

Appendix 3

Equality Impact Assessment

Introduction

An Equality Impact Assessment (EIA) is required to ensure that equality is placed at the centre of policy development and review, as well as service delivery. The purpose of this EIA is to systematically analyse the likely impact of a service, policy or proposals on different community groups, and how the needs of such groups have been taken into account in developing those proposals.

The EIA can anticipate and recommend ways to avoid any discriminatory or negative consequences for a particular group, on the grounds of any protected characteristic. It provides the opportunity to demonstrate the potential benefits for equality target groups arising from a proposed policy or project.

The need for an EIA stems from the general duty placed on public authorities to eliminate unlawful discrimination in carrying out functions, and promote equality of opportunity. This is outlined in the Equality Act 2010, with specific public sector duties in place from April 2011.

1. Name of Policy or Service (existing or proposed)	
Policy for medical exemption of licensed drivers following activation of elements of section 165 and 167 of the Equalities Act 2010 (relating to the transportation of wheelchair users).	
2. Responsible Manager	
Peter Haywood	
3. Date EIA completed	Review date
16 May 2017	
4. Description and aims of policy / service (including relevance to equalities)	
<p>The government has stated its intention to make public transport more accessible for all members of the community, including disabled people. Accordingly, from 6 April 2017 it wants similar protections to apply to wheelchair users as currently exist for visually-impaired people who are supported by assistance dogs. This will be achieved by activating the remaining parts of sections 165 and 167 of the Equality Act 2010. Section 167 of the Act provides licensing authorities with the powers to make lists of wheelchair accessible vehicles (i.e. "designated vehicles"), and section 165 of the Act then requires the drivers of those vehicles to carry passengers in wheelchairs; to provide assistance to those passengers; and prohibits them from charging extra for their services. However, the Council acknowledges that not all licensed drivers will be medically fit to provide assistance to wheelchair users as required by legislation. This Policy sets out how an appropriate exemption may be sought from and granted by the local authority.</p>	
5. Who are the stakeholders?	
Council officers	

All Councillors including in particular the members of the Council's General Licensing Committee

All those who have or wish to have (i) Hackney Carriage drivers or vehicle licences, or (ii) Private Hire operator and driver licences

Various teams within the Council including Legal Services and Licensing Officers

Other Borough Councils who may be consulted in respect of good practice

All local organisations with an interest in supporting disabled users of public transport.

6. What outcomes do we want to achieve?

Appropriate access to Hackney Carriage and Private Hire vehicles for wheelchair users, balanced against the need to exempt licensed drivers with clearly-identified relevant medical conditions from the requirements of the legislation.

7. How will performance be measured?

Number of drivers granted exemption from the legislative requirements

8. Brief summary of research and background data

There are 267 drivers currently licensed with the authority, and around 240 licensed vehicles. It is estimated that around one-third of these vehicles are wheelchair –accessible to some degree.

The 2011 Census confirms that the overall population of South Ribble is 109057. It is not known how many of these are disabled, although the Census confirms that by 2039 the population aged 65 or over in South Ribble is projected to increase to 32,300. Many of these will be wheelchair users.

9. Methods and outcome of consultation

No consultation has yet been undertaken. Should members wish, local disability groups (such as the Chorley and South Ribble Disability Forum) could be approached for their views on the proposed Exemptions Policy.

10. Results of initial screening

The following questions have been considered in order to evaluate the various equality groups:-

Age – *Is there any concern that these proposals could cause differential impact on the grounds of age?*

As stated above, the population of South Ribble is expected to age in the coming years, with the likely result of an increase demand for wheelchair accessible vehicles.

Disability – *Is there any concern that these proposals could cause differential impact on the grounds of disability? Disability is recognised under the Equality Act as 'a physical or mental impairment which has a substantial and long term effect on a person's ability to carry out normal day to day activities.'*

If adopted, the legislative provision would provide real support for disabled groups in terms of promoting their access to public transport. The purpose of the Exemptions Policy is to ensure that

licensed drivers with clearly-identified relevant medical conditions are exempted from the obligation to provide reasonable assistance (when this may be beyond their physical capability).

Gender Reassignment – *Is there any concern that these proposals could cause differential impact on the grounds of gender reassignment? The Equality Act recognises this where a person is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for changing sex.*

N/a

Marriage / Civil Partnership – *Is there any concern that these proposals could cause differential impact on the grounds of marriage or civil partnership? Under the Equality Act, no such protection exists for single or unmarried people.*

N/a

Pregnancy / Maternity – *Is there any concern that these proposals could cause differential impact on the grounds of pregnancy or maternity?*

N/a

Race – *Is there any concern that these proposals could cause differential impact on the grounds of race? Race is recognised under the Equality Act as a person's skin colour, nationality or ethnic origin.*

There is no information available on the number of wheelchair users amongst ethnic minority groups

Sex – *Is there any concern that these proposals could cause differential impact on the grounds of gender? Including men, women and transgender people.*

There is no information available on the number of wheelchair users amongst genders.

Sexual Orientation – *Is there any concern that these proposals could cause differential impact on the grounds of sexuality? Including heterosexual, gay, lesbian and bisexual people.*

There is no information on the prevalence of being a wheelchair user given one's sexual orientation.

Religion or belief – *Is there any concern that these proposals could cause differential impact on the grounds of religion or faith? All faiths recognised in the European Convention of Human Rights are included.*

N/a

A commentary has been provided for each policy where appropriate – see Appendix A

11. Links with the Council's Safeguarding Policy (please outline any implications and actions that need to be taken)

Safeguarding matters relating to users of licensed hackney carriage / private hire vehicles (whether disabled or not) is a prime concern for the Licensing Authority.

12. Decisions and / or recommendations (including supporting rationale)

Members are asked to consider whether they wish to implement the proposed Exemption Policy.

13. Is an Equality Action Plan required?

No – see commentary in Appendix A below

Appendix A – Results of initial screening

Policy / service	Protected Characteristics									Commentary
	Age	Disability	Gender reassignment	Marriage / civil p'ship	Pregnancy / maternity	Race	Religion or belief	Sex	Sexual Orientation	
Activation of elements of section 165 and 167 of the Equalities Act 2010 relating to wheelchair users –implications for Licensing Authorities	+	+	O	O	O	O	O	O	O	

Symbol	Impact
+	<i>Positive</i>
O	<i>Neutral / Negligible</i>
-	<i>Negative</i>
P	<i>Potential issue</i>