

Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being or has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Communities & Environment	Service area: Taxi & Private Hire Licensing
Lead person: Andrew White	Contact number: 3781562

1. Title: Equality Impact Assessment of changes to the council's Suitability and Convictions policy for taxi and private hire licence holders

Is this a:

Strategy / Policy **Service / Function** **Other**

If other, please specify

2. Please provide a brief description of what you are screening

We are screening the equality impact assessment of a proposed change in the following.

**Adopting a new Suitability and Convictions policy for taxi and private hire licence holders
 Replacing/removing the council's current Convictions Policy
 Aligning any other supportive policies with the new Suitability and Convictions policy.**

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies and policies, service and functions affect service users, employees or the wider community – city wide or more local. These will also have a greater or lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	x	
Have there been or likely to be any public concerns about the policy or proposal?	x	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	x	
Could the proposal affect our workforce or employment practices?	x	
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment 		x

<ul style="list-style-type: none"> • Advancing equality of opportunity • Fostering good relations 		
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If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?**

(**think about** the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected).

- a) The proposals aim to replace the council's current Convictions Policy with a new Suitability and Convictions policy. This will set out how whether and for how long the council would refuse a licence to an applicant with a conviction, depending on the type of conviction.

If implemented, the policy would align Leeds City Council with other UK authorities in refusing a licence for a broadly similar length of time. This would reduce the incentive of some applicants to apply to be licensed in an authority other than where they intend to work.

The council has had a convictions policy for a number of years, owing to licensing decisions needing to take into account recent and more historic convictions, and their bearing on whether an applicant is a fit and proper person to hold a licence.

The proposals would replace the current policy with a new policy more closely aligned to the national policy developed by Institute of Licensing, Local Government Association, National Association of Licensing and Enforcement Officers and Lawyers for Local Government in 2018.

- b) The proposals will increase the length of time for which a licence would be refused, compared to the current conviction policy.

The proposed policy increases the length of time for which a licence would be refused for some categories of convictions. In particular, it sets an indefinite period of refusal for some offences (exploitation, sexual offences, offences resulting in death). The policy states that a conviction for less serious violence would result in a licence being refused for 5 years, compared to 3 years in the current policy.

The policy states that a licence holder or applicant with 7 or more points on their driving licence would result in a licence being refused for 3 year, compared to licences only being refused when a driver reaches 12 points on their licence in the current policy.

The policy states that a conviction for a hackney carriage or private hire offence (such as plying for hire) would result in a licence being refused for 7 years, compared to 1 year in the current policy, and 3 years for a second offence.

However, there are two aspects which would need to be taken into account:

- i) The impact on the Leeds taxi and private hire trade;
- ii) The impact on people who use taxi and private hire vehicles.

i) Leeds taxi and private hire drivers have a profile which has higher percentages of the following:

Men (98.5%)

People from a BME background (79%)

People from a Muslim faith (72%)

(Based on Leeds survey of 1637 drivers in 2014)

Median salary of taxi or private hire driver is £18,545 or £8.04 per hour (www.payscale.com)

ii) Nationally, there is evidence to suggest that the following people are more likely to use taxi and private hire vehicles:

Women. In 2018, on average, women made more taxi or PHV trips than men (11 trips per person vs. 10 trips per person). This

remains true for women of all ages above 16 years old.

(DfT 2019 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833569/taxi-and-phv-england-2019.pdf)

Disabled people and people with mobility difficulties. In 2018, the number of taxi or PHV trips made by adults aged 16 or over with mobility difficulties has increased from 16 trips per person per year in 2010 to 21 trips per person per year. Similar to last year, adults with mobility difficulties use taxis or PHVs more than people who do not (21 trips per person vs. 10 trips per person).

Taxi or PHV usage makes up 3% of all trips for those with mobility difficulties, compared to just 1% for those without mobility difficulties. These figures have remained broadly stable since 2010.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833569/taxi-and-phv-england-2019.pdf)

- **Key findings**

(**think about** any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

- a) The proposed changes in Suitability and Convictions policy will have an impact on **applicants** wishing to work as taxi or private hire drivers in Leeds. It may require some applicants to wait until the period for a conviction has expired before they are able to get a licence. However, because this policy is broadly the same in neighbouring licensing authorities, those applicants will gain no advantage by applying to a neighbouring authority.
- i) Applicants to work as taxi or private hire license holders in Leeds are disproportionately male, of a BME background and Muslim, and therefore it is likely that a change in driver background checks relating to arrests, cautions, convictions and driving history will impact on those people disproportionately.
- ii) Passengers are likely to be disproportionately female, and wheelchair users, or with some other mobility difficulty.

The proposed changes in suitability and convictions policy enables further checks on the background of applicants, which will help Leeds make good licensing decisions. The good licensing decisions will be of benefit to all passengers, and will benefit disabled passengers and those passengers using guide or assistance dogs.

- b) The proposed changes in Suitability and Convictions policy will have an impact on current licence holders, particularly when new penalty points take place, owing to the lower threshold of 7, from 12 points. However, because this policy is broadly the same in neighbouring licensing authorities, those applicants will gain no advantage by applying to a neighbouring authority.
- iii) Licence holders in Leeds are disproportionately male, of a BME background and Muslim, and therefore it is likely that a change in driver background checks relating to arrests, cautions, convictions and driving history will impact on those people disproportionately.
- iv) Passengers are likely to be disproportionately female, and wheelchair users, or with some other mobility difficulty.

The proposed changes in suitability and convictions policy enables further checks on the background of applicants, which will

help Leeds make good licensing decisions. The good licensing decisions will be of benefit to all passengers, and will benefit disabled passengers and those passengers using guide or assistance dogs.

- **Actions**

(think about how you will promote positive impact and remove/ reduce negative impact)

The proposed change in Suitability and Convictions is not believed to be a major change for applicants. It is reasonable that new applicants to work in the taxi and private hire industry meet the industry wide standards for their suitability to work.

The proposed change in Suitability and Convictions is believed to be a major change for existing licence holders, particularly the changes affecting licences for people with 7 penalty points on their licence or with a recent conviction for a taxi or private hire offences. In these cases, the council plans to review the licence:

- At the licence renewal date (i.e. historic issues the council has already considered, will not be considered again);
- When new convictions or penalty points are reported.

The council will inform all licence holders and trade representatives of the changes.

5. If you are **not already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment.****

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

6. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening		
Name	Job title	Date
Andrew White	Taxi & Private Hire Licensing	12/09/2019
Date screening completed		12/09/2019

7. Publishing	
<p>Though all key decisions are required to give due regard to equality the council only publishes those related to Executive Board, Full Council, Key Delegated Decisions or a Significant Operational Decision.</p> <p>A copy of this equality screening should be attached as an appendix to the decision making report:</p> <ul style="list-style-type: none"> • Governance Services will publish those relating to Executive Board and Full Council. • The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions. • A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record. <p>Complete the appropriate section below with the date the report and attached screening was sent:</p>	
For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent:
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: 03/10/2019