

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

Review of Backflash in Private Hire Car Policy

b) Reason for Change in Policy or Policy Development

The licensing authority regulates the licensing of taxi and private hire cars under the Civic Government (Scotland) Act 1982 ("the **Act**"). As part of this process the licensing authority can impose conditions and determine policy on taxi and private hire car licences for drivers.

The Licensing and Regulatory Committee has a historic policy that an "innervision" or "contravision" style sign or product of the same or similar type be positioned at the bottom or top of the rear windscreen identifying the booking office to which the licensed private hire car belongs i.e name and telephone number. This can be known as the "back flash."

The Licensing Section was aware from the Council's Taxi and Private Hire Enforcement Officers that they have received several complaints regarding private hire car back flashes. These complaints have raised concerns that the back flash makes rear visibility poor for drivers, some back flashes are of poor quality and some back flashes no longer remain affixed to private hire car rear windscreens.

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

The main outcome focus is to ensure the Committee, as Licensing Authority under the 1982 Act, complies with the 1982 Act while taking into account any views expressed relating to the review of the current Policy.

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

Gillian McNaught 31.7.23

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.

<p>Please name any research, data, consultation or studies referred to for this assessment:</p>	<p>Please state if this reference refers to one or more of the protected characteristics:</p> <ul style="list-style-type: none"> ➤ age ➤ disability, ➤ race and/or ethnicity, ➤ religion or belief (including lack of belief), ➤ gender, ➤ gender reassignment, ➤ sexual orientation ➤ marriage and civil partnership, ➤ pregnancy and maternity, 	<p>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>
<ul style="list-style-type: none"> • Following consideration of a report at its meeting on 1 March 2023, the Committee instructed the Director of Legal and Administration to carry out a review of the back flash policy for private hire cars, by way of a consultation, and to report back to it accordingly with the findings of the review. • A public consultation was published seeking views on several matters related to the back flash, including whether the positioning of the back flash on private hire cars remains 	<ul style="list-style-type: none"> • Yes, it refers to all of the above. 	<p>In response to the consultation questions asked the responses can be summarised below:</p> <ol style="list-style-type: none"> 1. Are you completing the consultation as a member of the public, licensed taxi driver in Glasgow, licensed private hire car driver in Glasgow, licensed taxi operator in Glasgow, licensed private hire car operator in Glasgow or other? The majority of respondents were from private hire car drivers.

<p>appropriate. The consultation was available on the Council’s online consultation hub from 12 April 2023 to 19 May 2023 (both dates inclusive). In addition, the online link to the consultation was emailed to the taxi and private hire trade group on 13 April 2023.</p> <ul style="list-style-type: none"> • The consultation sought views on the following matters: <ol style="list-style-type: none"> 1. Are you completing the consultation as a member of the public, licensed taxi driver in Glasgow, licensed private hire car driver in Glasgow, licensed taxi operator in Glasgow, licensed private hire car operator in Glasgow or other? 2. To what extent do you agree or disagree that the current policy in relation to the positioning of the back flash remains appropriate? 3. To what extent to you agree or disagree that the “innervision” or “contravision” part of the policy remains appropriate? 4. To what extent to you agree or disagree that it remains appropriate for booking office details to be displayed on private hire cars? 5. To what extent do you agree or disagree that there is a better place for booking office details to be displayed on a private hire car? 6. Have you experienced any difficulty with the current back flash policy? 		<ol style="list-style-type: none"> 2. To what extent do you agree or disagree that the current policy in relation to the positioning of the back flash remains appropriate? Of the respondents who answered this question, 89% disagreed with the current policy regarding the positioning of the back flash. 3. To what extent to you agree or disagree that the “innervision” or “contravision” part of the policy remains appropriate? Of the respondents who answered this question, 87% disagreed that these remained appropriate. 4. To what extent to you agree or disagree that it remains appropriate for booking office details to be displayed on private hire cars? 88% of respondents who answered this question disagreed that it remains appropriate. 5. To what extent do you agree or disagree that there is a better place for booking office details to be displayed on a private hire car? Of the respondents who answered this question, 82% disagreed with this. 6. Have you experienced any difficulty with the current back flash policy? 86% confirmed they had experienced difficulties with the current back flash policy. Of these respondents, the main details provided for experiencing difficulties were detailed as follows: <ul style="list-style-type: none"> • Difficulty to continually change the backflash when licensed driver is working for more than one booking office at a time on a shift; • Back view is obstructing rear view for driver making it unsafe for driving;
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<p>7. Please provide any other comments you wish the Licensing and Regulatory Committee to take into account when reviewing the “back flash” on private hire cars.</p>		<ul style="list-style-type: none">• Working for more than one operator is hindered by policy/removes flexibility for driver; and• Back flashes get damaged too quickly. <p>7. Please provide any other comments you wish the Licensing and Regulatory Committee to take into account when reviewing the “back flash” on private hire cars. There were 146 comments provided. Of these 146 comments, the majority, 62%, provided the following comments:</p> <ul style="list-style-type: none">• All private hire passengers have the driver details – the car model, car colour, the plate number and name of the driver in their phone, all the private hire companies are providing these details to their customers at the time of taking the booking;• Backflashes are obstructing the back view, affecting the safety of the licensed driver and separately passenger;• Licensed driver is constricting to work for only 1 company, being self employed, any self employed worker in the country can work for how many companies they want without any restrictions;• Private hire companies are advertising company on car without payment to driver; and• With the new change for the position of the plates, removal of the back flash will make cars more professional looking, the private hire activity in Glasgow will look more like 21 century industry, not outdated and old.
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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>If the backflash is removed (majority of respondents wished this) it could result in:</p> <p>Less difficulty for drivers who work for multiple booking offices (continually changing booking office backflash); and Clearer view for drivers out of rear windscreen therefore potentially being safer for drivers and passengers.</p>	<p>If the backflash is removed (majority of respondents wished this) it could result in:</p> <p>More complaints for Council’s Enforcement centre; and Less awareness from public of booking offices within Glasgow.</p>	<p>Could result in more employment opportunities for drivers. It could enable more drivers to work for multiple booking offices as they would not be required to display backflash on private hire car.</p>
	Men	<p>As above, it could be said that in general the majority of current private hire car driver licence holders are male so it could have a more positive impact as detailed above for males in the city.</p>	<p>As above.</p>	
	Transgender	<p>As above</p>	<p>As above</p>	
RACE*	White	<p>As above</p>	<p>As above</p>	

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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
<i>Further information on the breakdown below each of these headings, as per census, is available here. For example Asian includes Chinese, Pakistani and Indian etc</i>	Mixed or Multiple Ethnic Groups	As above	As above	
	Asian	As above	As above	
	African	As above	As above	
	Caribbean or Black	As above	As above	
	Other Ethnic Group	As above	As above	
DISABILITY	Physical disability	As above	As above	
<i>A definition of disability under the Equality Act 2010 is available here.</i>	Sensory Impairment (sight, hearing,)	As above	As above	
	Mental Health	As above	As above	
	Learning Disability	As above	As above	
LGBT	Lesbians	As above	As above	
	Gay Men	As above	As above	
	Bisexual	As above	As above	
AGE	Older People (60 +)	As above	As above	
	Younger People (16-25)	As above	As above	
	Children (0-16)	Applicants/licence holders have to be above this age to apply for a licence. The	As above.	

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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
		impact may however be a family member who the child is dependent upon – removing the backflash may provide the family with more income as could work more easily for multiple booking offices.		
MARRIAGE & CIVIL PARTNERSHIP	Women	As above	As above	
	Men	As above	As above	
	Lesbians	As above	As above	
	Gay Men	As above	As above	
PREGNANCY & MATERNITY	Women	As above	As above	
RELIGION & BELIEF** A list of religions used in the census is available here .	See note	As above	As 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](#).

Summary of Protected Characteristics Most Impacted

All protected characteristics would be impacted on the policy.

Summary of Socio Economic Impacts

Could result in more employment opportunities available for drivers.

Summary of Human Rights Impacts

The Committee would ensure that all responses provided as part of the consultation on the current “backlash” policy, are considered when reviewing it.

4. OUTCOMES, ACTION & PUBLIC REPORTING

Screening Outcome	Yes /No Or / Not At This Stage
Was a significant level of negative impact arising from the project, policy or strategy identified?	Not at this stage.
Does the project, policy or strategy require to be amended to have a positive impact?	Not at this stage.
Does a Full Impact Assessment need to be undertaken?	Not at this stage.

Actions: Next Steps

(i.e. is there a strategic group that can monitor any future actions)

Further Action Required/ Action To Be Undertaken	Lead Officer and/or Lead Strategic Group	Timescale for Resolution of Negative Impact (s) / Delivery of Positive Impact (s)
The Licensing Department, will review the decision made by Committee in relation to the impact it may have on enforcement- a potential increase in the number of complaints received.	Licensing Legal Manager	1 Year from Committee decision.

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.