

## Equality Impact Assessment

Equality Impact Assessments will be carried out whenever you plan, change or remove a service, strategy, policy, project or function. Equality impact assessments can help to achieve the following:

- increased participation with customers
- more transparency in policy and service development
- a more proactive approach to the promotion of equality
- prioritise expenditure in an efficient and fair way
- make decisions that are justified, evidenced and relevant

Impact assessments should be carried out as soon as a relevant new strategy, policy, function, project, plan or procedure is considered. It should be an integral part of policy development.

The purpose of an EQIA is to assess and record the potential impact of a service, strategy, policy, project or function on residents and staff. It can help us to deliver excellent services by making sure that these reflect the needs of the community. The process involves anticipating the potential positive and negative consequences (impacts) and putting plans in place to make sure that any negative impacts are eliminated or minimised, and that any opportunities for promoting equality are maximised.

### What do we mean by 'impact'?

The assessment looks at two possible impacts:

- a) **negative, adverse or unhelpful impact, effect or limitation** – this is where the impact could disadvantage one or more of the protected groups. The impact may be differential, i.e. the negative impact on one particular group is greater than on another. Negative impacts may be unintentional; they may also be unlawful.
- b) **positive or helpful impact or effect** – this is where the impact has a positive effect on one or more of the protected groups, and/or where the impact improves relations between groups or improves equal opportunities. The positive impact may also be differential, i.e. the effect on one particular group is greater than on another. Please

bear in mind that we are always allowed to treat disabled people more favourably than other groups.

The '**protected characteristics**' are:

**Age** – a person belonging to a particular age (eg. 18 year olds) or a range of ages (e.g. 18 – 30 year olds).

**Disability** – a person has a disability if (s)he has a physical or mental impairment which has a substantial and long term adverse affect on that person's ability to carry out normal day-to-day activities.

**Gender reassignment** – the process of transitioning from one gender to another.

**Marriage and civil partnership** – marriage is defined as a legally recognised union between two individuals. Same sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

**Race** – refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins.

**Religion or belief** – religion has the meaning usually given to it but belief includes religious and philosophical beliefs including a lack of belief (e.g. atheism). Generally, a belief should affect your life choices or the way you live to be included in the definition.

**Sex** – a man or a woman.

**Sexual orientation** – whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

#### **Other characteristics important to Test Valley:**

**Socio-economic** – overall the borough is not deprived, but there are areas where there are high levels of deprivation, economic inactivity and low education achievement.

**Rural isolation** – Test Valley is a rural area and this can affect access to services and some people's ability to take advantage of opportunities available.

#### **Key points to remember:**

- Don't do it on your own!

- EQIAs are supposed to be challenging but not over-complicated
- Use common sense and be proportionate
- Look at the strategy, policy, function, project, plan or procedure from the perspective of the person/people affected by it.
- Lack of data is not a reason to halt or not complete the process - find out if research or data already exists, or consult directly with representatives of relevant groups or specialist organisations.
- The process isn't a 'last minute check' - develop plans that include time to make changes to a project, strategy or policy as identified by the EQIA.
- Know your customers, their needs and the barriers they face
- Avoid focusing on one issue or protected groups; look at the demographics of your area and your service users
- Remember to look for the positive as well as the negative
- EQIA should be part of the development process – don't leave it until the Committee report deadline

## Equality Impact Assessment

<b>Service:</b>	Legal & Democratic
<b>Officer(s) completing the assessment:</b>	Michael White
<b>Date:</b>	May 2024
<b>Name of service, strategy, policy, project or function being assessed:</b>	Policy on Hackney Carriage and Private Hire Licensing Standards - Drivers, Vehicles and Operators

1.	What are the aims, objectives, outcomes, purpose of the service, strategy, policy, project or function that you are assessing?	<p>Policy objectives are:</p> <ul style="list-style-type: none"> <li>• Ensure the safety and welfare of the public, particularly children and vulnerable adults, which is the overriding objective;</li> <li>• Encourage environmental sustainability;</li> <li>• Ensure an efficient and effective hackney carriage and private hire provision;</li> <li>• Raise awareness of the licensing regime by educating/ informing the trade and the public;</li> <li>• Monitor and improve standards of service in the trade.</li> </ul>
2.	Who implements or delivers the service, strategy, policy, project or function?  State if this is delivered by more than one service or team, including any external partners.	The Licensing Team of the Legal & Democratic Service assisted by others specifically the Environmental Service in respect of vehicle inspections.
3.	Who will be affected by the service, strategy, policy, project or function?	The taxi trade namely vehicle owners, drivers and operators. Also the users of the service with a particular focus on children and vulnerable adults.
4.	What are the likely <b>positive impacts</b> for the protected groups (see above)?	Adoption of the Policy will potentially generate a positive impact for all protected groups. Those with a disability will see a greater

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	Are any particular groups more affected and why?	impact if the proposal to remove the restriction on hackney carriage vehicle licence numbers is removed but the requirement to only allow additional licences for wheelchair accessible vehicles.
5.	What are the likely <b>negative impacts</b> for the protected groups (see above)? Are any particular groups affected more and why?	It is not considered there will be any negative impact on any protected group. Failure to adopt the proposed policy would have a negative impact on disabled people many of whom rely on use of a wheelchair accessible taxi.
6.	What consultation and engagement has taken place (or is planned) with the affected groups and other interested parties?	Public consultation on new Policy undertaken from January to March 2022 and reported to Licensing Committee meeting of 9 November 2023. Further targeted consultation regarding availability of wheelchair accessible taxis undertaken in May 2022 plus public consultation on the same subject from February to May 2024. Public consultation on adoption of driver code of conduct undertaken from April to May 2024.
7.	What plans do you have in place, or are developing, to mitigate the likely negative impacts, i.e. how will you reduce the impact on the protected groups?	None; it is not considered there will be any negative impact on any protected group.
8.	Please summarise or provide links to the information, data, research used in this assessment.	Please see report to Licensing Committee 3 October 2024 which contains details of the two consultation exercises undertaken this year referred to above.

<b>What course of action does this EQIA suggest that you take? (tick one of the following options)</b>	
<b>Outcome 1: No major change required</b> The EQIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.	√
<b>Out come 2: Adjust the policy</b> to remove barriers identified by the EQIA or better promote equality. Are you satisfied that the policy adjustments will remove the barriers identified?	

<p><b>Outcome 3: Continue the policy</b> despite potential for adverse impact or missed opportunities to promote equality identified. You should ensure that the EQIA clearly sets out the justifications for continuing with the policy. You should consider whether there are sufficient plans to reduce negative impact and/or plans to monitor the actual impact</p>	
<p><b>Outcome 4: Stop and rethink</b> the policy when the EQIA shows actual or potential unlawful discrimination</p>	

<p><b>Summary of your proposals – copy and paste into any report for Cabinet, Council or General Purposes Committee</b></p> <p>What are the key impacts – positive and negative?</p> <p>What course of action are you advising as a result of this EQIA?</p> <p>Are there any particular groups affected more than others?</p>	
<p>Chapter 1 of Part 12 of the Equality Act 2010 sets out a series of provisions relating to taxis and these provisions specifically relate to disabled persons. As such it is clearly considered that the key protected characteristic which is relevant in this instance is that of disability. That is not to say that the other protected characteristics are not relevant as disabled persons will all have a variety of protected characteristics; however, for the purposes of this specific EQIA the key protected characteristic relevant is that of disability.</p> <p>Overall, the adoption of a new Policy and Licence conditions is expected to produce a positive impact (and certainly not a negative impact) for those with protected characteristics. Specifically, the proposed policy to continue only issuing additional new hackney carriage licences for wheelchair accessible vehicles will undoubtedly benefit wheelchair users and other disabled persons.</p>	

<p><b>Head of Service sign off (name):</b></p>	<p>Karen Dunn</p>
<p><b>Date:</b></p>	
<p><b>Comments or any action required:</b></p>	

<b>Critical Friends Group - date:</b>	
<b>Equality Group - date:</b>	
<b>Published on TV Screen and website – date:</b>	