

# EQUALITY IMPACT ASSESSMENT (EQIA): SCREENING FORM

Introduction to the EQIA screening process

A successful EQIA screening will look at 5 key areas:

**1. Identify the Policy, Project, Service Reform or Budget Option to be assessed**

A clear definition of what is being screened and its aims

**2. Gathering Evidence & Stakeholder Engagement**

Collect data to evidence the type of barriers people face to accessing services (research, consultations, complaints and/or consult with equality groups)

**3. Assessment & Differential Impacts**

Reaching an informed decision on whether or not there is a differential impact on equality groups, and at what level

**4. Outcomes, Action & Public Reporting**

Develop an action plan to make changes where a negative impact has been assessed. Ensure that both the assessment outcomes and the actions taken to address negative impacts are publically reported

**5. Monitoring, Evaluation & Review**

Stating how you will monitor and evaluate the **Policy, Project, Service Reform or Budget Option** to ensure that you are continuing to achieve the expected outcomes for all groups.

# 1. IDENTIFY THE POLICY, PROJECT, SERVICE REFORM OR BUDGET OPTION:

a) Name of the Policy, Project, Service Reform or Budget Option to be screened

Revised Fee Proposal – Public Entertainment Licence (Massage Facilities for up to 10 persons)

b) Reason for Change in Policy or Policy Development

The Licensing Section has recently carried out a review of the Public Entertainment Licence (under the Civic Government (Scotland) Act 1982) fee charged in relation to premises offering massage facilities.

c) List main outcome focus and supporting activities of the Policy, Project, Service Reform or Budget Option

To reflect a fee for premises offering massage facilities, for a capacity of up to 10 persons, commensurate with that charged for a Public Entertainment Licence for sunbeds (tanning salons), being £147 for a temporary licence and £353 for a three year licence, subject to any agreed increases in fees and charges.

d) Name of officer completing assessment (signed and date)

Gillian McNaught 30.7.24

e) Assessment Verified by (signed and date)

## 2. GATHERING EVIDENCE & STAKEHOLDER ENGAGEMENT

The best approach to find out if a policy, etc is likely to impact positively or negatively on equality groups is to look at existing research, previous consultation recommendations, studies or consult with representatives of those groups. You should list below any data, consultations (previous relevant or future planned), or any relevant research or analysis that supports the Policy, Project, Service Reform or Budget Option being undertaken.

Please name any research, data, consultation or studies referred to for this assessment:	Please state if this reference refers to one or more of the protected characteristics: <ul style="list-style-type: none"> <li>➤ age</li> <li>➤ disability,</li> <li>➤ race and/or ethnicity,</li> <li>➤ religion or belief (including lack of belief),</li> <li>➤ gender,</li> <li>➤ gender reassignment,</li> <li>➤ sexual orientation</li> <li>➤ marriage and civil partnership,</li> <li>➤ pregnancy and maternity,</li> </ul>	Do you intend to set up your own consultation? If so, please list the main issues that you wish to address if the consultation is planned; or if consultation has been completed, please note the outcome(s) of consultation.
<p>The Licensing Section recently carried out a review of the Public Entertainment Licence fee charged in relation to premises offering massage facilities. Currently the fee for this falls into the category “A commercial operation where the capacity of the venue is up to 5000 persons” and is £717 for a temporary licence and £2152 for a 3 year licence.</p>	<p>All new applicants for a Public Entertainment Licence - for premises offering massage facilities for up to 10 persons, and current licence holders (<i>first full grant</i>) seeking to renew the Public Entertainment Licence – for premises offering massage facilities for up to 10 persons.</p>	<p>No, as the revised fee has been suggested as a result of a fee review taking into account the requirements on a Licensing Authority under the Civic Government (Scotland) Act 1982 in relation to fees.</p>

The current fee for a temporary Public Entertainment Licence for sunbed (tanning salons) is currently £147 and a three year licence £353. There is quite a substantial difference between a Public Entertainment Licence fee for sunbed (tanning salons) and the fee for a premises offering massage facilities, where each premises tends to be of a similar size, in terms of the capacity of persons and a similar consultation process is carried out.

It is suggested from the review, that the fee for premises offering massage facilities, for a capacity of up to 10 persons, be commensurate with that charged for a Public Entertainment Licence for sunbeds (tanning salons), being £147 for a temporary licence and £353 for a three year licence, subject to any agreed increases in fees and charges.

### 3. ASSESSMENT & DIFFERENTIAL IMPACTS

Use the table below to provide some **narrative** where you think the **Policy, Project, Service Reform or Budget Option** has either a positive impact (contributes to promoting equality or improving relations within an equality group) or a negative impact (could disadvantage them) and note the reason for the change in policy or the reason for policy development, based on the evidence you have collated.

Protected Characteristic	Specific Characteristics	Positive Impact (it could benefit an equality group)	Negative Impact – (it could disadvantage an equality group)	Socio Economic / Human Rights Impacts
SEX/ GENDER	Women	<p>Potentially more Public Entertainment Licence applications being received to the Licensing Authority, for premises offering massage facilities for up to 10 persons as the fee has been reduced.</p> <p>More of these types of premises being licensed, and therefore regulated, leading to better standards of premises, given the reduction in the fee.</p>	<p>May result in a longer period of time for applicants to receive a decision on their applications from the Licensing Authority (still within the statutory timescale under the Civic Government (Scotland) Act 1982), if the Authority is dealing with more applications of this type to process.</p>	None at this stage, as the proposed fee would result in quite a substantial reduction from the current fee.
	Men	As detailed above.	As detailed above.	
	Transgender	As detailed above.	As detailed above.	
RACE*	White	As detailed above.	As detailed above.	
<i>Further information on the breakdown</i>	Mixed or Multiple Ethnic Groups	As detailed above.	As detailed above.	

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<b>Protected Characteristic</b>	<b>Specific Characteristics</b>	<b>Positive Impact (it could benefit an equality group)</b>	<b>Negative Impact – (it could disadvantage an equality group)</b>	<b>Socio Economic / Human Rights Impacts</b>
<i>below each of these headings, as per census, is available <a href="#">here</a>.  For example Asian includes Chinese, Pakistani and Indian etc</i>	Asian	As detailed above.	As detailed above.	
	African	As detailed above.	As detailed above.	
	Caribbean or Black	As detailed above.	As detailed above.	
	Other Ethnic Group	As detailed above.	As detailed above.	
<b>DISABILITY</b>	Physical disability	As detailed above.	As detailed above.	
<i>A definition of disability under the Equality Act 2010 is available <a href="#">here</a>.</i>	Sensory Impairment (sight, hearing, )	As detailed above.	As detailed above.	
	Mental Health	As detailed above.	As detailed above.	
	Learning Disability	As detailed above.	As detailed above.	
<b>LGBT</b>	Lesbians	As detailed above.	As detailed above.	
	Gay Men	As detailed above.	As detailed above.	
	Bisexual	As detailed above.	As detailed above.	
<b>AGE</b>	Older People (60 +)	As detailed above.	As detailed above.	
	Younger People (16-25)	As detailed above with the exception that this licence cannot be applied for until an individual is above 18 years of age.	As detailed above with the exception that this licence cannot be applied for until an individual is above 18 years of age.	

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<b>Protected Characteristic</b>	<b>Specific Characteristics</b>	<b>Positive Impact (it could benefit an equality group)</b>	<b>Negative Impact – (it could disadvantage an equality group)</b>	<b>Socio Economic / Human Rights Impacts</b>
	Children (0-16)	N/A	N/A	
<b>MARRIAGE &amp; CIVIL PARTNERSHIP</b>	Women	As detailed above.	As detailed above.	
	Men	As detailed above.	As detailed above.	
	Lesbians	As detailed above.	As detailed above.	
	Gay Men	As detailed above.	As detailed above.	
<b>PREGNANCY &amp; MATERNITY</b>	Women	As detailed above.	As detailed above.	
<b>RELIGION &amp; BELIEF**</b> A list of religions used in the census is available <a href="#">here</a> .	See note	As detailed above.	As detailed above.	

\* For reasons of brevity race is not an exhaustive list, and therefore please feel free to augment the list above where appropriate; to reflect the complexity of other racial identities.

\*\* There are too many faith groups to provide a list, therefore, please input the faith group e.g. Muslims, Buddhists, Jews, Christians, Hindus, etc. Consider the different faith groups individually when considering positive or negative impacts. A list of religions used in the census is available [here](#).

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### Summary of Protected Characteristics Most Impacted

All protected characteristics.

### Summary of Socio Economic Impacts

None at this stage.

### Summary of Human Rights Impacts

None at this stage.

## 4. OUTCOMES, ACTION & PUBLIC REPORTING

<b>Screening Outcome</b>	<b>Yes /No Or / Not At This Stage</b>
<b>Was a significant level of negative impact arising from the project, policy or strategy identified?</b>	Not at this stage.
<b>Does the project, policy or strategy require to be amended to have a positive impact?</b>	None at this stage.
<b>Does a Full Impact Assessment need to be undertaken?</b>	None at this stage.

<b>Actions: Next Steps</b> (i.e. is there a strategic group that can monitor any future actions)		
<b>Further Action Required/ Action To Be Undertaken</b>	<b>Lead Officer and/or Lead Strategic Group</b>	<b>Timescale for Resolution of Negative Impact (s) / Delivery of Positive Impact (s)</b>
<p>The Licensing Section will monitor to see if there is an increase in licence applications of this type, if the proposed fee is approved by the Licensing and Regulatory Committee.</p> <p>The Licensing Section will also monitor to see, if there is an increase in applications of this type, if the applicant is having to wait longer to hear of the Licensing Authority's decision on the application.</p>	<p>Gillian McNaught</p>	<p>12 months from the date of approval by Committee.</p>

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### Public Reporting

All completed EQIA Screenings are required to be publically available on the [Council EQIA Webpage](#) once they have been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. (See [EQIA Guidance](#): Pgs. 11-12)

## 5. MONITORING OUTCOMES, EVALUATION & REVIEW

The Equalities Impact Assessment (EQIA) screening is not an end in itself but the start of a continuous monitoring and review process. The relevant Strategic, Policy, or Operational Group responsible for the delivery of the Policy, Project, Service Reform or Budget Option, is also responsible for monitoring and reviewing the EQIA Screening and any actions that may have been take to mitigate impacts.

Individual services are responsible for conducting the impact assessment for their area, staff from **Corporate Strategic Policy and Planning** will be available to provide support and guidance.

## Legislation

### **Equality Act (2010) - the Equality Act 2010 (Specific Duties) Scotland Regulations 2012**

The 2010 Act consolidated previous equalities legislation to protect people from discrimination on grounds of:

- race
- sex
- being a transsexual person (transsexuality is where someone has changed, is changing or has proposed changing their sex – called ‘gender reassignment’ in law)
- sexual orientation (whether being lesbian, gay, bisexual or heterosexual)
- disability (or because of something connected with their disability)
- religion or belief
- having just had a baby or being pregnant
- being married or in a civil partnership, and
- age.

Further information: [Equality Act Guidance](#)

As noted the Equality Act 2010 simplifies the current laws and puts them all together in one piece of legislation. In addition the **Specific Duties (Scotland Regulations 2012)** require local authorities to do the following to enable better performance of the general equality duty:

- report progress on mainstreaming the general equality duty
- publish equality outcomes and report progress in meeting those
- impact assess new or revised policies and practices as well as making arrangements to review existing policies and practices
- gather, use and publish employee information
- publish gender pay gap information and an equal pay statement
- consider adding equality award criteria and contract conditions in public procurement exercises.

Further information: [Understanding Scottish Specific Public Sector Equality Duties](#)

### **Fairer Scotland Duty**

Authorities should also consider Socio-Economic Impacts where appropriate. Further information: [Fairer Scotland Duty Interim Guidance](#)

### **Enforcement**

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.