

Orkney Islands Area Licensing Board

Annual Equality Report

2014

All our written information can be made available, on request, in a range of different formats and languages. If you would like this document in any other language or format please contact the Licensing Team on 01856 873535 extensions 2229 or 2232 or email licensing@orkney.gov.uk

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Introduction

Orkney Islands Area Licensing Board approved its first Multi-Equality Strategy (February 2013 – January 2015) on 24 January 2013. The Strategy is published at <http://www.orkney.gov.uk/Service-Directory/L/licensing-board-policies.htm>.

The Strategy sets out the commitment of the Board to meeting our responsibilities under the Public Sector Equality Duties to those defined under the Equality Act 2010 in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These are “protected characteristics” under the Act. The Strategy explains the actions we have already taken and will take in this regard. Although the Board has a separate legal status from Orkney Islands Council (“the Council”), it is resourced entirely by the Council. The close connections between the Board and the Council affords the Board the opportunity to benefit directly from the actions already taken or proposed by the Council to ensure that it fulfils all the equality obligations. This is reflected in the Strategy.

All public authorities such as licensing boards have legal requirements to publish a range of information relating to equalities. This is our first annual equality report and the report will explain how we actively promote equality and integrate equality into our work.

This report will be published at <http://www.orkney.gov.uk/Council/C/Equality-and-Diversity.htm>.

Legal background

The Equality Act 2010 introduced a single equality duty covering the nine protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The single equality duty is in two parts: the general duty and the specific duties.

The general duty covers the whole of the UK. It came into effect from 6 April 2011 and requires public authorities to have due regard to the need to:

- eliminate discrimination, harassment and victimisation or other prohibited conduct;
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
- foster good relations between people who share a relevant protected characteristic and those who do not.

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force on 27 May 2012 and only apply to a certain number of listed public sector authorities in Scotland, including licensing boards. The specific duties provide a framework to help public authorities meet their general duty.

The specific duties include publication by the Board of the following:-

- progress on mainstreaming the equality duty by 30 April 2013 and each 2 years thereafter, with an annual report;
- equality outcomes and progress by 30 April 2013 and each 4 years thereafter, with an annual report;
- progress towards achieving equality outcomes by 30 April 2015 and each 2 years thereafter, with an annual report; and
- assessment of equality impact on policies or practices and review, within a reasonable period.

Equality Outcomes

All public authorities now have a legal requirement to produce and publish a set of equality outcomes. Equality outcomes are objectives authorities aim to achieve in order to progress the requirements of the general equality duty.

The Board's outcomes can be found in our Strategy. They are:-

- to carry out equality impact assessments as necessary;
- to carry out monitoring in accordance with the Strategy; and
- to ensure staff are trained on equalities issues by the Council.

Mainstreaming Equality

The Board's Strategy sets out our approach to mainstreaming: this is an approach to delivering equality within an organisation. It is primarily a long-term strategy aimed at ensuring that equal opportunity principles and practices are integrated into every aspect of an institution from the outset. The focus should not only be internal (mainstreaming equality principles into procedures and systems) but also external (mainstreaming equality principles into policies and customer service delivery). Mainstreaming provides a framework that facilitates and complements equal opportunities legislation and other equality measures.

Training is integral to mainstreaming equalities. Members and staff all need to have an awareness of equalities issues as well as an understanding of their responsibilities under legislation and in terms of the Strategy.

As the Board is comprised of elected members of the Council, we are subject to an ongoing training programme which, whilst not specific to the Board's business, includes equalities issues. The Board is supported by the Council's Equalities Officer in this regard.

Staff are subject to the Council's training regime and requirements as employees of the Council.

What is being done to Mainstream Equality

Raising and Maintaining Awareness

It is important that staff and Board members are aware of the general equality duty so that it is considered in our work where relevant. The Council ensures that we receive information and uses a combination of methods to build and maintain awareness including:

- briefings for elected members;
- briefings for Senior Management Team;
- information to key contacts within the Council when required; and
- items and updates on staff information portal and website.

Work on raising and maintaining awareness of equalities issues will continue.

Learning and Development

The Council provides a number of different courses and approaches to learning and development on equality and diversity for staff and elected members:

- the corporate induction event attended by new employees includes a presentation on equalities;
- following the Local Government Election in May 2012 an induction programme for all elected members and senior management team included a half day equalities workshop;
- bespoke training for specific staff groups is carried out; and
- an iLearn course on equality and diversity is available to all employees.

Training workshops have also been held for all staff who carry out consultation and engagement. Consultation and engagement is a vital part of understanding the potential impact our policies and decisions could have on people and groups of people with different protected characteristics.

These training events will continue and link to our third equality outcome – that staff are trained on equalities issues by the Council. The Council will assist in achieving this outcome and raise awareness by ensuring training (face-to-face or i-Learning) is available to all employees and mandatory for new employees. The Council has developed an iLearn module on Equality and Diversity Awareness. Refresher training will be mandatory every three years. This equality outcome will help us to eliminate unlawful discrimination, harassment and victimisation and to foster good relations. The different formats of the training events advance equality of opportunity.

Assessing Impact

The Board has carried out equality impact assessments (EqIAs) since 2012.

EqIAs are carried out when we are developing any new policies, guidance or functions, or making changes to existing policies, guidance or functions. EqIAs identify any impacts on people or groups of people who possess any of the nine protected characteristics and on people who have caring responsibilities. Existing policies are screened when they are reviewed or if a change in the law or case law suggests they should be.

EqlAs help ensure our services are fair. They provide an opportunity to stop or revise a policy or function which is potentially unfair or unlawful. They identify mitigating actions wherever possible to minimise any adverse impacts. They also identify opportunities for positive impacts such as advancing equality of opportunity and fostering good relations. We use internal and external data to provide evidence for the EqlA and consult directly with equalities groups as required.

Staff follow Council practice and attach full EqlAs to the relevant Board report. This ensures elected members are fully aware of any equality issues when considering a report. They are also aware of any cumulative effects on any of the protected characteristics of recommendations contained within a number of Board reports. The Equality and Human Rights Commission were involved in the development of the Council procedure and have also had sight of the Council EqlA form, which is also used by Licensing staff, to quality assure it.

EqlA was included in the equalities workshop as part of the Council induction programme for elected members. They have also been provided with briefing notes and 'Using the Equality duties to support fair financial decisions' published by the Improvement Service and the Equality and Human Rights Commission in 2011.

Completed EqlAs are published on the Council's website unless the EqlA contains confidential information which could identify individuals. A redacted version of the EqlA may be provided upon request in those circumstances. Board EqlAs are published at <http://www.orkney.gov.uk/Council/C/oialb-eqlas.htm>.

Accessibility of documents and information

Board documents can be translated or made available in different formats or languages upon request in a similar manner to Council documents. Information to this effect is included in Board policies.

Most members of Orkney's local ethnic communities can speak English. However, to help those who cannot, the Council is contracted to a telephone interpretation service with Language Line, a company which can offer a 24/7 interpretation service in 150 languages and which only uses fully qualified interpreters.

There are induction loops in the Council chamber and there are portable induction loops which can be used in other parts of the Council building or at external premises. These devices provide hearing assistance to people who use hearing aids.

The majority of people with a sight problem can read written material without adaptation if it is clearly written. Information has been provided to staff on the Royal National Institute for the Blind Good Practice Guidelines on making information accessible for people with sight problems and staff are asked to follow them as a matter of good practice.

Consultation and Engagement

The Board carries out detailed consultations on its policies. Consultees in respect of each policy are identified within each document.

The Orkney Community Planning Partnership and Orkney Equality Forum are commonly consulted on the creation of or revision of Board policies.

The results of any consultation and engagement activities are included in our equality impact assessments.

Monitoring

Monitoring is a way of ensuring that our Strategy is being implemented and working. It will highlight whether any particular action has been effective and what other action is required. This is carried out by use of:-

- Equalities Monitoring Form

An Equalities Monitoring Form was developed with the assistance of the Council's Equalities Officer. The form is published at http://www.orkney.gov.uk/Service-Directory/L/Alcohol_Licensing.htm as part of documentation required by applicants.

Our Strategy indicates that information gathered will be collated and will be analysed and reported to us annually as part of the Annual Report.

- Audits of Complaints

Our Strategy indicates that annual audits of complaints will be undertaken in January each year and an Equalities Monitoring Form will be issued to those involved in the process. Information will be collated and will be analysed and reported to us annually as part of the Annual Report.

- Equalities Incident Monitoring Form

An Equalities Incident Monitoring Form is available for use by staff as necessary, including the Licensing Standards Officer, who is the initial contact with regard to complaints. Our Strategy indicates that complaints will be collated and reported to us annually as part of the Annual Report.

Outcome of Monitoring – First Annual Report

Complaints

No complaints have been received.

Updated Equality Monitoring Information

Licensed Premises Statistics

The following licences were in force in Orkney in August 2012 when our Strategy was prepared and, most recently, in January 2014:-

	Aug 2012	Jan 2014
Premises Licences (Liquor)		
On Sales	20	19
Off Sales	36	36
On and Off Sales	48	45
Registered Clubs	10	10
TOTAL	114	110
Personal Licences (Liquor)		
Granted to date	355	396
Premises Licences (Gaming)		
Betting	1	0
Bingo	0	0
Adult Gaming Centre	0	0
Family Entertainment Centre	0	0
Notice of Automatic Entitlement	9	11
Gaming Machine Permits	0	0
Club Gaming Permits	0	0
Club Gaming Machine Permits	3	4
Lotteries Registrations	137	120
TOTAL	150	135

Licence Holders

Many applicants who approach the Board are business entities which do not generate information in respect of many of the protected characteristics. Of 110 liquor premises licence holders, 69 are business entities and 41 are individuals. By their nature, club gaming machine permits and small society lottery registrations are applied for by business/non-individual entities.

Of those applicants who are individuals, none have submitted Equality Monitoring Forms. Accordingly, equality monitoring information in relation to those applicants is limited, but it has been possible to extract certain information relating to licence holders from our records in relation to individuals holding liquor premises or personal licences. The information available in August 2012 when our Strategy was prepared and, most recently, in January 2014 was:-

	Aug 2012	Jan 2014
Gender		
Male	38%	39%
Female	62%	61%
Age		
18-30	16%	16%
31-50	45%%	44%
Over 50	39%%	40%
Place Of Birth		
Scotland	69%	69%
England/Wales/Ireland	24%	25%
Europe	4%	3%
Other	3%	3%