SOUTH KESTEVEN DISTRICT COUNCIL

Appendix 3 - Equality Impact Assessment

Question	Response
1. Name of policy/funding activity/event being assessed	Hackney Carriage and Private Hire Licensing Policy
2. Summary of aims and objectives of the policy/funding activity/event	To update the existing policy following the release of updated guidance from the Department for Transport (Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England (17 November 2023). The policy was assessed for equality impact when it was developed in 2021. This impact assessment focuses on the proposed changes based on Department for Transport Guidance document and local consultation. As the document is a guidance document, and we have implemented the areas that are relevant to local need.
3. Who is affected by the policy/funding activity/event?	Hackney Carriage and Private Hire vehicle owners, drivers, operators, users of these vehicles and members of public.
4. Has there been any consultation with, or input from, customers/service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please complete the consultation table below.	Consultation was undertaken between 19 March 2024 and 16 April 2024 the five elements recommended by Licensing Committee. • **Driver proficiency** – to undertake training and/or assessment focussed on attitudes and behaviours. • **Vehicle condition check** – to agree the number of penalty points if not completed. • **Vehicle age limits** – to gauge feedback on proposal to amend the existing restriction to vehicles being registered after September 2015 (to ensure Euro 6 compliance). • **Setting fare scales** – to gauge feedback as to whether to amend the current partially de-regulated fare scale to a maximum fare scale. • **Flexible Transport Services** – to gauge interest. Other changes are recommended to Full Council without consultation (as recommended by Licensing Committee on 16 February 2024).They are listed in Appendix 1. The consultees were: • Hackney Carriage (Taxi) and Private Hire Vehicle Licence holders – Operators, Drivers and Vehicle Owners. • SK residents. • Town and Parish Councils including the Grantham Charter Trustees.

	• The Chief Constable of Lincolnshire Police and the Police and Crime Commissioner. • Lincolnshire County Council – Trading Standards. • SKDC - Environmental Health (Public Protection), Domestic Abuse Officer, Housing (safeguarding). • Pub Watch. • Community and Voluntary Groups – as contacted by our Community Engagement Team.
5. What are the arrangements for monitoring and reviewing the actual impact of the policy/funding activity/event?	The policy can be reviewed in light of any operational issues found and will be reviewed if there is any guidance or legislative change.

Protected Characteristic	**Is there a potential for positive or negative impact?**	**Please explain and give examples of any evidence/data used**	**Action to address negative impact e.g. adjustment to the policy** *(The Action Log below should be completed to provide further detail)*
Age	Yes	To include within the policy that children aged 3 years and over should count towards the licensed vehicle capacity (8.14 of the guidance document).	The Policy ensures the protection of children and vulnerable adults (regardless of age) and contains measures throughout to ensure all licensees are fit and proper persons to hold such a licence.
Disability	Yes	The inclusion of disability awareness training is being recommended for drivers and Operator/front line staff taking bookings (6.3 & 7.2 of the guidance document) To include an encouragement within the policy for the installation of hearing loops if internal screens fitted (8.11 of the guidance document). It is also recommended that SKDC issues a card in large print and braille, in addition to the statutory exemption notice, should a driver legally be exempt from carrying assistance dogs (4.2 of the guidance document).	The policy ensures that drivers and operators are aware of the requirements of the Equality Act 2010, the training will assist this. Currently SKDC is not aware of any vehicles licenced with internal screens fitted, but this requirement will assist passengers with hearing impairment in the future. All drivers are required to carry assistance dogs unless an exemption is held. The introduction of the large print and braille notice will assist passengers with visual impairments.

		A recommendation to include within the policy requirement to assist passengers requiring help to enter and leave a vehicle (4.7 of the guidance document).	All drivers are to provide reasonable assistance with luggage, wheelchairs etc but this recommendation will ensure the full nature of assistance is clearly understood.
Gender Reassignment	No impact	This protected characteristic does is affected by any of the changes recommended or the policy as a whole.	Neither the policy or requirements within it are determined by this protected characteristic. The policy and its operating requirements are in place to ensure public safety and that all licensees are fit and proper persons to hold the licence issued.
Marriage and Civil Partnership	No impact	This protected characteristic does is affected by any of the changes recommended or the policy as a whole.	Neither the policy or requirements within it are determined by this protected characteristic. The policy and its operating requirements are in place to ensure public safety and that all licensees are fit and proper persons to hold the licence issued.
Pregnancy and Maternity	No impact	This protected characteristic does is affected by any of the changes recommended or the policy as a whole.	. Neither the policy or requirements within it are determined by this protected characteristic. The policy and its operating requirements are in place to ensure public safety and that all licensees are fit and proper persons to hold the licence issued.
Race	Yes	Changes in licensing requirements should be following by a review of licences are issue (3.7 of the guidance document)	Guidance from Government recommends a review of practice relating to existing licence holders. Currently the Council's policy requires all new applicants for private hire vehicle or hackney carriage driver licences to undertake an assessment their English communication skills, for which an additional fee is payable. There is no test on renewal of a licence. The requirement to undergo this test therefore does not capture drivers or operators who have been licence holders since before 1 April 2021.

			Applicants who can demonstrate that they have previously completed an English-language qualification at a suitable level are exempt from this assessment. In order to ensure the process is equitable and that an effective service is being delivered for users of Hackney Carriages and/or Private Hire vehicles, Council may decide to implement this as a retrospective action or request that a review of current practice is undertaken to determine whether Council believes the requirement for a test should be extended to all holders of a licence. Should the latter be the decision of Council it will be necessary to further update the existing policy.
Religion or Belief	No impact	This protected characteristic does is affected by any of the changes recommended or the policy as a whole.	Neither the policy or requirements within it are determined by this protected characteristic. The policy and its operating requirements are in place to ensure public safety and that all licensees are fit and proper persons to hold the licence issued.
Sex	No impact	This protected characteristic does is affected by any of the changes recommended or the policy as a whole.	Neither the policy or requirements within it are determined by this protected characteristic. The policy and its operating requirements are in place to ensure public safety and that all licensees are fit and proper persons to hold the licence issued.
Sexual Orientation	No impact	This protected characteristic does is affected by any of the changes recommended or the policy as a whole.	Neither the policy or requirements within it are determined by this protected characteristic. The policy and its operating requirements are in place to ensure public safety and that all licensees are fit and proper persons to hold the licence issued.
Other Factors requiring consideration			

Socio-Economic Impacts	Positive	Flexible transport services: Shared taxis – where the operator or person taking the booking take the initiative to match up passengers for pre-booking. Taxi & private hire vehicle buses – Owners of taxis and private hire vehicles apply for a 'restricted public service vehicle operator licence	Both provisions will need to be added to the policy, but the basis of the provisions is that by sharing a ride that a lower cost will be charged to those sharing than by those travelling individually. The sharing provision will be on a passenger agreed basis, with no element of compulsion to do so.
Carers (those who provide unpaid care to a family member, friend or partner)	No impact	This protected characteristic does is affected by any of the changes recommended or the policy as a whole.	Neither the policy or requirements within it are determined by this protected characteristic. The policy and its operating requirements are in place to ensure public safety and that all licensees are fit and proper persons to hold the licence issued.

Consultation

Negative impacts identified will require the responsible officer to consult with the affected group/s to determine all practicable and proportionate mitigations. Add more rows as required.

Group/Organisation	Date	Response
Operators/drivers	Dependent on decision of Council	
Relevant support groups/agencies		

Proposed Mitigation: Action Log

To be completed when barriers, negative impact or discrimination are found as part of this process – to show actions taken to remove or mitigate. Any mitigations identified throughout the EIA process should be meaningful and timely. Add more rows as required.

Negative Impact	Action	Timeline	Outcome	Status
Race - Review of licensing requirements already issued - Apply changes retrospectively	Licensing Committee recommended that this be implemented to remove current inconsistencies as reviews have not previously been undertaken.	Any changed requirements will be implemented when a licence is renewed.	Drivers can undertake the English test to continue driving. There is the ability to retake the test if needed. If the recommendation is implemented, all licensed drivers will be	

			notified of the amendment by 31st May 2024.	

Evaluation Decision

Once consultation and practicable and proportionate mitigation has been put in place, the responsible officer should evaluate whether any negative impact remains and, if so, provide justification for any decision to proceed.		
Question	**Explanation / justification**	
Is it possible the proposed policy or activity or change in policy or activity could discriminate or unfairly disadvantage people?	The Authority requires all new licensed hackney carriage and private hire drivers to have sufficient command of the English language so that they can communicate freely and clearly with passengers and officials, including in stressful and emergency situations.	
Final Decision	**Tick**	**Include any explanation/justification required**
1. **No barriers** identified, therefore activity will **proceed**		
2. **Stop** the policy or practice because the data shows bias towards one or more groups		
3. **Adapt or change** the policy in a way that will eliminate the bias	x	A change is required dependent upon whether Council wish to implement immediately or undertake a review. The Hackney Carriage and Private Hire Licensing Policy seeks to promote the objectives of public safety and provide the right environment for a business to thrive, whilst ensuring customer protection. It can currently be perceived to be unfair to require all new drivers to comply with all the licensing requirement but by virtue of when a driver applied for their licence they do not apply to existing drivers. There are provisions in place for existing drivers to undertake the English language test if they are unable to provide the necessary evidence, we are therefore treating all drivers at application (whether new application or renewal the same). It is a one off requirement and once passed does not require to be retaken

		unless circumstances require it such as complaints/Licensing Committee require it.
4. **Barriers** and **impact identified**, however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore you are going to **proceed with caution** with this policy or practice knowing that it may favour some people less than others, providing justification for this decision		

Did you consult with an Equality Ally prior to carrying out this assessment? Yes

Sign off

Name and job title of person completing this EIA	Heather Green Licensing Manager
Officer Responsible for implementing the policy/function etc	Heather Green
Date Completed	13 05 2024
Line Manager	Ayeisha Kirkham
Date Agreed *(by line manager)*	15 05 2024
Date of Review *(if required)*	

Completed EIAs should be included as an appendix to the relevant report going to a Cabinet, Committee or Council meeting and a copy sent to equalities@southkesteven.gov.uk.

Completed EIAs will be published along with the relevant report through Modern.Gov before any decision is made and also on the Council's website.