

# West Dunbartonshire Licensing Board

## Equalities Mainstreaming Report and Equality Outcomes

**2013-2017**

This document is also available in other languages, large print and audio format on request.

### Arabic

هذه الوثيقة متاحة أيضا بلغات أخرى والأحرف الطباعية الكبيرة وبطريقة سمعية عند الطلب.

### Hindi

अनुरोध पर यह दस्तावेज़ अन्य भाषाओं में, बड़े अक्षरों की छपाई और सुनने वाले माध्यम पर भी उपलब्ध है

### Punjabi

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਆਡੀਓ ਟੇਪ 'ਤੇ ਰਿਕਾਰਡ ਹੋਇਆ ਵੀ ਮੰਗ ਕੇ ਲਿਆ ਜਾ ਸਕਦਾ ਹੈ।

### Urdu

درخواست پر یہ دستاویز دیگر زبانوں میں، بڑے حروف کی چھپائی اور سننے والے ذرائع پر بھی میسر ہے۔

### Chinese (Cantonese)

本文件也可應要求，製作成其他語文或特大字體版本，也可製作成錄音帶。

### Polish

Dokument ten jest na życzenie udostępniany także w innych wersjach językowych, w dużym druku lub w formacie audio.

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## Introduction

On many levels Scotland is a fairer, more open and more inclusive country than it was at the turn of the millennium; however there remain significant and unacceptable inequalities in many areas of life.

We know that there is broad support locally for advancing equality and fairness; West Dunbartonshire Council's recent survey results show that 78% of Citizen's Panel respondents and 90% of staff who responded agreed that West Dunbartonshire should do everything it can to eliminate all forms of discrimination.

This is the first **Mainstreaming Report** and it offers the Licensing Board an opportunity to present an overview of its work on equality, which is focused on reducing inequalities, how the Board complies with the law, and to demonstrate accountability and transparency to our licence holders, the general public and other stakeholders.

Although the Licensing Board has a separate legal status from West Dunbartonshire Council it is resourced entirely by the Council. The close connections between Board and Council allows the board to benefit directly from actions already taken or proposed by the Council's Equality Mainstreaming Report. This is reflected in the following pages.

The Board's overall commitment to equality in is contained in the **West Dunbartonshire Licensing Board Equality Statement 2013-2017 on the following page;**

## **West Dunbartonshire Licensing Board Equalities Statement 2013-2017**

The Board is committed to the fulfilling the three key elements of the general equality duty as defined in the Equality Act 2010:-

- Eliminating discrimination, harassment and victimisation
- Advancing equality of opportunity between people who share a protected characteristic and those who do not
- Fostering good relations between people who share a protected characteristic and those who do not

The protected characteristics are –

- age
- disability
- gender reassignment,
- pregnancy and maternity
- race, this includes ethnicity, colour and national origin
- religion or belief
- sex
- sexual orientation
- marriage/civil partnership (for which only the first duty is applies)

Everyone has 'protected characteristics', but it is the treatment individuals and groups receive, the level of autonomy they have, and the positive or negative outcomes for them, that are our focus. Therefore the Board will:

- Remove or minimise disadvantages experienced by people due to their protected characteristics
- Encourage the needs of people from protected groups where these are different from the needs of other people

As well as being legal requirements, these steps contribute to fairer, more efficient and more effective services. Therefore the Board will:-

- take effective action on equality
- make the right decisions, first time around
- develop better policies and practices, based on evidence
- be transparent, accessible and accountable
- deliver improved outcomes for all.

The Board recognises the links between Equality, Human Rights and fairness; and seeks to help improve the quality of life for everyone in West Dunbartonshire by the way licences are granted, monitored and work with Community partners.

## **Mainstreaming Equality and Why It Is Important**

**Mainstreaming equality** simply means integrating equality into the day-to-day working of the Licensing Board and the officers that support it. This means taking equality into account in the way the Board and its officers goes about its business when considering alcohol and gambling licences and how they regulate them. In other words, equality should be a component of everything the Board does, to ensure fairness for all.

Mainstreaming equality has a number of benefits including:

- Equality becomes part of the structures, behaviours and culture of the Board, to the benefit of licence holders and the general public.
- The Board knows and can demonstrate how, in carrying out its business, it is promoting equality
- Mainstreaming equality contributes to continuous improvement, better performance and fairness.

In line with the law and the Board's values we will make sure that a transparent approach is adopted. The Board is committed to integrating equality into its business, using tools such as equality impact assessment, and by ensuring that equality features explicitly and proportionately in Board meetings or other decision-making, and reports and other policy development and review mechanisms.

The **Equality Outcomes** published in the report are aimed at producing improvements in the way the Board carries out its duties and the influence the Board has on Licence holders and their impact on people's lives in West Dunbartonshire.

## The Legal Context

### The Equality Act 2010 and the General Equality Duty

The Act brings together the areas of race, disability and sex, sexual orientation, religion and belief, age and gender reassignment in one legislative entity.

At the same time the Act clarifies the approach that should be taken on issues around ensuring fair treatment with regards to marriage/civil partnership and pregnancy and maternity. By the law we are required to;-

- **Eliminate discrimination, harassment and victimisation**
- **Advance equality of opportunity between people who share a protected characteristic and those who do not**
- **Foster good relations between people who share a protected characteristic and those who do not, by tackling prejudice and promoting understanding**

(Only the first duty applies in the case of marriage/civil partnership.)

These are the three key 'arms' of the general duty.

### The Specific Equality Duties

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force on May 27<sup>th</sup> 2012. These specific duties are designed to help listed public sector organisations including Councils, Licensing Boards, the Police, Fire and Rescue, and Health Boards meet the general duty by stipulating specific things that must be done.

Taken together the Equality Act 2010 and the Specific duties are a sea change in the approach demanded of public authorities to a much more proactive and outcome focused one. **The key legal points are that the Board must;-**

- **report on mainstreaming the equality duty**
- **publish equality outcomes and report progress**
- **assess and review policies and practices**

The Board endeavours to follow recognised best practice and it has already been doing many of the things required by the specific duties. This report will explain how we will meet these requirements. To help us do this we first set the Equality Outcomes identified for 2013-2017.

## **Building on Previous Work**

The direction and content of the work planned to mainstream equalities and achieve the Equality Outcomes takes account of the actions and priorities identified for the West Dunbartonshire Licensing Equality Scheme 2011-2013.

Progress has been made on the work identified in this document; for instance the Board has nominated the chair as its equality spokesperson. The use of Equality Impact Assessment has improved and the Council's complaints procedure is now linked to the Board's website. Some elements require further work such as further expanding and deepening equalities monitoring of licence holders and complainers.

# Supporting and Mainstreaming Equalities

The Council supports an effective approach to equalities in a number of ways.

## Raising and Maintaining Awareness

### Awareness within the Board and its Officers

It is important that Board members and officers are aware of the general equality duty so that it is considered in their work where relevant. We therefore make sure that we supply appropriate information to:-

- **Councillors** – on how they set strategic direction, review performance and ensure good governance of the Licensing Board.
- **Senior managers** – on how they oversee the design, delivery, quality and effectiveness of the Licensing Team's functions.
- **Policy makers** – on how they build equality considerations into all stages of the policy making process including review and evaluation.
- **Frontline licensing staff** – on how they meet the needs of people from equality groups.

The Council used a staff survey in December of 2012 to gauge staff awareness of equality issues; the results of this survey and follow up focus groups to inform the Council's Equality Objectives and other mainstreaming work.

The Council used a combination of methods to build and maintain awareness:

- Sharing of information and joint working at the Councils Equality and Diversity Working Group made up of elected members and Officers from each Council Department
- Briefings for Elected Members
- Briefings for the Corporate Management Team
- Items in the Council wide Core Brief
- Response to information requests from Elected Members and Officers
- News items and surveys run from the Council Intranet site
- A twice yearly staff briefing on equalities
- Ad Hoc emails to key contacts within the Council as required, for example when a key legal decision around equalities has been made.
- Items and updates on the Council's staff website as required

We are aware that 80% of Council staff lives in the West Dunbartonshire area and staff can also provide a focus on residents of the area.



## **Community Awareness**

The Council also uses a number of different channels to maintain awareness of equality issues within the community

- A yearly Equality Bulletin.
- Annual Flag raisings during LBGT History Month.
- Support for Black History Month events.
- Ad Hoc emails to key equality contacts and groups in the Council area as required, for example when a key legal decision around equalities has been made.
- Items and Updates on the Council's Public Website as required.
- The Licensing Board supports Licence Holder Awareness Seminars which have an increasing input on equality matters.

## **Council Communications**

The Council will continue to use its publicity material to promote positive, non-stereotypical images of equality groups, for example in the staff newspaper 'Talk'.

The Licensing Board will highlight equality issues as and when required through its Licensing Policy and supplementary statements.

## **Policy, Procedure and Guidance**

### **Specific Equalities Guidance**

The Council has designed and keeps up to date specific Equalities guidance on:-

#### **Equality Impact Assessment**

Specific guidance on Equality Impact Assessment is used where appropriate when the Board formulates new Policy. These policies will be screened for relevance to the three arms of the general equality duty through the use of impact assessment. Existing policies will be screened when they are reviewed or if a change in the law or case law suggests this.

The Council also provided information sessions to staff to ensure that policies and procedures are understood.

The Councils makes sure that relevant developments in law are alerted to relevant departments.

#### **Accessibility of documents and information**

All Licensing Board documents can be translated on request or made available in different formats such as Braille and Audio. This service is available by contacting the Council's Corporate Communications team on [Communications@west-dunbarton.gov.uk](mailto:Communications@west-dunbarton.gov.uk) or Telephoning 01389 737527.

During 2013 the Board will be reviewing the accessibility of the information it provides through all channels, including the website, using our links with local groups such as West Dunbartonshire Licensing Forum etc.

### **Assessing Impact**

When planning any work or activity it is vital to consider what impact is intended, who will be impacted, and if there are any unintended consequences; this is as true of Licensing Board activities as Council services. We use an equality impact screening process to ensure that any policies, practices and procedures or funding decisions that could affect people from protected groups in significantly different ways undergo an Equalities Impact Assessment before final decisions are taken.

Over one hundred Council Officers from across all departments have been trained in carrying out assessments. Specific training for elected members has also been delivered. This training will be replicated within the Licensing Board and the Licensing Team.

The Council further support robust equality impact assessments by providing advice from the Equalities Officer when required. The Board will use both internal and external data sources to provide evidence for assessments and will consult directly with equalities groups as required.

All Licensing Board reports must contain a section on equality impacts to let decision makers know if there is a potential significant affect, and all reports are scrutinised by the Board's Clerk.

The Council are in the process of aligning service monitoring, which will include The Licensing Team and its' work, to make assessments as evidence based as possible.

## **Partnership Working**

Community Planning is at the forefront of public service reform and all partners will have to work more closely together to achieve sustainable improvement for local communities. The Licensing Board and Team will have a role to play in this where relevant.

The Council is a member of the West Dunbartonshire Hate Crime Action Group, which chaired by the Scottish Police Service and attended by relevant Council Services such the Anti Social Behaviour Team and Corporate and Community Planning and Policy. Procurator Fiscal and Equality Groups also attend the group which is seeking to adopt a more strategic approach and increase membership. The Licensing Board will liaise and support this work when appropriate.

## **Consultation and Involvement**

The Council has a well developed range of consultation approaches grounded in partnership working and good practice reflecting the National Standards for Community Engagement including:

West Dunbartonshire Licensing Forum is the main medium through which the Board can engage with representatives of all parts of the community and ensure views are taken into account in the development of Board policies and guidelines. The Forum membership includes licence holders of all types, the Chief Constables representative, representatives from health, education or social work, a representative of young people, representatives of residents and a Licensing Standards Officer.

- West Dunbartonshire Citizens' Panel is run on a community planning partnership model. This approach maximises resources and helps coordinate partner consultation, contributing to delivering Best Value in consultation and engagement.

The Citizens Panel has over 1400 members and is regularly asked about its concerns on a large range of issues. Uniquely, the Panel in West Dunbartonshire has been asked about its composition in terms of representing most of the protected characteristics. Membership of the group is also weighted to be as representative of the local population as possible.

This allows data analysis which can provide useful perspectives on equalities considerations. The Licensing Board will make use of this knowledge and experience to ascertain which protected characteristics are being impacted by licensing matters.

- Consultation Training: West Dunbartonshire Council has been working along with the Consultation Institute (a national body of expertise in consultation practices) to deliver a programme of training for employees, including those from Council and community planning partner organisations, leading to the Institute's Certificate of Professional Development. It is proposed that Licensing Officers will receive this training.
- Supporting Capacity: Local equality groups which provide important points of contact are: ISARO social Integration Network, Ethnic Women's Group, Ethnic Minority Association, Lesbian, Gay, Bisexual and Transgender Officer's Group, Clydebank LGBT group, West Dunbartonshire Access for All and the West Dunbartonshire Mental Health Forum, Muslim Education Association.

### **Future work**

During 2012 The Council had an initial meeting to strengthen links between equality groups and community planning engagement processes and to build understanding and inclusiveness. This work will be followed up during 2013.

The Council are examining the idea of an overall West Dunbartonshire Equality Forum to help bring groups together and helping to foster good relations, such a group would be supported by community planning partners. This group could be valuable in supporting Equality Outcomes work and contributing to policy review and formation.

Linked to forming a West Dunbartonshire Equality Forum would be the set up of a Community Interest Bank; combined information from the forum members and their extended networks would be logged centrally to form a mainstreamed and dynamic information, opinion and ideas bank, that all involved could use.

Since there is rightly great emphasis on evidence based policy, such a resource would be very valuable in measuring the impact of equalities work and equality impact assessments generally and it is likely that the licensing Board will be able to make use of this asset.

## **Service Monitoring**

To help ensure that the Council and Licensing Board are delivering our services fairly the Council are currently working to rationalise the approach to asking for storing and using services monitoring data.

A new set of monitoring questions is being piloted through the Community Learning Development Service from November 2012 to March 2013; these are based on questions we have been using successfully for the last year with staff attending training within the Council and have used feedback from equality groups locally.

From April 2013 it is the Council's intention to roll out monitoring based on this work to other departments including the Licensing Team; this will replace the current monitoring form and mean for the first time a consistent approach is adopted. Current work in the Council is also aimed at giving service users different ways of supplying the Council with information e.g. online.

The Board hopes to build a robust baseline on Licence Holders that will help the Board assess its decisions and the services provided by the licensing Team.

## **The Licensing Board's Equality Outcomes 2013-2017**

Outcomes are the changes that result for individuals, communities, organisations as a consequence of the action that is taken. Outcomes can include short-term benefits such as changes in awareness, knowledge, skills and attitudes, and longer-term benefits such as changes in behaviours, decision-making, or social and environmental conditions.

By focusing on outcomes rather than objectives the specific equality duty aims to bring practical improvements in the life chances of those who experience discrimination and disadvantage.

### **How we have considered equalities**

We have used the Equality Measurements Framework developed by the Equality and Human Right Commission to inform our approach to mainstreaming equalities and forming equality outcomes. The Framework identifies three key themes;-

#### **Equality of outcome**

Are outcomes fair and appropriate to needs?

#### **Equality of processes**

Are processes free of discrimination and do they ensure dignity and respect?

#### **Autonomy**

What level of empowerment, choice and control do people have?

## **Evidence and consultation available in forming Equality Outcomes**

The law requires the Board to identify equality outcome with reference to relevant evidence whether local or national, qualitative or quantitative.

The Council's Mainstreaming Report takes account of the following;-

**Census data 2001 and 2011 (as available at December 2012)**

**West Dunbartonshire Disability Profile 2009**

**West Dunbartonshire Social and Economic Profile 2011**

**West Dunbartonshire Community Plan 2007-2017**

**West Dunbartonshire Single Outcome Agreement 2011-2014**

**West Dunbartonshire Council Strategic Plan 2012-2017**

**Draft West Dunbartonshire LGBT Equalities Network  
Action Plan 2012-14**

**Stronger, Safer supported: Increasing LGBT Tolerance, Awareness and  
Service Provision in West Dunbartonshire, Equality Network Research 2011**

**Data from the Scottish Governments Equality Evidence website**

**Shared information with Community Planning Partners 2012**

**National data examined in concert with the Scottish Councils' Equality  
Network in August 2012**

**Analysis of past Equality Impact Assessments carried by West  
Dunbartonshire Council**

**Service monitoring data**

## **Analysing the Data**

The evidence and results of consultation and involvement looked at five key considerations;

- Scale – how many people are affected by the issue and how does the issue impact on their life chances?
- Severity – does the issue present a risk to equality of opportunity for particular protected groups? Is it a significant barrier to opportunity or freedom?
- Concern – do equality groups and communities see it as a significant issue?
- Impact – is the problem persistent or getting worse? What is the potential for improving life chances? Is the problem sensitive to public intervention?
- Remit – are you able to address the issue given your remit?<sup>1</sup>

## **Results of consultation and involvement**

The Council have also consulted and involved people from protected groups, again as required by law. Three key target groups for consultation were identified and a variety of methods of engaging were employed:

### **Citizens Panel members**

Online Survey, followed up by 2 focus Groups

### **West Dunbartonshire Council staff**

Online Survey followed up by a focus groups with staff and one to one meetings to ensure a flexible range of opportunities for engagement.

## **Key challenges emerging from evidence, consultation and involvement and possible solutions**

### **Negative attitudes**

We need to acknowledge that negative attitudes, discrimination and harassment, are still an issue; 11% of staff, and 22% of Citizens Panel members who responded to our recent survey said there was still good reason to be prejudiced against some groups.

There was strong support from communities and staff for work in schools and community awareness campaigns to challenge negative attitudes.

There was strong support from staff for increasing amount of training on Equalities for staff, and providing more information about promoting equality and diversity

### **Discrimination, harassment and disadvantage**

West Dunbartonshire Council had the eighth highest rate of recorded racist incidents of local authority areas in Scotland during 2011/2012. It is generally thought that most hate crime and identity based harassment (probably around two thirds) goes unreported.

Locally over a third of Panel members (35%) know someone who has experienced discrimination, disadvantage or harassment, while 8% have experienced this.

Work in schools and training for staff where seen as being beneficial.



### **Equality Groups in the West Dunbartonshire Area**

Individual meetings with Equality Groups - including Access for All, Sensory Impairment Group and Clydebank Lesbian Gay Bisexual Transgender Group and a joint meeting at the Council's service focused Equalities Liaison Group. An online survey with 12 groups was also carried out.

## The Equality Outcomes 2013-2017

The law says that the Board must produce at least one equality outcome for each relevant protected group. In line with this the Board have identified the following Equality Outcomes. This does not mean that this is all the Board and its officers will be doing to support equality and fairness throughout the area but shows the areas that the Board would like to see improvement upon as a priority in the next four years. An update on progress will be provided in 2015, and the outcomes will be reviewed in 2017.

### **1. Increase Equality monitoring**

Protected Characteristic; All

Key Partners: Licensing Forum, local Pubwatch groups, licensed trade via seminars

### **2. Increase use of Equality Impact Assessments**

Protected characteristics: All

Key Partners: Licensing Forum

### **3. Equality training for staff and Licence holders**

Protected characteristics: All

Key external partners; Licensing Forum, local Pubwatch groups, licensed trade via seminars

## **How the Board will achieve these outcomes**

The Board recognise that joint work will be required.

The Board have already begun the process of identifying activities that will help us achieve these goals. The Board will be supported by processes initiated such as expanding equalities monitoring of service delivery and involvement that will let us set stronger baseline information and measure progress.

More detailed 2011 census results (May 2013), which will give more up to date information on the ethnic make up of the West Dunbartonshire Council area, and the number of disabled people. This and other information such as the age and sex structure will be used to further refine activities.

## **Measuring Progress**

We will publish a review of progress of our Equality Outcomes and mainstreaming equality in April 2015; this will be evidence based.

At the moment there are data gaps but we expect to have significantly closed these by 2015.

## **Risk**

The Licensing Board recognises that a thorough approach to Equality Impact Assessment is a key component in mitigating risk.

## **Performance Management,**

The Board will put in place Key Performance Indicators that help measure our progress on equalities. These include Equality Impact Assessment and Equalities training.

Key Performance Indicators:-

- Number of staff attending accessing equality and diversity training
- Number of Equality Impact Assessments carried out and published
- Number of Monitoring Forms issued