

APPENDIX E

Shropshire Council Equality and Social Inclusion Impact Assessment (ESIIA)

Name of service change: *please insert here as well as on next page, to aid ready reference*

Contextual Notes 2016

The What and the Why:

The Shropshire Council Equality and Social Inclusion Impact Assessment (ESIIA) approach helps to identify whether or not any new or significant changes to services, including policies, procedures, functions or projects, may have an adverse impact on a particular group of people, and whether the human rights of individuals may be affected.

This assessment encompasses consideration of social inclusion. This is so that we are thinking as carefully and completely as possible about all Shropshire groups and communities, including people in rural areas and people we may describe as vulnerable, for example due to low income or to safeguarding concerns, as well as people in what are described as the nine 'protected characteristics' of groups of people in our population, eg Age. We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging or delivering services.

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. Carrying out ESIIAs helps us as a public authority to ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010, and to thus demonstrate that the three equality aims are integral to our decision making processes. These are: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations.

The How:

The guidance and the evidence template are combined into one document for ease of access and usage, including questions that set out to act as useful prompts to service areas at each stage. The assessment comprises two parts: a screening part, and a full report part.

Screening (Part One) enables energies to be focussed on the service changes for which there are potentially important equalities and human rights implications. If screening indicates that the impact is likely to be positive overall, or is likely to have a medium or low negative or positive impact on certain groups of people, a full report is not required. Energies should instead focus on review and monitoring and ongoing evidence collection, enabling incremental improvements and adjustments that will lead to overall positive impacts for all groups in Shropshire.

A ***full report (Part Two)*** needs to be carried out where screening indicates that there are considered to be or likely to be significant negative impacts for certain groups of people, and/or where there are human rights implications. Where there is some uncertainty as to what decision to reach based on the evidence available, a full report is recommended, as it enables more evidence to be collected that will help the service area to reach an informed opinion.

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Shropshire Council Part 1 ESIIA: initial screening and assessment

Please note: prompt questions and guidance within boxes are in italics. You are welcome to type over them when completing this form. Please extend the boxes if you need more space for your commentary.

Name of service change

Amendment to the Hackney Carriage and Private Hire Licensing Policy 2015 – 2019

Aims of the service change and description

Aim

To extend the transitional periods currently set out in the Council's existing Hackney Carriage and Private Hire Policy 2015 – 2019 as they relate to the requirements for the licensing of new diesel vehicles as either Hackney Carriages (taxis) or Private Hire Vehicles in order that they continue to meet specific European Emissions Standards after 31 March 2018 and until such time as a revised Policy takes effect in 2019 by means of specific amendments to the existing policy.

Description

It is proposed that the transitional periods relating to European Emission Standards and the licensing of new diesel vehicles as set out in paragraphs 3b.12 for Hackney Carriages and 3c.8 for Private Hire Vehicles of the Hackney Carriage and Private Hire Licensing Policy 2015 to 2019 are extended from 31 March 2018 to 31 March 2019.

Intended audiences and target groups for the service change

- Persons who wish to apply for hackney carriage and private hire vehicle, drivers or operator licenses.
- Persons who hold existing licences, including those that are the subject of review.
- The Council, in its capacity as the licensing authority, including licensing officers, members of the relevant licensing committees and the internal panel (or other relevant decision making bodies).
- Licensing consultants, solicitors and barristers advising and/or representing applicants/license holders.
- Magistrates and judges hearing appeals against Council decisions.
- Members of the public who use hackney carriage/private hire services.
- Other local authorities, particularly Telford & Wrekin Council and others that border the Shropshire Council area.
- Shropshire Safeguarding Children Board.
- Keeping Adults Safe in Shropshire Board.

Evidence used for screening of the service change

- Concern received from specific hackney carriage/private hire businesses that highlighted the existing policy made no provision, as it relates to European Emission Standards, for the licensing of new diesel vehicles after 31 March 2018.
- Number of vehicles being licensed by Shropshire Council has reduced; 20% less in 2017 compared with the number licensed in 2015.
- Compared with the number of private hire operators that were licensed immediately prior to the new policy taking effect, there is currently an increase of 24%.

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- Increasing number of vehicles that are licensed by other neighbouring local authorities operating in Shropshire. The extent of this increase is not known for certain, although officers undertaking enforcement exercises in Shropshire have noted up to 50% of the vehicles checked are licensed by other local authorities.
- The Euro rating of licensed vehicles has improved since 2015 with the percentage of Euro 5 and Euro 6 increasing from 20% to 61%, Euro 4 decreasing from 45% to 39% and Euro 3 reduced to zero.
- Total societal cost saving associated with the estimated reduction in pollutant levels for the first two years of the policy is estimated at £517,770. This is a 40% reduction in costs by the end of the second year of the policy.
- The majority (94%) of licensed vehicles are currently diesel.

Specific consultation and engagement with intended audiences and target groups for the service change

A two week consultation period was undertaken between 16 February 2018 and 1 March 2018 through the Council's 'Get involved' web page. An email providing details of the consultation, including a link to the web page was sent directly to all (542) those currently licensed drivers, proprietors of licenced vehicles and private hire operators for which we hold an email address and the Public Protection social media platforms were used to publicise the link to the consultation every other day between 22 February 2018 and 1 March 2018.

Only four responses were received. However, this should not necessarily be viewed negatively; rather it is an indication that the proposed amendments to the policy are not controversial and are unlikely to adversely impact on any of the protected characteristic groups on the basis that the proposed amendments are regularising a position that interested parties believed was already in force.

The responses to the consultation were collated and fully considered by officers with a summary prepared for consideration by Cabinet. The summary detailed the degree to which the proposed amendments to the policy have/have not been changed, together with explanatory comments where this was necessary. Of note, is the response that was received from a licensing consultant representing the two largest private hire operators that operate in Shropshire and that this response gave full support for the proposed amendments. There was one further response in full support that also included a further suggestion in respect of extending the transition period for renewal applications for diesel vehicles. The latter point will be considered as part of the wider Policy review that will formally be consulted upon in 2018/19. The remaining two responses suggested removing the European Emission Standards from the licensing process altogether and proposed alternative approaches. It was concluded that it would be more appropriate for these suggestions to be considered as part of the wider review of the Policy that will be undertaken in 2018/19.

As a result, no changes have currently been made to the proposed amendments.

Potential impact on Protected Characteristic groups and on social inclusion

Using the results of evidence gathering and specific consultation and engagement, please consider how the service change as proposed may affect people within the nine Protected Characteristic groups and people at risk of social exclusion.

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1. Have the intended audiences and target groups been consulted about:
 - their current needs and aspirations and what is important to them;
 - the potential impact of this service change on them, whether positive or negative, intended or unintended;
 - the potential barriers they may face.
2. If the intended audience and target groups have not been consulted directly, have their representatives or people with specialist knowledge been consulted, or has research been explored?
3. Have other stakeholder groups and secondary groups, for example carers of service users, been explored in terms of potential unintended impacts?
4. Are there systems set up to:
 - monitor the impact, positive or negative, intended or intended, for different groups;
 - enable open feedback and suggestions from a variety of audiences through a variety of methods.
5. Are there any Human Rights implications? For example, is there a breach of one or more of the human rights of an individual or group?
6. Will the service change as proposed have a positive or negative impact on:
 - fostering good relations?
 - social inclusion?

Initial assessment for each group

Please rate the impact that you perceive the service change is likely to have on a group, through inserting a tick in the relevant column. Please add any extra notes that you think might be helpful for readers.

Protected Characteristic groups and other groups in Shropshire	High negative impact <i>Part Two ESIIA required</i>	High positive impact <i>Part One ESIIA required</i>	Medium positive or negative impact <i>Part One ESIIA required</i>	Low positive or negative impact <i>Part One ESIIA required</i>
Age (please include children, young people, people of working age, older people. Some people may belong to more than one group eg child for whom there are safeguarding concerns eg older person with disability)				✓
Disability (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)				✓
Gender re-assignment (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓
Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment)				✓
Pregnancy & Maternity (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓

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Race (please include: ethnicity, nationality, culture, language, gypsy, traveller)				✓
Religion and belief (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others)				✓
Sex (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓
Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				✓
Other: Social Inclusion (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people for whom there are safeguarding concerns; people you consider to be vulnerable)				✓

Guidance on what a negative impact might look like

High Negative	Significant potential impact, risk of exposure, history of complaints, no mitigating measures in place or no evidence available: urgent need for consultation with customers, general public, workforce
Medium Negative	Some potential impact, some mitigating measures in place but no evidence available how effective they are: would be beneficial to consult with customers, general public, workforce
Low Negative	Almost bordering on non-relevance to the ESIIA process (heavily legislation led, very little discretion can be exercised, limited public facing aspect, national policy affecting degree of local impact possible)

Decision, review and monitoring

Decision	Yes	No
Part One ESIIA Only?	✓	
Proceed to Part Two Full Report?		✓

If Part One, please now use the boxes below and sign off at the foot of the page. If Part Two, please move on to the full report stage.

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Actions to mitigate negative impact or enhance positive impact of the service change

For all the groups, the impact of the proposed amendment is rated as 'low positive'. However, in practice, the impact in reality is likely to be neutral – neither positive nor negative – with no anticipated need to take actions to mitigate or enhance the impact. The assessment took into account children and young people who are looked after by Shropshire Council and the families of children in need when considering the 'age' group and vulnerable adults, e.g. adults with learning disabilities, when considering the 'disability' group.

When the policy was first introduced in April 2015, the ESIIA rated the impact in relation to 'social inclusion' as 'low negative' with respect to rural communities. This was largely based on the potential effect that the introduction of the European Emission Standards would have on the economic viability of those hackney carriage and private hire businesses that are based in the more rural parts of the County. The impact at that time was not fully known in respect of these businesses. To mitigate the impact, the licensing service continued to further publicise the changes to the policy providing advice/information directly to all businesses affected at the point of application/renewal of licences as well as generally through the Council's website and social media channels. Officers have also provided 1:1 advice to businesses in order to help provide the most economic solutions to sourcing vehicles that comply with the emission requirements. This has led to a substantial improvement to the standard of vehicles that are now licensed by Shropshire Council; however, the overall number of vehicles licensed by Shropshire Council has reduced.

Despite this reduction, there is a large increase in vehicles operating in the county that are licensed by other authorities. Whilst this reduces the overall positive impact that Shropshire Council's policy aims to achieve in terms of improving air quality and as a result human health and the environment, it does indicate that any impact in relation to social inclusion and rural communities is likely to remain neutral.

From an air quality perspective and overall impact on vulnerable households, including those living in fuel poverty who may not have access to a car themselves, it is heartening that, as stated in the evidence, the total societal cost saving associated with the estimated reduction in pollutant levels for the first two years of the policy is estimated at £517,770. This is a 40% reduction in costs by the end of the second year of the policy.

There is no direct evidence that the economic viability of those hackney carriage and private hire businesses that are based in the more rural parts of the county have, to date, been adversely impacted with the number of operators across the county currently 24% up on the number that were licensed immediately prior to the new policy taking effect. In addition, given the clear preference that proprietors have for diesel vehicles, i.e. the majority of the fleet is diesel, by providing an extension to the transition period for licensing such vehicles after 31 March 2018, the Council will be taking steps to support the economic viability of hackney carriage and private hire businesses.

With respect to the proposed amendment, the licensing service will continue to provide advice and information as it has done over the previous two years. It will also undertake proactive and visible enforcement of the requirements of the policy, in particular the conditions applicable to each licence type, together with the associated legislation to enhance the positive impact that the amendment to the policy will bring.

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Actions to review and monitor the impact of the service change

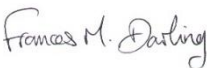



The policy is due for a full review and steps are already underway to refresh and revise the policy for implementation from 1 April 2019. A separate consultation will be undertaken in this respect and all relevant stakeholders will be informed and provided with the opportunity to respond. Any licensed driver or operator may request a review of the policy at any time. This is made clear in the policy itself.

There will be ongoing dialogue with the trade through direct contact and 'Taxi Forums' or similar meetings that will provide the opportunity for the trade to provide feedback to the licensing service. A dedicated telephone number and email address is and will continue to be generally publicised on the Council's website for other stakeholders, including members of the public, to provide feedback on the impact of the amendments made to the policy. In addition, these contacts, together with social media contacts, will be publicised in hackney carriage and private hire vehicles to encourage service users to provide feedback to the Council. All feedback will be recorded either on the Idox system used to administer the licensing regime or in appropriate electronic files maintained by the Licensing Team Manager.

Whilst the majority (94%) of licensed vehicles are currently diesel, the converse of this is that the Council is taking steps to encourage use of electric vehicles, including those for hackney carriage and private hire use, as a step towards further reducing pollutants. This action should lead, in time, to a further overall positive effect for all communities and for client groups, such as children and young people with special education needs, adults with learning disabilities, etc., who currently and in the future will access hackney carriage and private hire services to get to and from services they need.

Elected Member involvement will continue through the Strategic Licensing Committee and the Licensing & Safety Sub-Committee, with issues brought before these Committees as appropriate.

Scrutiny at Part One screening stage

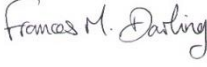
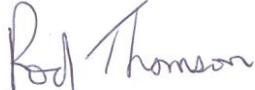
People involved	Signatures	Date
Lead officer carrying out the screening Frances Darling (Operations Manager)		5 March 2018
Any internal support* Mandy Beever (Transactional Manager)		5 March 2018
Any external support** Lois Dale (Rurality and Equalities Specialist)		8 March 2018
Head of Service Professor Rod Thomson (Director of Public Health)		9 March 2018

*This refers to other officers within the service area

**This refers either to support external to the service but within the Council, eg from the Rurality and Equalities Specialist, or support external to the Council, eg from a peer authority

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Sign off at Part One screening stage

Name	Signatures	Date
<i>Lead officer's name</i> Frances Darling (Operations Manager)		8 March 2018
<i>Head of service's name</i> Professor Rod Thomson (Director of Public Health)		9 March 2018

Shropshire Council Part 2 ESIIA: full report

Guidance notes on how to carry out the full report

The decision that you are seeking to make, as a result of carrying out this full report, will take one of four routes:

1. To make changes to satisfy any concerns raised through the specific consultation and engagement process and through your further analysis of the evidence to hand;
2. To make changes that will remove or reduce the potential of the service change to adversely affect any of the Protected Characteristic groups and those who may be at risk of social exclusion;
3. To adopt the service change as it stands, with evidence to justify your decision even though it could adversely affect some groups;
4. To find alternative means to achieve the aims of the service change.

The Part Two Full Report therefore starts with a forensic scrutiny of the evidence and consultation results considered during Part One Screening, and identification of gaps in data for people in any of the nine Protected Characteristic groups and people who may be at risk of social exclusion, eg rural communities. There may also be gaps identified to you independently of this process, from sources including the intended audiences and target groups themselves.

The forensic scrutiny stage enables you to assess:

- **Which gaps need to be filled right now, to help you to make a decision about the likely impact of the proposed service change?**

This could involve methods such as: one off service area focus groups; use of customer records; examination of data held elsewhere in the organisation, such as corporate customer complaints; and reference to data held by similar authorities or at national level from which

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reliable comparisons might be drawn, including via the Rural Services Network. Quantitative evidence could include data from NHS Foundation Trusts, community and voluntary sector bodies, and partnerships including the Local Enterprise Partnership and the Health and Well Being Board. Qualitative evidence could include commentary from stakeholders.

- **Which gaps could be filled within a timeframe that will enable you to monitor potential barriers and any positive or negative impacts on groups and individuals further along into the process?**

This could potentially be as part of wider corporate and partnership efforts to strengthen the evidence base on equalities. Examples would be: joint information sharing protocols about victims of hate crime incidents; the collection of data that will fill gaps across a number of service areas, eg needs of young people with learning disabilities as they progress through into independent living; and publicity awareness campaigns that encourage open feedback and suggestions from a variety of audiences.

Once you have identified your evidence gaps, and decided on the actions you will take right now and further into the process, please record your activity in the following boxes. Please extend the boxes as needed.

Evidence used for assessment of the service change: activity record

How did you carry out further research into the nine Protected Characteristic groups and those who may be at risk of social exclusion, about their current needs and aspirations and about the likely impacts and barriers that they face in day to day living?

And what did it tell you?

Specific consultation and engagement with intended audiences and target groups for the service change: activity record

How did you carry out further specific consultation and engagement activity with the intended audiences and with other stakeholders who may be affected by the service change?

And what did it tell you?

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Further and ongoing research and consultation with intended audiences and target groups for the service change: activity record

What further research, consultation and engagement activity do you think is required to help fill gaps in our understanding about the potential or known affect that this proposed service change may have on any of the ten groupings and on the intended audiences and target groups? This could be by your service area and/or at corporate and partnership level.

Full report assessment for each group

Please rate the impact as you now perceive it, by inserting a tick. Please give brief comments for each group, to give context to your decision, including what barriers these groups or individuals may face.

Protected Characteristic groups and other groups in Shropshire	High negative impact	High positive impact	Medium positive or negative impact	Low positive or negative impact
Age (please include children, young people, people of working age, older people. Some people may belong to more than one group eg child for whom there are safeguarding concerns eg older person with disability)				
Disability (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)				
Gender re-assignment (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				
Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment)				
Pregnancy & Maternity (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				
Race (please include: ethnicity, nationality, culture, language, gypsy, traveller)				
Religion and belief (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism,				

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Shinto, Taoism, Zoroastrianism, and any others)				
Sex (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				
Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				
Other: Social Inclusion (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people for whom there are safeguarding concerns; people you consider to be vulnerable)				

ESIIA Full Report decision, review and monitoring

Summary of findings and analysis - ESIIA decision

You should now be in a position to record your decision. Please highlight in bold the route that you have decided to take.

1. To make changes to satisfy any concerns raised through the specific consultation and engagement process and through your further analysis of the evidence to hand;
2. To make changes that will remove or reduce the potential of the service change to adversely affect any of the Protected Characteristic groups and those who may be at risk of social exclusion;
3. To adopt the service change as it stands, with evidence to justify your decision even though it could adversely affect some groups;
4. To find alternative means to achieve the aims of the service change.

Please add any brief overall comments to explain your choice.

You will then need to create an action plan and attach it to this report, to set out what further activity is taking place or is programmed that will:

- *mitigate negative impact or enhance positive impact of the service change,*
- AND**
- *review and monitor the impact of the service change*

Please try to ensure that:

- *Your decision is based on the aims of the service change, the evidence collected, consultation and engagement results, relative merits of alternative approaches and compliance with legislation, and that records are kept;*
- *The action plan shows clear links to corporate actions the Council is taking to meet the general equality duty placed on us by the Equality Act 2010, to have due regard to the three equality aims in our decision making processes.*

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Scrutiny at Part Two full report stage

People involved	Signatures	Date
<i>Lead officer</i>		
<i>Any internal support</i>		
<i>Any external support</i>		
<i>Head of service</i>		

Sign off at Part Two full report stage

Signature (Lead Officer)	Signature (Head of Service)
Date:	Date:

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Appendix: ESIA Part Two Full Report: Guidance Notes on Action Plan

Please base your action plan on the evidence you find to support your decisions, and the challenges and opportunities you have identified. It could include arrangements for:

- continuing engagement and involvement with intended audiences, target groups and stakeholders;
- monitoring and evaluating the service change for its impact on different groups throughout the process and as the service change is carried out;
- ensuring that any pilot projects are evaluated and take account of issues described in the assessment, and that they are assessed to make sure they are having intended impact;
- ensuring that relevant colleagues are made aware of the assessment;
- disseminating information about the assessment to all relevant stakeholders who will be implementing the service change;
- strengthening the evidence base on equalities.

Please also consider:

- resource implications for in-house and external delivery of the service;
- arrangements for ensuring that external providers of the service are monitored for compliance with the Council's commitments to equality, diversity and social inclusion, and legal requirements including duties under the Equality Act 2010.

And finally, please also ensure that the action plan shows clear links to corporate actions the Council is taking to meet the general equality duty placed on us by the Equality Act 2010, to have due regard to the three equality aims in our decision making processes.

These are:

- Eliminating discrimination, harassment and victimisation
- Advancing equality of opportunity
- Fostering good relations

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Note: Shropshire Council has referred to good practice elsewhere in refreshing previous equality impact assessment material in 2014 and replacing it with this ESIIA material. The Council is grateful in particular to Leicestershire County Council, for graciously allowing use to be made of their Equality and Human Rights Impact Assessments (EHRIs) material and associated documentation.

For further information on the use of ESIIAs: please contact your head of service or contact Mrs Lois Dale, Rurality and Equalities Specialist and Council policy support on equality, via telephone 01743 255684, or email lois.dale@shropshire.gov.uk.