



## Equality Impact/Fairer Scotland Duty Assessment Form

(To be completed with reference to Guidance Notes)

### Step 1

**Name of Proposal** (includes e. g. budget savings, committee reports, strategies, policies, procedures, service reviews, functions):

For Motorised Tricycles to be licenced as private hire cars in terms of the Civic Government (Scotland) Act 1982

### Step 2

Is this only a **screening** Equality Impact Assessment

No

**(A)** If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

(i) It does not impact on people

(ii) It is a percentage increase in fees which has no differential impact on protected characteristics

(iii) It is for information only

(iv) It is reflective e.g. of budget spend over a financial year

(v) It is technical

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

**(B)** If you have answered No to the above, please indicate the following:

Is this a full Equality Impact Assessment

Yes

Is this a Fairer Scotland Duty Assessment

/No

If you have answered Yes to either or both of the above, continue with Step 3.

If your proposal is a **strategy** please ensure you complete Step 13 which is the Fairer Scotland Duty Assessment.

### Step 3

(i) Lead Directorate/Service:

Are there any **relevant** statutory requirements affecting this proposal? If so, please describe.

The Civic Government (Scotland) Act 1982 sets out the legal duties and powers of local authorities to regulate the operation of private hire cars. Such regulation is predominantly carried out with a view to public safety.  
Equality Act 2010 re non-discrimination.

(ii) What is the aim of the proposal? Please give full details.

Private hire cars are vehicles which paying passengers can hire for a journey ( but which cannot be hailed like taxis). At present in Angus there is a limited range of vehicles which can be licensed as private hire cars; namely saloon cars or cars permanently adapted to carry up to eight passengers, with transverse seats in an approved layout. Motorised trikes are not therefore included. The Council is considering whether to licence motorised trikes in this way too. Due to the different nature of such vehicles (eg passengers' exposure to the elements while travelling) it would be appropriate to apply some different measures from existing measures to private hire cars.

(iii) Is it a new proposal? Yes but it is a change to an existing regime  
Please indicate OR

Is it a review of e.g. an existing budget saving, report, strategy, policy, service review, procedure or function? No Please indicate

### Step 4: Which people does your proposal involve or have consequences for?

Please indicate all which apply:

Employees	No
Job Applicants	No
Service users	Yes
Members of the public	Yes

**Step 5: List the evidence/data/research that has been used in this assessment (links to data sources, information etc which you may find useful are in the Guidance). This could include:**

**Internal data** (e.g. customer satisfaction surveys; equality monitoring data; customer complaints).

**Internal consultation** (e.g. with staff, trade unions and any other services affected).

**External data** (e.g. Census, equality reports, equality evidence finder, performance reports, research, available statistics)

**External consultation** (e.g. partner organisations, national organisations, community groups, other councils).

Limited consultation with other Local Authorities – only 1 other Local Authority licences these vehicles.

**Other** (general information as appropriate).

Common knowledge consideration of members of the public who have physical disabilities, and may be affected by the proposals

### **Step 6: Evidence Gaps.**

Are there any gaps in the equality information you currently hold? No

If yes, please state what they are, and what measures you will take to obtain the evidence you need.

**Step 7: Are there potential differential impacts on protected characteristic groups?** Please complete for each group, including details of the potential impact on those affected. Please remember to take into account any particular impact resulting from **Covid-19**.

**Please state if there is a potentially positive, negative, neutral or unknown impact for each group. Please state the reason(s) why.**

Age - potentially negative impact on young people due to their size, as for safety reasons there is a minimum weight requirement for passengers.

#### **Impact**

Disability - Potential differential impact on passengers with disabilities but licence conditions proposed to reduce any negative impact by requiring that reasonable adjustment is made by the use of equipment or alternative means to facilitate communication.

#### **Impact**

Gender reassignment - neutral

#### **Impact**

Marriage and Civil Partnership - neutral

#### **Impact**

Pregnancy/Maternity - neutral

#### **Impact**

Race - (includes Gypsy Travellers) - neutral

#### **Impact**

Religion or Belief - neutral

**Impact**

Sex - neutral

**Impact**

Sexual orientation - neutral

**Impact**

**Step 8: Consultation with any of the groups potentially affected**

If you have consulted with any group potentially affected, please give details of how this was done and what the results were.

If you have not consulted with any group potentially affected, how have you ensured that you can make an informed decision about mitigating action of any negative impact N/A

**Step 9: What mitigating steps will be taken to remove or reduce potentially negative impacts?**

Licence conditions proposed to reduce potential negative impact on passengers with hearing disabilities by requiring a suitable alternative to heads-sets for 2 way communication.

**Step 10: If a potentially negative impact has been identified, please state below the justification.**

A licence condition imposing a minimum passenger size in terms of the vehicle manufacturer guidelines, may impact on younger ages but is reasonable to protect passenger safety. (as referred to at Step 7)

**Step 11: In what way does this proposal contribute to any or all of the public sector equality duty to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations between people of different protected characteristics.**

This proposal requires motorised tricycle private hire vehicles to make provision for passengers who are hearing impaired. Breach of this condition of their licence can result in the loss of their licence, thereby highlighting to operators that their obligations under the Equalities Act extend to people with hearing impairments. In this respect there is the advancement of equality of opportunity.

**Step 12: Is there any action which could be taken to advance equalities in relation to this proposal?**

Adoption of the relevant proposed conditions requiring an alternative means of communication to headsets for passengers who are hearing impaired passengers.

### **Step 13: FAIRER SCOTLAND DUTY**

This step is only applicable to **strategies** which are key, high level decisions. If your proposal is **not** a strategy, please leave this Step blank, and go to Step 14.

Links to data sources, information etc which you may find useful are in the Guidance.

**Step 13(A) What evidence do you have about any socio-economic disadvantage/inequalities of outcome in relation to this strategic issue?**

**Step 13(B) Please state if there are any gaps in socio-economic evidence for this strategy and how you will take measures to gather the evidence you need.**

**Step 13(C) Are there any potential impacts this strategy may have specifically on the undernoted groupings?** Please remember to take into account any particular impact resulting from **Covid-19**.

**Please state if there is a potentially positive, negative, neutral or unknown impact for each grouping.**

**Low and/or No Wealth** (e.g. those with enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future).

#### **Impact**

**Material Deprivation** (i.e. those unable to access basic goods and services e.g. repair/replace broken electrical goods, warm home, leisure and hobbies).

#### **Impact**

**Area Deprivation** (i.e. where people live (e.g. rural areas), or where they work (e.g. accessibility of transport)).

#### **Impact**

**Socio-economic Background** i.e. social class including parents' education, people's employment and income.

#### **Impact**

**Other** – please indicate

**Step 13(D) Please state below if there are measures which could be taken to reduce socio-economic disadvantage/inequalities of outcome.**

**Step 14: What arrangements will be put in place to monitor and review the Equality Impact/Fairer Scotland Duty Assessment?**

Relevant adverse comments and complaints will prompt and inform review and will when there are any changes proposed the arrangements will be reviewed.

**Step 15: Where will this Equality Impact/Fairer Scotland Duty Assessment be published?**

Online, together with the relevant Committee report

**Step 16: Sign off and Authorisation.** Please state name, post, and date for each:

Prepared by: Jennifer Burns, Solicitor – Legal Services on 26 May 2022

Reviewed by: Doreen Phillips, Snr Practitioner (Equalities) on 31/05/ 2022

Approved by: Alison Watson. Team Leader (Legal) on 1 June 2022

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.

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