

FALKIRK COUNCIL LICENSING BOARD

Subject: Equality Act 2010 – Equality Mainstreaming and Equality Outcomes Report 2017
Meeting: Licensing Board
Date: 12 April 2017
Author: Consumer Protection Manager

1. Purpose of Report

1.1 This purpose of this report is to:

- advise members of the actions that have been taken and the progress that has been made in relation to the Equality Outcomes agreed by the Board in 2013 and progress in relation to Equality Mainstreaming; and
- to agree the Equality Outcomes for the period 2017 to 2021.

2. Recommendations

Members are requested to:-

- (1) note the report on mainstreaming the equality duty and achieving the Equality Outcomes; and**
- (2) agree the Equality Outcomes for the period 2017 – 2021.**

3. Background

- 3.1 The Equality Act 2010 (Specific Duties)(Scotland) Regulations 2012 include requirements to publish information and progress reports periodically following the publication of the equality outcomes in 2013. In April in 2015, the Board published its first mainstreaming report which detailed the progress made towards mainstreaming the equality duty.
- 3.2 The second mainstreaming report must be published by 30 April 2017. There is a specific duty to publish the information in an accessible manner and, in practice, most authorities upload their reports to their website. The Multi-Equality Strategy 2013 and Equality Mainstreaming and Equality Outcomes report 2015 are available to download from the Licensing Board pages of the Falkirk Council website and it is the intention that the 2017 report will be available on the website too.
- 3.1 The equalities mainstreaming and equalities outcomes report details the progress that has been made since 2015. The report also includes the

Equality Outcomes action plan covering the period 2017 to 2021. A copy of the report is attached as an appendix.

4. Considerations

4.1 The Board will need to consider if the action plan detailed in the 2017 report is appropriate and sufficient to ensure that the undernoted Equality Outcomes for 2017 – 2021 are achieved.

- The operation of the Licensing Board will contribute to fair, effective and transparent decision making,
- The Licensing Board will provide effective leadership of equalities activity through its processes of compliance and monitoring, and
- The Licensing Board will contribute to the health, safety and well - being of the people of Falkirk

5. Implications

Financial and Resources

5.1 The main implication is in relation to staffing resources required to carry out the action plan. It is intended that this will be sourced from existing licensing board staff.

Legal

5.2 The publication of the report before the end of April 2017 is a statutory requirement.

Risk

5.3 Not publishing the report before the end of April 2017 will result in statutory failure and reputational damage in relation to the commitment of the Board to equality.

Equalities

5.4 The Board's continued commitment to equalities issues is demonstrated in the strategy and reports that have been published since 2013.

Sustainability/ Environmental Impact

5.5 None.

6. Conclusions

- 6.1 The Licensing Board has made progress since 2013 in mainstreaming equalities into their processes and procedures. The action plan detailed in the report will continue this progress to ensure that the Equality Outcomes are achieved.

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Consumer Protection Manager

Date: 3 April 2017

Contact Officer: Alison Barr, Consumer Protection Manager (telephone 501265)

Appendices

Appendix 1	Equality Mainstreaming and Equality Outcomes report 2017 and Equality Outcomes 2017 - 2021
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LIST OF BACKGROUND PAPERS

Nil.

Falkirk Council Licensing Board

Equality Mainstreaming

And

Equality Outcomes Update Report

April 2017

Equality Outcomes 2017 - 2021

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FOREWORD

I am pleased to present Falkirk Council Licensing Board's second Equality Mainstreaming and Equality Outcomes Update Report which covers the period April 2015 to April 2017 and to once again endorse the Equality Outcomes for 2017 to 2021.

We continue to recognise the importance of equality and believe that achieving equality and fairness for all of our community is an essential part of our goal to *"contribute to the health, safety and well-being of the people of Falkirk"*.

We have been actively working towards achieving our equality outcomes and we will continue to do this throughout the coming years. Our premises licence holders and personal licence holders are across the spectrum of ages, nationalities and religions and we aim to ensure that their needs are taken account of and reflected in our activities.

Councillor Malcolm Nicol
Chair of Falkirk Council's Licensing Board

1. Introduction

1.1 The Equalities Act 2010 - Specific Duties

The requirement to produce an Equality Mainstreaming and Equality Outcomes report lies in the Equality Act 2010 and the specific duties which are imposed by The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. The purpose of this report is to outline the progress Falkirk Licensing Board has made against its Equality Outcomes detailed in the Equality Mainstreaming and Equality Outcomes report 2015 and to set out new Equality Outcomes for the next 4 year period. The Equality Outcomes and Action Plan 2017 -2021 is Appendix 1 to this report.

A mainstreaming report

Mainstreaming simply means that equality is built into the way that the Licensing Board carries out its duties, the way decisions are made, our performance and how we can improve.

A report on progress made towards achieving equality outcomes published in 2015

The mid-term report published in 2015 looked at what had changed since the Equalities Strategy was published in 2013 and what we needed to do by way of improvement. These in effect became the Licensing Board's equality actions up to 2017 and are attached as Appendix 2. It might also be that since 2015 some of our equality outcomes are no longer relevant or that we were unable to make progress. Where this is the case, we have explained the position.

1.2 Geography and Population

The Falkirk Council area is situated right at the centre of Scotland. The 2015 population for Falkirk is **158,460**; an increase of 0.5 per cent from 157,690 in 2014. The population of Falkirk accounts for 2.9 per cent of the total population of Scotland. Our area is one of the best connected in Scotland, equidistant between Glasgow and Edinburgh and at the heart of the motorway network.

1.3 The Structure of Falkirk Council Licensing Board

Falkirk Council Licensing Board deals with the granting of licences for the sale and supply of alcohol and for various gambling activities. The members of the Board are local members who are appointed by Falkirk Council. The Convener of the Licensing Board is Councillor Malcolm Nicol and the Depute Convener is Councillor Allyson Black. The Clerk to the Licensing Board is Colin Moodie.

Applications are made to the Licensing Section who provides the day to day administrative support to the Board.

2. Mainstreaming Equalities and Equality Outcomes

2.1 Background

The Licensing Board approved its Multi Equality Strategy in October 2013 and has been working to mainstream equalities into its processes and procedures and to achieve its equality outcomes since that time. The Board published a mid-term report in April 2015 which updated the Equality Outcomes and detailed the processes that had been mainstreamed. Progress on the achievement of the Equality Outcomes and mainstreaming is detailed in the following paragraphs.

2.2 Increased Awareness of Equality Duties

During 2014/15, we achieved our equality outcome in relation to increasing the Board members' and licensing staff's understanding and awareness of the general and specific equality duties. Falkirk Council's on-line training package module on equality and diversity was highlighted to both members and staff and they were encouraged to complete the training.

To further enhance the understanding of equality issues, a representative from Central Scotland Regional Equality Council (CSREC) gave a presentation to the Licensing Board and licensing staff on equality issues in May 2016.

Local authority elections will take place in Scotland in May 2017. A new Licensing Board will be appointed. The provision of training to promote awareness of equality issues and give an understanding of the general and specific duties is an action in the 2017- 21 plan.

2.3 Equality and Poverty Impact Assessment of revised Statement of Licensing Policy

The Licensing Board approved the review of the Statement of Licensing Objectives in February 2016. An Equality and Poverty Impact Assessment was not completed as part of the review of this policy.

Recent legislative changes mean that there is now a statutory requirement for the policy to be reviewed within 18 months of the new Licensing Board being appointed (May 2017). The completion of an Equality and Poverty Impact Assessment (EPIA) will be completed as part of the review process and is an action in the 2017- 21 plan

2.4 Capture of Equality Monitoring Information - Personal Licenceholders

The capture of equality monitoring data for personal licenceholders was mainstreamed into our processes in April 2014. Statutory notifications issued in relation to mandatory refresher training for personal licenceholders now include an equalities survey which is to be completed and returned to the Licensing Section. When the first equalities outcome update was published in 2015, there had been a very low response rate with only 44 personal licenceholders (5%) responding. A comparison of the data with the equality profile of the population across Falkirk was included in the report

Since April 2015, only 12 personal licenceholders out of a total of 245 returned the equality monitoring survey (4.89%). During 2017 – 21, the reasons for the very low response rate need to be identified and action taken to increase it.

2.5 Capture of Equality Monitoring Information - Premises Licenceholders

This equality outcome has not been achieved, however; the work required has commenced. It is anticipated that this will be concluded during 2017/18 and the process mainstreamed into our work practices.

2.6 Information Event

An information event aimed specifically at bowling clubs – as we know from the personal data submitted in relation to club Office Bearers that there is a high percentage of older persons – took place in April 2015. The event was well received and most clubs sent a representative.

2.7 Development of a Customer Satisfaction Survey

This equality outcome has not been achieved, however; the work required has commenced. A survey was designed and ready to roll out to applicants at the start of 2017, but a change in preferred online survey provider has delayed the launch of the survey until it has been amended. It is anticipated that the survey, which will refer to equalities information as well as general satisfaction, will be available during 2017.

3. Equality Outcomes and Action Plan 2017 – 2021

- 3.1 Equality Outcomes continue to be those set out in 2013. Consultation with premises licenceholders who share a number of the protected characteristics and members of the local LGBT Youth group confirmed the need for fair, effective and transparent decision-making. There is a need for the Board to show effective leadership of equalities activity through its processes of compliance and monitoring. To this end, an action will be to create a web page dedicated to equality issues. Currently, the equality reports can be downloaded from a general Licensing Board web page but no context is provided. Consideration will also be given to the provision of information on how to make an objection or representation in different languages on the web page.
- 3.2 Areas of strength continue to be the attitude of staff and their awareness of equality issues. This is demonstrated by the positive feedback from licenceholders and the lack of complaints to the service relating to equality issues.
- 3.3 During 2017-21, we will continue the work that has been started to build up a picture of the diversity of licenceholders, to assess the satisfaction of the service received and to identify if there is a correlation between levels of satisfaction and people who consider themselves to be in one of the protected characteristics groups.

Appendix 1

Action and Equality Outcomes 2017- 2021

Protected characteristics: age; disability; gender re-assignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Licensing Board - Equality Outcomes and Action Plan					
The operation of the Licensing Board will contribute to fair, effective and transparent decision making					
The Licensing Board will provide effective leadership of equalities activity through its processes of compliance and monitoring					
The Licensing Board will contribute to the health, safety and well - being of the people of Falkirk					
Lead Service	2017 – 2018 Actions	2018 – 2019 Actions	2019 – 2020 Actions	2020 – 2021 Actions	Result / Annual review
Corporate & Housing Services - Governance Division	Increase Board Members' and licensing board staff understanding and awareness of the general and specific equality duties. Members are able to access Falkirk Council's equality e-learning package		Electoral cycle: Licensing Board Members understand and are aware of the general and specific equality duties. Members are able to access Falkirk Council's equality e-learning package.		Members will be familiar about equality legislation and how it impacts on decision making.
	All Licensing policy reviews will be subject to an equality and poverty impact assessment				Completed EPIA for each review
	Equality will be embedded into the licensing compliance and monitoring processes	We will continue the work that has been started to build up a picture of the diversity of licenceholders			Equality will be embedded into the compliance and monitoring reporting cycle.
	We will develop a Customer Satisfaction survey to be issued to all applicants when their application is granted or refused. We will use this data to identify if there is a correlation between levels of satisfaction and people who consider themselves to be in one of the protected characteristics groups. We will be to create a Licensing Board web page dedicated to equality issues and consider the provision of guidance in the main languages spoken in the Falkirk Council area.				

Appendix 2

Action and Equality Outcomes 2015 to 2017

Protected characteristics: age; disability; gender re-assignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Licensing Board – Equality Outcomes and Action Plan			
The operation of the Licensing Board will contribute to fair, effective and efficient decision making			
The Licensing Board will provide effective leadership of equalities activity through its processes of compliance and monitoring			
The Licensing Board will contribute to the health, safety and well - being of the people of Falkirk			
Lead Service	2015/2016 Actions	2016/2017 Actions	Result / Annual Review
Chief Executive Office (Governance Division)	Electoral cycle: Licensing Board Members understand and are aware of the general and specific equality duties. Members are able to access Falkirk Council's equality e-learning package.		Members will be familiar about equality legislation and how it impacts on decision making
	Licensing policy review (3 year cycle) will be subject to an equality and poverty impact assessment		Completed EPIA
	We will develop a process for capturing equality monitoring information from premises licenceholders where they are an individual (annual cycle).		Equality will be embedded into the compliance and monitoring reporting cycle.
	The Licensing Board staff will arrange at least one relevant information event per year targeted at licence holders.		The purpose of this will be to ensure increased compliance by licence holders.
	We will develop a Customer Satisfaction survey to be issued to all applicants when their application is granted or refused. We will use this data to identify any equality issues.		