Negative - Not readily available in Braille, large print or audio tape however these services can be provided.	
	Black or black British people	✓	✓	Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'. Negative - Not readily available in Braille, large print or audio tape however these services can be provided.	
	Chinese or other ethnic people	✓	✓	Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure	

		Positive Impact – it could benefit	Negative Impact – it could disadvantage	Reason	Neutral Impact (Neither)
				that they are a 'fit and proper person' Negative - Not readily available in Braille, large print or audio tape however these services can be provided.	
	Irish people	✓	✓	Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'. Negative - Not readily available in Braille, large print or audio tape however these services can be provided.	
	White people	✓	✓	Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'. Negative - Not readily available in Braille, large print or audio tape however these services can be provided.	
	Other minority communities not listed above e.g. traveller/European (please state below):	✓	✓	Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'. Negative - Not readily available in Braille, large print or audio tape however these services can be provided.	
Disability	Physical/	✓	✓	Positive - Reassurance that hackney carriage and	

		Positive Impact – it could benefit	Negative Impact – it could disadvantage	Reason	Neutral Impact (Neither)
	learning/mental health			private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person' Negative - Not readily available in Braille, large print or audio tape however these services can be provided. Meeting room location is not yet DDA compliant however this is being addressed. No PA system at venue or hearing loop induction system for people with hearing impairments.	
Sexuality	Lesbians, gay men and bisexuals	✓		Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'	
Gender Identity	Transgender people	✓		Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'.	
Age	Older people (60+)	✓	✓	Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person' Negative - Not readily available in large print however this service can be provided	
	Younger people (17-25), and children	✓	✓	Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'. Negative - lack of engagement with young people.	

		Positive Impact – it could benefit	Negative Impact – it could disadvantage	Reason	Neutral Impact (Neither)
Belief	Faith groups *	✓		Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'	
Other Groups (e.g. carers, rural isolation)		✓	✓	Positive - Informs people of what Rossendale Borough Council considers to be a 'fit and proper person' when licensing drivers. Negative - Not readily available in Braille, large print or audio tape however these services can be provided.	
Equal opportunities and/or improving relations	Note impact on group relations <u>between</u> and any effects on social cohesion.	✓	✓	Positive - Reassurance that hackney carriage and private hire drivers Licensed by Rossendale Borough Council are subject to ongoing rigorous checks to ensure that they are a 'fit and proper person'. Negative - Lack of other languages, large print, Braille or audio tape may make some groups feel isolated.	

Notes:

* Faith groups cover a wide range of groupings, the most common of which are Muslims, Buddhists, Jews, Christians, Sikhs, Hindus. Consider faith categories individually and collectively when considering positive and negative impacts.

- b) If the table above is not fully completed, what further information does the Assessor need?

No further information required.

- c) Based on a summary of the evidence obtained, are there specific equality groups more affected than others by this policy/project etc area? If so indicate briefly below.

All hackney carriage and private hire drivers of different age groups are affected by the proposed changes overall financially when taking into account all fees paid for required CRB, statutory declaration, group 2 medical and annual licence fee.

Drivers under 45 years of age face an overall increase of £10.00 per year. This will affect 65% of all drivers currently Licensed by Rossendale Borough Council.

Drivers aged 45 to 65 will face an overall increase of between £19.00 and £28.00 per year due to the government guidelines regarding the group 2 medical requirements. This will affect 34% of all drivers currently Licensed by Rossendale Borough Council.

Drivers aged 65 with no upper age limit will face an increase of £40.00 per year due to the proposed annual fee and annual statutory declaration. The frequency of the medical requirement is unchanged. This will affect 1% of all drivers currently Licensed by Rossendale Borough Council.

2. Impact – Nature/Type

- a) Could you further improve the strategy, project, policy or procedure's positive impact?

YES NO

If "Yes", briefly summarise below how the positive impact could be improved upon.

<p>Key Actions:</p> <p>Advertise that the Procedures, application forms etc. can be made available in other formats upon request.</p>

- b) If you indicated that there is neutral impact, could this be changed to become positive?

YES NO

If yes, briefly summarise below how this impact could be minimised or removed:

<p>Key Actions:</p> <p>N/A</p>

- c) You need to think about how you can mitigate any adverse or negative impact or use the policy to promote a positive impact. If the proposed policy or project has a:

High Impact – you have identified that the policy or project will have a high, negative impact i.e. that it may be or is unlawfully discriminating against some groups, you will have to take immediate action to mitigate this.

Or:

Lower Impact – if you have identified that the policy would have a negative or adverse impact (that may not be lawful) you will also need to consider what changes you could make to remove this impact.

If you have identified adverse impact you must determine whether you will recommend that the Council should:

- Change the policy, stating what the changes should be
- Revise the policy, stating the revisions
- Consult further if you feel that you do not have enough information

Actions arising from the impact assessment should form part of the Service Planning Process.

Key Actions:

The proposed procedures are part of the total review of all procedures relating to the Taxi Trade therefore any highlighted negative impacts need to be addressed prior to a new procedure being agreed and adopted.

3. Impact Assessment - Summary

a) Key Findings

Please list the major outcomes/results/findings of this assessment in relation to equality which require action by the Council:

Key Findings:

Practical measures can be taken to reduce adverse impact i.e. advertising that the procedures and application forms can be made available in other formats upon request.

b) "Public Duty" Issues

Refer to "**Notes for Guidance**". Given the three strands of legal duty, please identify which particular issues are essential for the Council to address:

No particular issues.

4. Impact Assessment – Further Action

a) As a result of collecting evidence (including consultation) have any changes been made, or are planned, to this policy, strategy, procedure or project?

Yes No

(If yes then complete Action Plan)

Key Actions (note responsible officer(s) or political body as required):

These proposed procedures are part of the total review of all procedures relating to the Taxi Trade.

b) Has a monitoring/evaluation/review process been set up to check the successful implementation of the policy/strategy including improved outcomes?

Yes No:

If yes, briefly summarise below:

.

c) Please briefly describe how the above monitoring/evaluation will ensure the policy/strategy will be reviewed/monitored for impact (indicate timescale):

Please complete the Action Plan overleaf

d) If no further action is to be taken as a result of this assessment:

1. Are you convinced that no discriminatory action is evident in the implementation of this policy, procedure, etc?

Yes No

2. Have you weighed up and considered any negative impact and the options to change, alter or adapt?

Yes No

3. Do you intend/recommend a further review? If yes, indicate timescale.

Yes No (Timescale: 6-24 months..)

IMPACT ASSESSMENT ACTION PLAN

Please list below any recommendations for action that you plan to take as a result of this impact assessment (refer to Sections 3 & 4).

Issue	Action required	Lead officer	Timescale	Resource implications	Comments
Consultation will be ongoing regarding the entire Taxi Trade regarding further procedures for review.	Draft procedures will be circulated for comment and early meetings will be made.	Tracy Brzozowski	In conjunction with the review of all procedures relating to the Taxi trade	Printing costs will need to be taken into account.	
Ensure that the Procedure is advertised as being available in other formats upon request	Need to advertise this on the website on implementation and notification in person on all new applicants seen at application stage.	Tracy Brzozowski	In conjunction with the review of all procedures relating to the Taxi trade	Budget will be required to provide Charter in other formats.	

Equality Impact Assessment

Checklist & Signature Sheet

Name of Strategy/Policy:	Policy Statement on Guidelines to Convictions
---------------------------------	-----------------------------------------------

Please check the following steps have been completed before signing below:

- Sections 1 to 4 completed
- Action Plan completed
- Notified all relevant Officers/Service Areas/Partners

Signed:T. Brzozowski.....

Job Title:...Licensing Manager Department: Regulatory Services

Date commenced Assessment:.....05/12/07..... Date completed: 09/03/07

Date received in HR:.....

Received in HR by:.....

Please sign the EQIA as indicated above, retain a copy and send a copy of the full EQIA, including the Action Plan, to:

Liz Murphy
Head of Human Resources
Kingfisher Business Centre, Futures Park
Bacup
OL13 OBB
lizmurphy@rossendalebc.gov.uk

MANAGEMENT ACTION REQUIRED (to be completed by the Head of HR)

- Referred back to Assessor for amendment(date)
- Refer to Committee (specify committee & date)
- Considered by Corporate Equalities Implementation Group..... (date)
- Published/made publicly available on (date)

Signed:..... (Head of HR) Date:.....

Date of Review:.....