

## Appendix 4

### Equality Outcomes and Mainstreaming Report 2017-2021

## Introduction – The Legal Requirement

Equality outcomes are strategic and are what the Local Authority and Licensing Board, often in partnership, will try to achieve to improve local people's lives. In "Equality Outcomes and the Public Sector Equality Duty: A Guide for Public Authorities in Scotland" 2016, the Equality and Human Rights Commission (EHRC) has provided a guide on preparing and publishing equality outcomes. It states that outcomes should be relevant and realistic.

A key legal requirement under the Equality Act 2010 is for local authorities to publicise and deliver equality outcomes. An equality outcome must further one or more of the aims of the public sector general equality duty:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010;
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not.

The public sector equality duty covers all of the protected characteristics, which are: **Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex, Sexual Orientation.**

The Licensing Board must publish a fresh set of equality outcomes within four years of publishing its previous set. In preparing a set of equality outcomes, the Licensing Board must take reasonable steps to involve people who share a relevant protected characteristic and anyone who appears to the Licensing Board to represent the interests on those people.

The Licensing Board must also consider relevant evidence relating to people who share a relevant protected characteristic. If a Licensing Boards set of outcomes does not further the needs of the general equality duty in relation to every relevant protected characteristic, it must publish the reasons for this.

## **The Aberdeen City Licensing Board**

Aberdeen City Licensing Board is a relevant public body under the 2010 Act. Therefore Aberdeen City Licensing Board is required to prepare and monitor the progress towards achieving Equality Outcomes in terms of Regulation 4 of the Equality Act 2010 (Specific Duties)(Scotland) Regulations 2012. The Board published their Equality outcomes in April 2017. In April 2015 the Board published a report, in accordance with its legal duties, on the progress towards achieving those outcomes.

In terms of the required reporting cycle the Board requires to publish a further report on its Equality outcomes in 2021.

In terms of the Licensing (Scotland) Act 2005, Section 5, there is to be a Licensing Board for the area of each Council under Section 46(1) of the Local Government (Scotland) 1994. The members of the Licensing Board are to be elected by the relevant Council from among their members. The Licensing Board although comprised of Councillors is a separate legal body from the Council. The Council must, at its first meeting after each ordinary election of the Council, hold an election of members to the Licensing Board for their area.

The Aberdeen City Licensing Board published their new Statement of Licensing Policy in November 2018 which will included a statement as to their duties under the Equality Act 2010 as well as their Equality Outcomes.

---

### Equality Outcomes 2017-2021 Progress Report

**Equality Outcome 1. Members of the Licensing Board and the staff of the Licensing Team to improve their understanding and awareness of equality issues in carrying out their statutory roles with Licence holders, trade organisations, partners and the communities of Aberdeen City.**

Output	Actions/Activities	Indicators	Sources	Updates	Responsible Officer	Further Comment
Members of the Licensing Board and the staff of the Licensing Team to improve their understanding and awareness of equality issues in carrying out their statutory roles with Licence holders, trade organisations, partners and the communities of Aberdeen City.	To achieve this, Members, LSO's and staff will participate in equality and diversity training.	It was considered that participating in this training will highlight the need for awareness and consideration of needs for protected characteristics	Governance – Legal Services	Most members and staff have now attended training, Virtual training will be delivered to new staff and Board Members.	Jennifer Lawson/Lynn May	This action is ongoing. A training session will be scheduled within the next quarter

**Equality Outcome 2. The Licensing Board will seek to promote equal opportunity of access for all to Licensed Premises in the City and promote good practice.**

Output	Actions/Activities	Indicators	Sources	Updates	Responsible Officer	Further Comment
The Licensing Board will seek to promote equal opportunity of access for all to Licensed Premises in the City and promote good practice.	To achieve this The Board will raise awareness of disabled access to Licensed premises and other awareness campaigns (e.g. work with Guide Dogs for the Blind, work with Building Standards to ensure and highlight the requirements for Disabled toilet provision in licensed premises, ensure the provision of baby changing facilities in licences premises which are accessible to all genders, Promote other equality campaigns led by the Council to the licensed trade through the Board Meetings, the Local Licensing Forum and the Licensing Board	The Board’s licence application forms now include a Disability Facilities Statement which must be completed by the applicant. This has to highlight provisions in place to meet the needs of people with protected characteristics	Governance – Governance (both legal and Committee)	The responsible officers shall ensure that the Corporate Accessible Guidelines and other equalities monitoring processes can be further implemented  Officers have discussed the matter with the Licensing Board to increase practical awareness of their equality outcomes and their significance in Board practice From April 2021 Mainstreaming of the Equality Duty is to be placed as an item on the agenda of each	Jennifer Lawson/ Lynn May	Action is ongoing, consideration is given to disabled access within all new licensed premises.  The Board’s license applications now include a Disability Facilities Statement which must be completed by the applicant. This has to highlight provisions in place to meet the needs of people with protected characteristics

	pages on the City Council Website.			Licensing Board meeting.		
--	------------------------------------	--	--	--------------------------	--	--

**Equality Outcome 3 All applicants and members of the public are able to access the Licensing Boards services easily and confidently and make sure the Board’s information is available to all.**

Output	Actions/Activities	Indicators	Sources	Updates	Responsible Officer	Further Comment
<b>All applicants and members of the public are able to access the Licensing Boards services easily and confidently and make sure the Board’s information is available to all.</b>	<p>To achieve this The Board will utilise social media, the press and the Council Website to advertise meetings and consultations.</p> <p>Recording and streaming Licensing Board Meetings on the website for greater access and participation.</p>	<p>The Board’s documentation better adheres to the Corporate Accessible Guidelines</p> <p>The Board’s documentation is all available in an electronic form which allows for magnification</p>	Governance – Legal Services	The responsible officers shall ensure that the all documentation is up to date and easily accessible	Jennifer Wilson/Lynn May	Officers will monitor current practice and seek to improve service accessibility in relation to the Board’s website, documents and correspondence. This action is ongoing.

**Equality Outcome 4. Greater participation and involvement of the public and licence holders with protected characteristics in meetings, consultations and other statutory processes of the Board.**

Output	Actions/Activities	Indicators	Sources	Updates	Responsible Officer	Further Comment
<p><b>Greater participation and involvement of the public and licence holders with protected characteristics in meetings, consultations and other statutory processes of the Board.</b></p>	<p>To achieve this The Board will utilise social media, the press and the Council Website to advertise meetings and consultations.</p> <p>Recording and streaming Licensing Board Meetings on the website for greater access and participation.</p>	<p>The Board’s documentation better adheres to the Corporate Accessible Guidelines.</p> <p>The Board’s documentation is all available in an electronic form which allows for magnification</p>	<p>Governance – Governance</p>	<p>The responsible officers shall ensure that the all documentation is up to date and easily accessible</p> <p>From April 2021 Mainstreaming of the Equality Duty is to be placed as an item on the agenda of each Licensing Board meeting.</p>	<p>Jennifer Wilson/Lynn May</p>	<p>Officers will monitor current practice and seek to improve service accessibility in relation to the Board’s documents, meetings and correspondence. This action is ongoing.</p>

## **Mainstreaming Equality by Aberdeen City Licensing Board**

The Licensing Board has taken steps to ensure the mainstreaming of the general equality duty as an integral part of the exercise of its functions. The Board's statutory Statement of Licensing Policy sets out the policies that assist in the exercise of its functions under the Licensing (Scotland) Act 2005. During the formulation of this document an Equalities and Human Rights Impact Assessment was carried out. The Board considered the EHRIA and the licensing policy document before its introduction in November 2018.

Prior to the Specific Scottish Equalities Duties coming into force the Board made the general equality duty part of its procedures by following best practice to use impact assessments in the exercise of its functions. In a report in June 2011 the Board also emphasised its commitment to ensure it had due regard to the general equality duty during the intervening period between the expiry of the earlier equality (disability, gender, and race) duties and the introduction of the specific duties.

The Board's current Statement of Licensing Policy was published in November 2018 and was considered by the Board with a full Equalities and Human Rights Impact Assessment before implementation. Equality impact assessment has been made integral to the development and consideration of the Board's policies and reports. The practical functions of the Board, for example accessibility of publications and meetings, will be monitored and promoted through actions linked to the equality outcomes.

1. Various actions have been taken to ensure that the Board makes the equality duty integral to the exercise of its functions so as to better perform that duty.



The Licensing Board's equality outcomes have assisted the Board Members in mainstreaming equality issues. For example, it is noted that the Board's communication now more fully adheres to (Aberdeen City Council) Corporate Accessible guidelines. This is to assist persons with difficult reading, and those with visual impairment. The Board's meetings have been moved to rooms which are accessible to wheelchair users and persons with restricted mobility as there is a lift located close to the entrance to the building, which itself has wheelchair accessibility outside. These rooms also have a hearing loop facility for persons with hearing impairment who use hearing aid devices. Hybrid Licensing Board meetings now means that the applicant does not have to physically attend the Board Meeting.

Officers have also agreed to place mainstreaming of the equality duty as an item on the agenda of Licensing Board meetings and have led and facilitated discussion of the Public Sector Equality Duty amongst the Board Members. They have explained its relevance to Licensing Board practice and how it should be made integral to all Licensing Board processes.

Similarly, at team meetings with the relevant officers who dealing with Licensing Board matters mainstreaming of the Public Sector Equality duty has also been explained and discussed, to ensure that all relevant officers are aware of the responsibility and are enacting mainstreaming in practice. Through the introduction of the Equalities and Human Rights Monitoring Questionnaires with all Licensing Board applications, and its availability online, the Board's officers have started to gather helpful equalities monitoring information, which assists them to make progress on mainstreaming the duty. They have noted however that the number of forms which have been returned have been limited and do not fully reflect the diversity of applicants to the Licensing Board. Officers will now require to further publicise and encourage the completion of these forms. Officers will then use the information from these

forms with the existing data from applications to understand better the profile of licence holders and applicants in relation to the protected characteristics. This should also help provide relevant data that can be used to positively mainstream the duty by making appropriate amendments to Board procedure, and improve accessibility to under-represented groups.

It is the intention to place mainstreaming equality duty agenda items on Licensing Board meetings, Licensing Board officers' team meetings, and on the annual meeting between the Board and the Local Licensing Forum. This is with the aim of maintaining and improving awareness of how to make the Public Sector Equality Duty integral to the Board's practice.

The Licensing Board's officers have all been made aware that if there are persons who cannot access Licensing Board services in the same manner as persons without a protected characteristic then they must seek to adapt practice, and facilitate such access.

The Licensing Board's Statement of Licensing Policy was reviewed and the new version was published on 30 November 2018. which includes a statement as to their duties under the Equality Act 2010 as well as their Equality Outcomes.

As noted above the Board's statutory Statement of Licensing Policy sets out the policies that assist in the exercise of its functions under the Licensing (Scotland) Act 2005. During the formulation of this document an Equalities and Human Rights Impact Assessment was carried out. The Board considered the EHRIA and the licensing policy document before its introduction in November 2013. Paragraphs 2.4 – 2.6 thereof refer. It was clear from preparation of the new Statement of Licensing Policy that

there was greater awareness of mainstreaming of the Public Sector Equality duty in the consciousness of officers dealing with the policy review.

The Licensing Board also maintains good practice by utilising Equality and Human Rights Impact Assessment forms (EHRIA) when considering reports

## **Proposed New Equality Outcomes 2021-2025**

The proposed outcomes for the protected characteristics set out below take account of key issues which are still ongoing and those which have arisen since the last report in 2017.

### **Outcome 1**

#### **Developing the Licensing process to ensure fair access for all, including the development of electronic applications and payments and the implementation of hybrid Licensing Board meetings**

- In addition to promote the Councils translation services in terms of our documentation, forms, policy documents and interpretation services for assisting customers with queries and representation at meetings if required.
- This will benefit all Protected Characteristics.
- Public Sector Equality Duty:- Eliminate unlawful discrimination; Advance equality of opportunity; Foster good relations.
- Applicable authority – Aberdeen City Council, Corporate Governance and Aberdeen City Licensing Board

### **Outcome 2**

**Licensing Board works in partnership with a range of stakeholders to ensure the most effective decisions are made to meet the aims of the Board and also works with license holders and other Council services to support positive behaviour on and around license premises**

- To seek the views of the public and a range of stakeholders all members of the public in the determination of applications and encourage to participation in consultations on policy matters raised by advertising on various platforms. This will enhance the Licensing Board's commitment to equality of persons with protected characteristics and the Public Sector Equality Duty.
- This will benefit all Protected Characteristics.
- Public Sector Equality Duty:- Eliminate unlawful discrimination; Advance equality of opportunity; Foster good relations.
- Applicable authority – Aberdeen City Council, Corporate Governance and Aberdeen City Licensing Board