

**Shropshire Council**  
**Equality, Social Inclusion and Health Impact Assessment (ESHIA)**  
**Stage One Screening Record 2023**

**A. Summary Sheet on Accountability and Actions**

<b>Name of proposed service change</b>
Licensing Act 2003 Statement of Licensing Policy 2024 - 2029

<b>Name of the officer carrying out the screening</b>
Mandy Beever, Transactional Management and Licensing Team Manager

<b>Decision, review, and monitoring</b>
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Decision	Yes	No
Initial (Stage One) ESHIA Only?	✓	
Proceed to Stage Two Full ESHIA or HIA (part two) Report?		✓

*If completion of a Stage One screening assessment is an appropriate and proportionate action at this stage, please use the boxes above, and complete both part A and part B of of this template. If a Full or Stage Two report is required, please move on to full report stage once you have completed this initial screening assessment as a record of the considerations which you have given to this matter.*

<b>Actions to mitigate negative impact or enhance positive impact of the service change in terms of equality and social inclusion considerations</b>
<p>The revised policy stems from provisions within the Licensing Act 2003 and it is intended to benefit the community as a whole by generally improving the licensing regime operated by the Council. This will naturally lead to benefits for people across the nine Protected Characteristic Groupings simply because they are part of the wider community. The policy will be a key tool that will drive licensing related standards up for everyone.</p> <p>For all the groupings, the impact of the proposed policy 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 beyond common sense considerations that will benefit all groupings.</p> <p>Once the policy is in force, there is potential for any officer of the Council to help by being made aware of the new policy and by being encouraged to act as the eyes and ears of the Council in helping feedback to the licensing team. This could help ensure effectiveness as well as efficiency of the new policy. All those who access licensed premises and take part in licensable activities, all applicants and licensees, and wider stakeholders in general will be able to submit comments,</p>

complaints and compliments directly to the Council's licensing team and through the corporate complaints and representations procedures in relation to any negative or positive impacts that arise as a result of the implementation of the revised policy.

The licensing team continually review the viability of options to inform the public on an ongoing basis, through the traditional press/media routes and social media (both corporate and service level), to assist in raising awareness of the responsibilities of licence holders. This will help the public to be better informed and potentially facilitate an increased level of feedback through the channels referred to above. Furthermore, it would be beneficial for the licensing team to consider future engagement with those taking on safeguarding responsibilities for adults with care and support needs and for children and young people, and for these groupings themselves, in order to make these groupings, in particular, aware of the responsibilities of licence holders and the actions that they or their advocates can take should there be concerns or issues.

The revised policy does not breach any individual or group's human rights; the policy sets out processes and procedures that aim to protect human rights, in particular those rights that relate to a right to a fair trial, no punishment without law and right to respect for private and family life. If the policy was not followed, there is a risk that human rights may be breached.

The public consultation has already helped the Council to modify the policy. Members of the Strategic Licensing Committee will consider the revised policy on the 4 October 2023 and will decide whether further consultation is necessary or whether they are in a position to recommend to full Council that the policy is formally adopted. Legally, the policy must be adopted no later than 1 April 2024.

### **Actions to mitigate negative impact or enhance positive impact of the service change in terms of health and wellbeing considerations**

The policy will be the subject of continuous evaluation and, if necessary, formally reviewed at any time. At the time of review all relevant stakeholders will again be consulted. Any industry representative may request a review of the policy at any time. This is made clear in the policy itself. In addition, the Council's 'local area profile' will continue to develop over time and will be influenced by information and intelligence gathered from key partners and other stakeholders. This links into our strategic equality action to proactively collect quality data, as well as our organisation objective to make decisions based on current data and intelligence. As a result, the local area profile will be the subject of additional review and revision outside the wider policy review process.

There will be ongoing dialogue with all stakeholders and, in particular, with industry representatives through direct contact with the Licensing Team. This will provide the opportunity for stakeholders to provide feedback on any matter. A dedicated telephone number and email address is and will continue to be generally publicised on the Council's website for all stakeholders, including

members of the public, to provide feedback on the impact of the changes made to the policy. All feedback will be recorded either on the Idox system (or any subsequent replacement system) used to administer the licensing regime or in appropriate electronic files maintained by the Licensing Team Manager. This approach is likely to advance equality of opportunity and foster good relations on an ongoing basis.

With respect to 'age' and 'disability' groups and with regard to what we term 'social inclusion', in particular around the Council's safeguarding responsibilities, there will be ongoing dialogue with the Shropshire Safeguarding Children Board and the Keeping Adults Safe in Shropshire Board. In addition, dialogue with West Mercia Police and those service areas within the Council that have particular responsibilities for the care of children, young people and adults with care and support needs, i.e. currently Children Services and Adult Services, will occur as a result of the increasing role that officers from these services play in the licensing processes.

As no feedback was received regarding Equality and Social Inclusion Impact issues for Protected Characteristic groupings during the consultation period that has just concluded, the Equality, Social Inclusion and Health Impact Assessment (ESHIA) has been updated only to clarify the specific consultation period. The groupings for whom there will be direct impacts, and with whom there will continue to be efforts made to ensure that impacts are kept under review, remain as follows: Age, in relation to children and young people; Disability, in relation to vulnerable adults; and intersectionality between these groupings and other groupings. This is particularly for those whom we may describe as vulnerable. This includes armed forces service personnel and ex-armed forces personnel. It continues to be the case that, across all nine national Protected Characteristic groupings and our tenth grouping in Shropshire of social inclusion, the impact is predicted to be 'low positive'. The impact in reality is anticipated as being neutral – neither positive nor negative – with no anticipated need to take specific actions to mitigate or enhance the impact.

Ongoing consideration will be given to the definition of 'vulnerable', as it relates specifically to alcohol related harm, through working with the Council's Feedback and Insight Team. By continually reviewing emerging information, trends and risks, the Council will have to consider the implications for the definition of 'vulnerable' and also the impact on its 'local area profile' and policy statement accordingly.

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

**Actions to review and monitor the impact of the service change in terms of equality, social inclusion, and health considerations**

The policy will be the subject of continuous evaluation based on ongoing feedback from stakeholders and will definitely be formally reviewed and considered by the Council's Strategic Licensing Committee and Council before 1 April 2029. At the time of review all relevant stakeholders will again be consulted. Anyone may request a review of the policy at any time.

There will be ongoing dialogue with applicants and licensees through direct contact as a result of the licence application and review process. This will provide the opportunity for the trade and the public to provide feedback to the licensing team. A generic licensing telephone number and email address is and will continue to be generally publicised on the Council's website for stakeholders, including members of the public, to provide feedback on the impact of the changes made to the policy. In addition, licensees must display a summary of their licence at their premises; this will highlight to members of the public that Shropshire Council is the issuing authority and can be contacted in the event of any complaint or other issue that they wish to raise. All feedback will be recorded either on the licensing database used to administer the licensing regime or in appropriate electronic files maintained by the Licensing Team Manager.

Elected Member involvement will continue through the Strategic Licensing Committee and the Licensing Act Sub-Committee, with issues brought before these Committees as appropriate. Professional leads within the licensing team will have a key role to play in understanding the impact of the policy. Feedback will be sought from Members and Officers to inform the ongoing informal and, in due course, the formal review of the policy which will be undertaken in the future.

**Associated ESHIAs**

Statement of Licensing Policy 2019 to 2024 (ESIA undertaken in 2018/19)  
[Agenda for Strategic Licensing Committee on Wednesday, 3rd October, 2018, 10.00 am — Shropshire Council](#)

Statement of Licensing Policy 2019 to 2024 (ESIA undertaken in 2018/19)  
[Agenda for Council on Thursday, 13th December, 2018, 10.00 am — Shropshire Council](#)

**Actions to mitigate negative impact, enhance positive impact, and review and monitor overall impacts in terms of climate change considerations and any other impacts with regard to economic and societal implications**

The Shropshire Plan recognises the importance of supporting businesses to provide safer services. The fundamental purpose of the Licensing service is to support businesses to deliver their services in a way which allows them to thrive


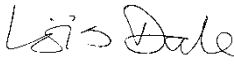
whilst protecting the safety and welfare of the public who live, work and visit Shropshire; together this will help to achieve a Healthy Economy.

In addition to the Council's corporate approach towards prioritising and measuring the overall outcomes that are set out The Shropshire Plan (<https://www.shropshire.gov.uk/shropshire-council/corporate-plan/>), the Licensing Team will continue to utilise the expertise within Environmental Protection Team in Regulatory Services, Public Health, Climate Change and Economic Growth Teams to assess the impact, on both health and the environment.

Ongoing promotion and compliance with the Council's Modern Anti-Slavery and Human Trafficking Statement and Policy will further enhance the overall positive impact of the revised policy.

There is no anticipated environmental impact associated with the recommendation in this report.


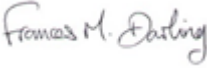
**Scrutiny at Stage One screening stage**

People involved	Signatures	Date
<i>Lead officer for the proposed service change</i> <b>Mandy Beever – Transactional and Licensing Team Manager</b>		4 September 2023
<i>Officer carrying out the screening</i> <b>Mandy Beever – Transactional and Licensing Team Manager</b>		4 September 2023
<i>Any other internal service area support*</i> <b>Jessica Moores – Public Protection Officer (Professional)</b>		4 September 2023
<i>Any external support**</i> <b>Lois Dale – Ruralities and Equalities Specialist</b>		15 September 2023

\*This refers to other officers within the service area

**\*\*This refers to support external to the service but within the Council, e.g, the Performance and Research Specialist for Rurality and Equalities, Public Health colleagues, the Feedback and Insight Team, performance data specialists, Climate Change specialists, etc.**

**Sign off at Stage One screening stage**

Name	Signatures	Date
<p><i>Lead officer's name</i>  <b>Mandy Beever – Transactional and Licensing Team Manager</b></p>		<p>4 September 2023</p>
<p><i>Service manager's name</i>  <b>Frances Darling - Head of Business and Consumer Protection</b></p>		<p>4 September 2023</p>

***\*This may either be the Head of Service or the lead officer***

**B. Detailed Screening Assessment**

Aims of the service change and description
<p>Shropshire Council's existing Licensing Act Statement of Licensing Policy ('the policy') was adopted from the 1 April 2019 and ceases to have effect on 31 March 2024. The Licensing Act 2003 ('the Act') places a legal duty upon the Council, in its capacity as the licensing authority, to prepare and publish a statement of licensing policy with respect to its licensing functions at least every five years; hence, a revised policy must be approved by the Council and in effect no later than 1 April 2024. The revised policy will satisfy the legal duty place on the Council.</p> <p>The format and content of the Council's policy proactively promotes the four licensing objectives (for further details of the objectives, see description below) that are contained within the Act and also:</p> <ul style="list-style-type: none"> <li>• reflects the latest guidance issued under the Act, and amendments made to the Act itself since the current policy was adopted;</li> <li>• further strengthens safeguarding provisions in relation to children, young people and adults with care and support needs to tackle all forms of exploitation where this may be or is impacted by the licensing regime;</li> </ul>

- highlights the positive contribution that well managed licenced premises bring in support of local businesses and the growth and prosperity of Shropshire's economy, and, in particular, that the licensing regime can and should be utilised to shape and manage the growth of the evening and night time economy taking account of public health outcomes;
- provides practical guidance in respect of the application of the Act so that existing and potential licence holders and other stakeholders can ensure that the requirements that must be satisfied before an applicant can obtain and then retain any such licence are met (including the creation of a local area profile – see bullet point below);
- maps local areas of concern, including actual and future emerging evidence-based risks that may impact on the licensing of premises and licensable activities through the development of a local area profile (existing and potential licensees will be encouraged to use the profile to help inform them of specific risks prior to submitting licence applications);
- provides information relating to the regulatory licensing and planning regimes and how these are applied in Shropshire in relation to the evening and night time economy;
- clearly sets out the licence review process to ensure all stakeholders understand when and how this process may be utilised in accordance with the provisions of the Act;
- ensures the way in which the Council deals with the exchange of information is robustly addressed;
- clearly sets out the Council's overarching approach to inspection, compliance, enforcement and complaints and appropriate links made to the Council's Better Regulation and Enforcement Policy; and
- assists council officers to correctly apply the legal provisions of the Licensing Act 2003.

### **Description**

The Act regulates licensable activities through premises licences, club premises certificates, temporary event notices and personal licences. The licensable activities are:

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment

- The provision of late night refreshment

The Act contains four licensing objectives, which must be addressed when licensing functions are undertaken. These objectives are central to the Act and are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The policy acts as the primary vehicle for setting out the Council's approach to licensing regulation under the Act. It forms the Council's mandate for managing local licensable activities and sets out the Council's position on local risks and, therefore, its expectations in relation to applicants/licence holders. The policy is not a stand-alone document and does not attempt to explain all the requirements of the Act for each type of licence/notice and the associated licensable activities. It must be read in conjunction with relevant legislation and guidance; the policy signposts applicants/licence holders accordingly.

The policy makes it clear that the Council's aim is to establish responsibly managed and safe licensed premises. It aims to support the Council's high level outcomes by creating an environment through the promotion of the licensing objectives that encourages people to be healthy, communities to be resilient and to develop a prosperous economy.

The policy sets out that the Council is committed to supporting a vibrant, balanced and safe licensed trade and evening and night time economy and recognises that this type of activity can have undesirable and unintended side effects, which can undermine the four licensing objectives and lead to negative public health outcomes. In this regard, the policy makes it clear that the Council is seeking to curtail the negative elements of the licensed economy through supporting licence holders, prospective licence holders, personal licence holders and those with temporary authorisations to eliminate, through rigorous and enforceable licences, the potential negative outcomes. The policy also recognises that it is crucial that the licensing regime supports the elements of the economy which make Shropshire's towns and communities exciting and attractive places to live, learn, work and visit. It is further recognised that this will require partnership working with other Council services and/or agencies and organisations e.g. with applicants, licence/notice holders, responsible authorities, other local businesses and communities.

There is a recognition that the evening and night time economy is growing across a number of Shropshire market towns and that the policy has a key role in shaping and managing this growth. It is recognised that such growth can lead to the licensing objectives being undermined; however, it is important to simultaneously understand the positive contribution that well managed licenced premises bring in support of local businesses and the growth and prosperity of Shropshire's economy.



**Intended audiences and target groups for the service change**

The Council's Strategic Licensing Committee has overseen the review of the Licensing Act 2003 Statement of Licensing Policy 2024-2029. The Committee is a group of Councillors drawn from across the whole of the Shropshire area. The Members of the Committee considered and approved a draft policy for formal public consultation through the Council's website and directly with relevant stakeholders. The relevant report can be found in the papers for the Committee meeting held on the 14 June 2023 at Agenda Item 5

[Agenda for Strategic Licensing Committee on Wednesday, 14th June, 2023, 10.00 am — Shropshire Council](#)

A public consultation (legally required by the Licensing Act 2003) in respect of the policy was undertaken over a 10 week period from 19 June 2023 to the 27 August 2023.

In addition to the general information about the consultation that was made available on the Council's 'Get involved' section of its website, through a press release, on the Council and licensing team social media platforms and direct emails to all existing premises licence holders where an email address was available, direct engagement by email was undertaken with trade representatives, responsible authorities, solicitors specialising in licensing matters that are in regular contact with the Council's licensing team, pub companies/breweries and other relevant stakeholders. These are listed below:

- Association of Convenience Stores (ACS)
- Association of Licensed Multiple Retailers (ALMR)
- British Beer and Pub Association (BBPA)
- British Institute of Inn Keeping (BIK)
- British Retail Consortium (BRC)
- British Board of Film Classification (BBFC)
- Licensed Victuallers Associations (LVAs)
- Shropshire Fire and Rescue Service
- West Mercia Police
- Environmental Health, Shropshire Council
- Trading Standards, Shropshire Council
- Community Protection, Shropshire Council
- Planning Services, Shropshire Council
- Case Management Team(Children)
- Director of Public Health for Shropshire
- Home Office (Immigration Enforcement) Alcohol Licence Team
- Maritime & Coastguard Agency
- Canal and River Trust
- Poppleston Allen
- TLT
- John Gaunt

- Flint Bishop
- DWF
- Punch Taverns
- Joules
- Marston's
- Enterprise Inns
- Admiral Taverns
- Greene King
- J D Weatherspoons
- Ludlow Brewing Company
- Mitchells and Butler
- Star Pubs & Bars
- Shropshire Association of Local Councils
- Shropshire Chamber of Trade
- County Pubwatch Chairs
- Neighbourhood Authorities Working Group for Licensing

Details of the consultation were also circulated, through a newsletter, by the Shropshire Voluntary and Community Sector Assembly (VCSA) to around 250 different voluntary groups/organisations.

The consultation welcomed and encouraged all interested parties to provide feedback in relation to the content and format of the whole policy and did not ask specific consultation questions.

No consultation responses were received.

The policy has been embedded in the processing of licences under the Licensing Act 2003 since a major revision of the policy was undertaken in 2018, licence applicants and stakeholders continue to positively engage with the requirements of the policy. Although no responses were received officers consider this an endorsement that the policy is working effectively.

### **Evidence used for screening of the service change**

- Legal requirement contained in the Licensing Act 2003 that the existing policy can only legally last for a maximum period of five years and then it must be reviewed, consulted upon, approved and re-published by the Council.
- Officer feedback in relation to the difficulties encountered when administering and enforcing the Licensing Act 2003 regime often as a result of poor quality applications.
- Emphasis on the safeguarding role that local authorities have, which has strong links to all licensing regimes, including those under the Licensing Act 2003.

- Shropshire Council's drive to increase the robustness of safeguarding practices, particularly with respect to children and adults with care and support needs.
- Shropshire Council's own 'Local Area Profile – Licensed Premises', which forms part of the policy document.
- Licensing Act 2003, as amended and subordinate legislation
- Shropshire Council's Licensing Act 2003 Statement of Licensing Policy (effective 1 April 2019)
- Current guidance issued under Section 182 of the Licensing Act 2003 ('Section 182 Guidance') issued by the Home Office
- 2003 Licensing Act: evidence & decision making 10 years on report by Jon Foster, Senior Research and Policy Officer, Institute of Alcohol Studies
- Shropshire Council's Economic Growth Strategy 2022- 2027
- The Shropshire Plan 2022 to 2025

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

- Communities of Shropshire, including those who live, visit and work in the county
- Persons who wish to apply for premises licences, club premises certificates, temporary event notices and personal licences;
- Persons who hold existing licences and notices, including those that are the subject of review;
- The Council, in its capacity as the licensing authority, including licensing officers and members of the relevant licensing committees
- Shropshire Safeguarding Children Board (SSCB)
- Shropshire Council Children Services
- Keeping Adults Safe in Shropshire Board (KASiS)
- Shropshire Council Adults Services
- Children, young people and other vulnerable people including adults with care and support needs
- Federation of Small Businesses
- Shropshire Chamber of Commerce
- Shrewsbury Business Improvement District

- Oswestry Business Improvement District
- Licensing consultants, solicitors and barristers advising and/or representing applicants and licence holders
- Magistrates and judges hearing appeals against Council decisions
- Members of the public who access licensed premises and take part in licensable activities
- Other local authorities, particularly those that border the Shropshire Council area including relevant Welsh authorities
- Shropshire Voluntary and Community Sector Assembly (VCSA)
- Voluntary Groups/Organisations
- Shropshire Business Board
- Shropshire Tourist Board
- The Marches Local Enterprise Partnership
- Government Departments and Agencies
- Police forces, in particular West Mercia Police (Chief Inspector of West Mercia Police), and neighbouring Welsh police forces
- Police and Crime Commissioner West Mercia and neighbouring Welsh Police and Crime Commissioners
- Shropshire Clinical Commissioning Group
- Local NHS Trusts
- Shropshire Council Public Health (Director of Public Health)
- Public Health England
- Shropshire located Town and Parish Councils
- Shropshire MPs
- Shropshire Fire and Rescue Service
- Shropshire Council Development Management (Planning Service)
- Shropshire Council Environmental Health (Regulatory Services)
- Health and Safety Executive

- UK Border Agency (The Home Office)
- Environment Agency in England and Wales
- Canal and Rivers Trust
- Maritime and Coastguard Agency (Secretary of State for Transport)

The above list is not intended to be exhaustive or in order of priority and will be added to and amended as and when appropriate.

**Initial equality impact assessment by grouping (Initial health impact assessment is included below this table)**

*Please rate the impact that you perceive the service change is likely to have on a group, through stating this in the relevant column. Please state if it is anticipated to be neutral (no impact) and add any extra notes that you think might be helpful for readers.*

<b>Protected Characteristic groupings and other groupings in Shropshire</b>	<b>High negative impact</b> <i>Stage Two ESHIA required</i>	<b>High positive impact</b> <i>Stage One ESHIA required</i>	<b>Medium positive or negative impact</b> <i>Stage One ESHIA required</i>	<b>Low positive, negative, or neutral impact (please specify)</b> <i>Stage One ESHIA required</i>
<u>Age</u> (please include children, young people, young people leaving care, people of working age, older people. Some people may belong to more than one group e.g., a child or young person for whom there are safeguarding concerns e.g., an older person with a disability)				✓
<u>Disability</u> (please include cancer; HIV/AIDS; learning disabilities; mental health conditions and syndromes; multiple sclerosis; neurodiverse conditions such as autism; hidden disabilities such as Crohn's disease; physical and/or sensory disabilities or impairments)				✓
<u>Gender re-assignment</u> (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓

## Appendix B

<u>Marriage and Civil Partnership</u> (please include associated aspects: caring responsibility, potential for bullying and harassment)				✓
<u>Pregnancy and Maternity</u> (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓
<u>Race</u> (please include ethnicity, nationality, culture, language, Gypsy, Roma, Traveller)				✓
<u>Religion or belief</u> (please include Buddhism, Christianity, Hinduism, Islam, Jainism, Judaism, Nonconformists; Rastafarianism; Shinto, Sikhism, Taoism, Veganism, Zoroastrianism, and any others)				✓
<u>Sex</u> (this can also be viewed as relating to gender. Please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓
<u>Sexual Orientation</u> (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				✓
<u>Other: Social Inclusion</u> (please include families and friends with caring responsibilities; households in poverty; people for whom there are safeguarding concerns; people you consider to be vulnerable; people with health inequalities; refugees and asylum seekers; rural communities; and veterans and serving members of the armed forces and their families)				✓

### **Initial health and wellbeing impact assessment by category**

*Please rate the impact that you perceive the service change is likely to have with regard to health and wellbeing, through stating this in the relevant column.*

*Please state if it is anticipated to be neutral (no impact) and add any extra notes that you think might be helpful for readers.*

<b>Health and wellbeing: individuals and</b>	<b>High negative impact</b>	<b>High positive impact</b>	<b>Medium positive or</b>	<b>Low positive negative or</b>
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<b>communities in Shropshire</b>	<i>Part Two HIA required</i>		<b>negative impact</b>	<b>neutral impact (please specify)</b>
<p><b>Will the proposal have a <i>direct impact</i> on an individual's health, mental health and wellbeing?</b></p> <p>For example, would it cause ill health, affecting social inclusion, independence and participation?</p> <p>.</p>			✓ positive	
<p><b>Will the proposal <i>indirectly impact</i> an individual's ability to improve their own health and wellbeing?</b></p> <p>For example, will it affect their ability to be physically active, choose healthy food, reduce drinking and smoking?</p> <p>.</p>			✓ positive	
<p><b>Will the policy have a <i>direct impact</i> on the community - social, economic and environmental living conditions that would impact health?</b></p> <p>For example, would it affect housing, transport, child development, education, employment opportunities, availability of green space or climate change mitigation?</p> <p>.</p>			✓ positive	
<p><b>Will there be a likely change in <i>demand</i> for or access to health and social care services?</b></p> <p>For example: Primary Care, Hospital Care, Community Services, Mental Health, Local Authority services including Social Services?</p> <p>.</p>			✓ positive	

## Guidance Notes

### 1. Legal Context

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. It is up to us as an authority to decide what form our equality impact assessment may take. By way of illustration, some local authorities focus more overtly upon human rights; some include safeguarding. It is about what is considered to be needed in a local authority's area, in line with local factors such as demography and strategic objectives as well as with the national legislative imperatives.

Carrying out these impact assessments 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.

These screening assessments for any proposed service change go to Cabinet as part of the committee report, or occasionally direct to Full Council, unless they are ones to do with Licensing, in which case they go to Strategic Licensing Committee.

Service areas would ordinarily carry out a screening assessment, or Stage One equality impact assessment. This enables energies to be focussed on review and monitoring and ongoing evidence collection about the positive or negative impacts of a service change upon groupings in the community, and for any adjustments to be considered and made accordingly.

These screening assessments are recommended to be undertaken at timely points in the development and implementation of the proposed service change.

For example, a Stage One ESHIA would be a recommended course of action before a consultation. This would draw upon the evidence available at that time, and identify the target audiences, and assess at that initial stage what the likely impact of the service change could be across the Protected Characteristic groupings and our tenth category of Social Inclusion. This ESHIA would set out intended actions to engage with the groupings, particularly those who are historically less likely to engage in public consultation eg young people, as otherwise we would not know their specific needs.

A second Stage One ESHIA would then be carried out after the consultation, to say what the feedback was, to set out changes proposed as a result of the feedback, and to say where responses were low and what the plans are to engage with groupings who did not really respond. This ESHIA would also draw more upon actions to



review impacts in order to mitigate the negative and accentuate the positive. Examples of this approach include the Great Outdoors Strategy, and the Economic Growth Strategy 2017-2021

Meeting our Public Sector Equality Duty through carrying out these ESHIAs is very much about using them as an opportunity to demonstrate ongoing engagement across groupings and to thus visibly show we are taking what is called due regard of the needs of people in protected characteristic groupings

If the screening indicates that there are likely to be significant negative impacts for groupings within the community, the service area would need to carry out a full report, or Stage Two assessment. This will enable more evidence to be collected that will help the service area to reach an informed opinion.

In practice, Stage Two or Full Screening Assessments have only been recommended twice since 2014, as the ongoing mitigation of negative equality impacts should serve to keep them below the threshold for triggering a Full Screening Assessment. The expectation is that Full Screening Assessments in regard to Health Impacts may occasionally need to be undertaken, but this would be very much the exception rather than the rule.

## **2. Council Wide and Service Area Policy and Practice on Equality, Social Inclusion and Health**

This involves taking an equality and social inclusion approach in planning changes to services, policies, or procedures, including those that may be required by Government. The decisions that you make when you are planning a service change need to be recorded, to demonstrate that you have thought about the possible equality impacts on communities and to show openness and transparency in your decision-making processes.

This is where Equality, Social Inclusion and Health Impact Assessments (ESHIA) come in. Where you carry out an ESHIA in your service area, this provides an opportunity to show:

- What evidence you have drawn upon to help you to recommend a strategy or policy or a course of action to Cabinet.
- What target groups and audiences you have worked with to date.
- What actions you will take in order to mitigate any likely negative impact upon a group or groupings, and enhance any positive effects for a group or groupings; and
- What actions you are planning to monitor and review the impact of your planned service change.

The formal template is there not only to help the service area but also to act as a stand-alone for a member of the public to read. The 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.

There are nine Protected Characteristic groupings defined in the Equality Act 2010. The full list of groupings is: Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation.

There is also intersectionality between these. Eg a young person with a disability would be in the groupings of Age and Disability, and if they described themselves as having a faith they would then also be in the grouping of Religion or Belief.

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.

For the individuals and groupings who may be affected, ask yourself what impact do you think is likely and what actions will you currently anticipate taking, to mitigate or enhance likely impact of the service change? If you are reducing a service, for example, there may be further use you could make of awareness raising through social media and other channels to reach more people who may be affected.

Social inclusion is then the wider additional category we use in Shropshire, in order to help us to go beyond the equality legislation in also considering impacts for individuals and households with regard to the circumstances in which they may find themselves across their life stages. This could be households on low incomes, or households facing challenges in accessing services, such as households in rural areas, and veterans and serving members of the armed forces and their families, or people that we might consider to be vulnerable, such as young people leaving care or refugee families.

Please note that the armed forces are now a grouping to whom we are required to give due regard under new Armed Forces legislation, although in practice we have been doing so for a number of years now.

When you are not carrying out an ESHIA, you still need to demonstrate and record that you have considered equality in your decision-making processes. It is up to you what format you choose.–You could use a checklist, an explanatory note, or a document setting out our expectations of standards of behaviour, for contractors to read and sign. It may well not be something that is in the public domain like an ESHIA, but you should still be ready for it to be made available.

**Both the approaches sit with a manager, and the manager has to make the call, and record the decision made on behalf of the Council.**

*Carry out an ESHIA:*

- If you are building or reconfiguring a building.
- If you are planning to reduce or remove a service.
- If you are consulting on a policy or a strategy.
- If you are bringing in a change to a process or procedure that involves other stakeholders and the wider community as well as particular groupings

*Carry out an equality and social inclusion approach:*

- If you are setting out how you expect a contractor to behave with regard to equality, where you are commissioning a service or product from them.
- If you are setting out the standards of behaviour that we expect from people who work with vulnerable groupings, such as taxi drivers that we license.
- If you are planning consultation and engagement activity, where we need to collect equality data in ways that will be proportionate and non-intrusive as well as meaningful for the purposes of the consultation itself.
- If you are looking at services provided by others that help the community, where we need to demonstrate a community leadership approach

### **3. Council wide and service area policy and practice on health and wellbeing**

This is a relatively new area to record within our overall assessments of impacts, for which we are asking service area leads to consider health and wellbeing impacts, much as they have been doing during 2020-2021 and 2021-2022, and to look at these in the context of direct and indirect impacts for individuals and for communities.

A better understanding across the Council of these impacts will also better enable the Public Health colleagues to prioritise activities to reduce health inequalities in ways that are evidence based and that link effectively with equality impact considerations and climate change mitigation.

### **Health in All Policies – Health Impact Assessment**

Health in All Policies is an upstream approach for health and wellbeing promotion and prevention, and to reduce health inequalities. The Health Impact Assessment (HIA) is the supporting mechanism

- Health Impact Assessment (HIA) is the technical name for a process that considers the wider effects of local policies, strategies and initiatives and how they, in turn, may affect people's health and wellbeing.
- Health Impact Assessment is a means of assessing both the positive and negative health impacts of a policy. It is also a means of developing good evidence-based policy and strategy using a structured process to review the impact.
- A Health Impact Assessment seeks to determine how to maximise health benefits and reduce health inequalities. It identifies any unintended health consequences. These consequences may support policy and strategy or may lead to suggestions for improvements.
- An agreed framework will set out a clear pathway through which a policy or strategy can be assessed and impacts with outcomes identified. It also sets out the support mechanisms for maximising health benefits.

The embedding of a Health in All Policies approach will support Shropshire Council through evidence-based practice and a whole systems approach, in achieving our

corporate and partnership strategic priorities. This will assist the Council and partners in promoting, enabling and sustaining the health and wellbeing of individuals and communities whilst reducing health inequalities.

### **Individuals**

#### **Will the proposal have a *direct impact* on health, mental health and wellbeing?**

For example, would it cause ill health, affecting social inclusion, independence and participation?

Will the proposal directly affect an individual's ability to improve their own health and wellbeing?

This could include the following: their ability to be physically active e.g., being able to use a cycle route; to access food more easily; to change lifestyle in ways that are of positive impact for their health.

An example of this could be that you may be involved in proposals for the establishment of safer walking and cycling routes (e.g., green highways), and changes to public transport that could encourage people away from car usage. and increase the number of journeys that they make on public transport, by foot or on bicycle or scooter. This could improve lives.

#### **Will the proposal *indirectly impact* an individual's ability to improve their own health and wellbeing?**

This could include the following: their ability to access local facilities e.g., to access food more easily, or to access a means of mobility to local services and amenities? (e.g. change to bus route)

Similarly to the above, an example of this could be that you may be involved in proposals for the establishment of safer walking and cycling routes (e.g. pedestrianisation of town centres), and changes to public transport that could encourage people away from car usage, and increase the number of journeys that they make on public transport, by foot or on bicycle or scooter. This could improve their health and well being.

### **Communities**

Will the proposal directly or indirectly affect the physical health, mental health, and wellbeing of the wider community?

A *direct impact* could include either the causing of ill health, affecting social inclusion, independence and participation, or the promotion of better health.

An example of this could be that safer walking and cycling routes could help the wider community, as more people across groupings may be encouraged to walk more, and as there will be reductions in emission leading to better air quality.

An *indirect impact* could mean that a service change could indirectly affect living and working conditions and therefore the health and well being of the wider community.

An example of this could be: an increase in the availability of warm homes would improve the quality of the housing offer in Shropshire and reduce the costs for households of having a warm home in Shropshire. Often a health promoting approach also supports our agenda to reduce the level of Carbon Dioxide emissions and to reduce the impact of climate change.

Please record whether at this stage you consider the proposed service change to have a direct or an indirect impact upon communities.

### **Demand**

#### **Will there be a change in demand for or access to health, local authority and social care services?**

For example: Primary Care, Hospital Care, Community Services, Mental Health and Social Services?

An example of this could be: a new housing development in an area would affect demand for primary care and local authority facilities and services in that location and surrounding areas. If the housing development does not factor in consideration of availability of green space and safety within the public realm, further down the line there could be an increased demand upon health and social care services as a result of the lack of opportunities for physical recreation, and reluctance of some groupings to venture outside if they do not perceive it to be safe.

***For further advice: please contact***

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