

Report of Head of Licensing and Registration

Report to Licensing Committee

Date: 10 September 2013

Subject: Information Report – Taxi and Private Hire Licensing Process for Equality Monitoring

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

- 1 This report contains information as to how the Taxi and Private Hire Licensing Section intend to capture equality monitoring information to better understand the profile of our service users.
- 2 The report aims to inform Members of the administration process the Taxi and Private Hire Licensing Section could undertake to capture this information.

Recommendations

- 3 That Members consider the information in this report and make any observations they may have.
- 4 That Members specify which reports they would like to see presented to Licensing Committee in future.
- 5 That a further report is prepared for Licensing Committee after 12 months worth of data has been collected, collated and analysed.

1 Purpose of this report

- 1.1 To inform Members of the administration process the Taxi and Private Hire Licensing Section will undertake to capture equality monitoring information.
- 1.2 To advise Members that this information is provided entirely on a voluntary basis by the service users, this is in accordance with legislation.
- 1.3 To provide information on the timescales involved to capture equality monitoring information to ensure the Taxi and Private Hire Licensing Section is able to produce meaningful information.

2 Background information

- 2.1 The law does not say that equality monitoring must be undertaken, however the general public sector duty within the Equality Act 2010 requires public bodies to have due regard to the need to;
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - Advance equality of opportunity within and between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic and those who do not
- 2.2 Characteristics protected by the duty include: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 2.3 The Council has standard categories for equality monitoring. These have been informed by categories included in the National Census and those characteristics protected by equality legislation (appendix 1).
- 2.4 New applicants to the taxi and private hire licensed trade have previously had the opportunity to supply equality monitoring information on a voluntary basis but the return rate has been poor.
- 2.5 Due to this, the Taxi and Private Hire Licensing Section has not previously used equality monitoring data for analytical purposes. In addition, the data currently contained within the licensing system is unreliable as it was collected within a previous licensing system, is out of date and may have become corrupted at the time of transfer onto the current system.

3 Main issues

- 3.1 The Council's equality monitoring guidance recognises that it is important that customers are confident as to the reason why they are being asked for their information, they know what the information will be used for and how the data will be stored confidentially.
- 3.2 Currently all licence application forms contain an equality monitoring form although the completion of this information is not mandatory and Licensing Officers do not

request that this information is completed at the time of application. To do so might be considered intrusive, conducted in too public an area, would cause delays for other customers and would remove the anonymity required when collating such information.

- 3.3 Licence renewal forms do not currently include the equality monitoring form. In order to establish a baseline of all existing licence holders it will be necessary for an equality monitoring form to be completed by existing licence holders at the time of renewal.
- 3.4 The Taxi and Private Hire Licensing Section would need to actively promote any new emphasis on equality monitoring, the reasons for this and offer reassurance as to how data will be stored. This could be done by;
 - Information sheet contained within the renewal letter
 - Email to existing licence holders
 - Information screens in Reception
 - Trade forums
 - Newsletter
 - Licensing Officer briefings at the Counter
- 3.5 The Council's equality monitoring guidance also states that collecting equality monitoring data should be done anonymously, as far as is possible and that if any equality monitoring information is collected and stored against a person's personal details it must be stored in hidden fields that, once entered, can only be accessed by authorised staff and that it is preferable not to attach monitoring information to personal details if possible.
- 3.6 To overcome this, staff will input equality information into a separate database that complies with both confidentiality and data protection requirements. A Fair Processing Notice (or Privacy Notice) will be included within the equality monitoring forms to ensure that applicants are made aware as to how we intend to use the information they provide.
- 3.7 Everyone is legally obliged to complete and return the Census form and a limited number of people have been prosecuted for failing to comply with this obligation. In contrast, completing equality monitoring forms is voluntary.
- 3.8 This will be the first time the Taxi and Private Hire Licensing Section will proactively encourage the collection of this data and there is a requirement to set a baseline target over a 12 month period to cover all renewals. Moving forward, the information will be used to identify any changes and/ or trends amongst our service users.
- 3.9 Some suggested reports could include;
 - ethnicity broken down across private hire drivers, private hire operators and Hackney carriage drivers
 - suspensions and/ or revocations by ethnicity/ age/ gender
 - age and gender profiles across licence holders

4 Corporate Considerations

4.10 Consultation and Engagement

4.1.1 The information contained in this report has not been the subject of consultation with the trade as it is an information report only but if Members are satisfied with the proposed approach, information and guidance would be comprehensively supplied.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 This is an information report relating to Taxi and Private Hire Licensing process for equality monitoring. We are using the council approach and guidance to equality monitoring and data protection requirements to inform our proposals. As such, an equality screening/ impact assessment is not required.

4.2.2 Information collected will be used to profile the licensed trade, identify trends and take appropriate positive action. It is anticipated that this will support the service to meet the general public sector duty within the Equality Act 2010.

4.3 Council policies and City Priorities

4.3.1 The Taxi & Private Hire Licensing policies contribute to the following aims:

Best Council Plan 2013 -17

Towards being an Enterprising Council

Our Ambition and Approach

Our Ambition is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

Our Approach is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

Our Best Council Outcomes

Make it easier for people to do business with us

Our Best Council Objectives

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on:

- Helping people into jobs,
- Boosting the local economy
- Generating income for the council

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on;

- Getting services right first time

- Improving customer satisfaction

4.3.2 The Taxi & Private Hire Licensing policies contribute to priorities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

4.3 Resources and value for money

4.4.1 There are resource implications in respect of handling and storing the information but it is felt that is manageable within the existing structure. There are no value for money issues to consider.

4.5 Legal Implications, Access to Information and Call In

4.5.1 All equality monitoring information is classed as personal data under the Data Protection Act 1998. The law states that we must keep the information accurate and up to date, must only keep it for as long as it is needed for a specific purpose and we must keep it secure.

4.6 Risk Management

4.6.1 The completion of equality monitoring forms is entirely voluntary and some service users may have concerns about how the information will be used. This may be overcome to some extent if there is an understanding that this is a positive development by the Licensing Committee.

4.6.2 Service users may not respond fully.

5 Conclusions

5.1 That any renewed emphasis on equality monitoring must be in line with the Council's standard categories and equality monitoring guidelines.

6 Recommendations

6.1 That Members consider the information in this report and make any observations they may have.

6.2 That Members specify which reports they would like to see presented to Licensing Committee in future.

6.3 That a further report is prepared after 12 months worth of data has been collected, collated and analysed.

7 Background documents

Equality Monitoring Guidance

Appendix 1

Standard categories for equality monitoring

- Gender – male or female
- Date of birth
- Ethnic origin
- Disability – disability is split into two parts. First as whether a person considers themselves to be disabled or not. For those that do consider themselves to be disabled further questions can be asked about the nature of their impairment. The options provided should include:
 - Physical or mobility impairment
 - Visual impairment (such as being blind or partially sighted)
 - Hearing impairment (such as being deaf or hard of hearing)
 - Mental health condition (such as depression, schizophrenia)
 - Learning difficulty (such as downs syndrome or dyslexia) or cognitive impairment (such as autism or head injury)
 - Long-standing illness or health condition (such as cancer, HIV, diabetes, chronic heart disease, multiple sclerosis or epilepsy)
- Sexual orientation – heterosexual, lesbian/ Gay woman, Gay man and Bisexual
- Religion or belief
- Caring responsibilities – the Council considers that a ‘carer’ is someone who looks after, or gives unpaid help or support to family members, friends, neighbours or others on an unpaid basis because of either;
 - Long-term physical or mental ill health/ disability
 - Problems related to old age
 - Substance misuse/ dependency

Appendix 2 Equality Monitoring Form



Leeds City Council is committed to fair treatment of all our existing and potential customers, our existing and potential employees and our partners. We are committed to ensuring that our practices and services are free from unlawful discrimination and they meet the needs of all sections of the community.

This means that clients using the services of the Taxi and Private Hire Licensing Section will be treated equally irrespective of their sex, ethnic origin, sexual orientation or age. To ensure the effectiveness of this policy and to assist in its development please will you complete the information below which will be treated as confidential and used for statistical purposes only and for monitoring the fairness and effectiveness of our service delivery.

You are under no obligation to provide the information requested and it will not make any difference to the service you receive if you do not answer them. However the more information we can collect the more effective our equality monitoring will be. The categories included have been informed by the National Census 2011 and characteristics protected by equality legislation.

The council is committed to keeping your information private and secure. The information you provide will be treated in the strictest confidence and in accordance with the Data Protection Act 1998.

Gender:	<input type="checkbox"/> Male	<input type="checkbox"/> Female
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Date of Birth:

Ethnic origin: Please indicate which best describes your ethnic origin				
A White <input type="checkbox"/> English <input type="checkbox"/> Welsh <input type="checkbox"/> Scottish <input type="checkbox"/> Northern Irish <input type="checkbox"/> British <input type="checkbox"/> Irish <input type="checkbox"/> Any other White background - please write below 	B Mixed/ multiple ethnic group <input type="checkbox"/> White and Asian <input type="checkbox"/> White and Black African <input type="checkbox"/> White and Black Caribbean <input type="checkbox"/> Any other mixed/multiple ethnic group – please write below 	C Asian or Asian British <input type="checkbox"/> Bangladeshi <input type="checkbox"/> Chinese <input type="checkbox"/> Indian <input type="checkbox"/> Kashmiri <input type="checkbox"/> Pakistani <input type="checkbox"/> Any other Asian background – please write below 		
D Black or Black British <input type="checkbox"/> African <input type="checkbox"/> Caribbean <input type="checkbox"/> Any other Black background – please write below 	E Other ethnic groups <input type="checkbox"/> Arab <input type="checkbox"/> Gypsy or Traveller <input type="checkbox"/> Any other background – please write below 			
<table border="1"> <tr> <td>I prefer not to say</td> <td><input type="checkbox"/></td> </tr> </table>			I prefer not to say	<input type="checkbox"/>
I prefer not to say	<input type="checkbox"/>			

Religion or Belief	
Please indicate which best describes your religion or belief	
<input type="checkbox"/> Buddhist <input type="checkbox"/> Hindu <input type="checkbox"/> Muslim <input type="checkbox"/> Christian <input type="checkbox"/> Jewish	<input type="checkbox"/> Sikh <input type="checkbox"/> No religion <input type="checkbox"/> No belief <input type="checkbox"/> Other - please write below
Do you practice your religion or belief?	<input type="checkbox"/> Yes <input type="checkbox"/> No
I prefer not to say	<input type="checkbox"/>

Where you live	
What is the first part of your postcode? (for example LS10):	
I prefer not to say	<input type="checkbox"/>

Thank you for completing this equality monitoring form