

**West Dunbartonshire Licensing  
Board**

**Equalities Mainstreaming Report  
2017  
and Equality Outcomes 2017-2021**

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## **Forward**

As Chair of the West Dunbartonshire Licensing Board it is my pleasure to introduce the Licensing Board's Equality Outcomes and Mainstreaming Report for 2017 to 2021.

This report details progress made on delivering the equality outcomes to date. In general, good progress has been made over the last four years.

It is encouraging to see the Licensing Team's work on encouraging the numbers of wheelchair accessible taxis. Equally the Board and its staff's continued support of the Nightzone West scheme and Pubwatch schemes greatly assist vulnerable patrons of the night-time economy.

This report includes the Equality Outcomes for the next four years and the mainstreaming activity required to support delivery of these outcomes.

While the licensed trade finds itself operating in challenging financial times it is more important than ever for the Licensing Board and its staff to encourage equity and fairness in its approach to both the licensed trade and the general public.

Continuing to improve engagement with the public and licensed trade on equality matters is at the forefront of Licensing Board's agenda.

John Mooney  
Chair – West Dunbartonshire Licensing Board

## **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.

This is the second **Mainstreaming Report** and it offers the Licensing Board and Committee 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 allow 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 National and Local Context**

The First Minister has voiced an intention to include Human Rights in the Scottish Government's National Performance Framework. This provides a clear vision for Scotland covering a range of economic, health, social and environmental indicators and targets.

The Board recognises that it cannot successfully tackle all inequalities present in West Dunbartonshire, however by working with the Licensed trade, other stakeholders, and the public, the board feels it can have a positive effect on equality matters at a local level.

## **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 is already doing many of the things required by the specific duties.

The Community Empowerment (Scotland) Act supports communities to achieve their own goals and aspirations of our communities. In support of this legislation the Licensing Board wants to be as inclusive as possible with community engagement in relation to its policy formation and consultation on licensing applications.

### **West Dunbartonshire Licensing Board Equalities Statement 2017-2021**

The Board is committed to 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 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.

### **Leadership**

The Board and its officers have responsibility for promoting equality and diversity through their work and decisions. They engage and listen to the views of our local communities in a number of ways;

- Equality Impact Assessments are provided as supporting documentation to all Board policies.
- The Council Equality and Diversity Working Group (EDWG) ensures strategic implementation and coordination of plans to improve equality locally. Board members and officers attend this group.
- The Board liaises with the Local Licensing Forum and the Access panel amongst others

### **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 is now standard. 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 through its integration with online processes.

### **Supporting and Mainstreaming Equalities**

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

### **Raising and Maintaining Awareness**

The Board and its officers do this through communications with the Licensing Forum, Access Panel, Pubwatch groups, Taxi Forum and involvement in projects such as Nightzone West.

### **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 uses 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 (including licensing)
- 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 continues to provide 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.

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 and the West Dunbartonshire Access Panel 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 significant ways undergo an Equalities Impact Assessment before final decisions are taken.

The majority of Council Officers and all those from the Licensing Team have been trained in carrying out assessments. Specific training for elected members has also been delivered. This training is replicated within the Licensing Board and the Licensing Team.

The Licensing Board and its officers support robust equality impact assessments and regularly seek advice from the Equalities Officer. 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.

The Licensing Board and its officer help co-ordinate the multi-agency project called Nightzone West which at its core has the provision of taxi marshalls over the Festive Period. This project is a good example of partnership working and helps protect the more vulnerable users of the night time economy.

### **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:

- For this report consultation was carried out by the Council in August and September 2016 through a Citizen's Panel survey. A Licensing specific request for equality input was made in February 2017 to the Licensing Board members, The Licensing Forum, Access Panel and Community Councils.

- 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.
- 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**

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.

Through equality monitoring 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.

### **Equality Outcomes**

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;-

#### **1) Equality of outcome**

Are outcomes fair and appropriate to needs?

#### **2) Equality of processes**

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

#### **3) Autonomy**

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

### **Results of consultation and involvement**

The Council have also consulted and involved people from protected groups, again as required by law.

### **Citizens Panel**

A survey was carried out under the headline of Community Safety and Equality in West Dunbartonshire in Aug 2017 with the Citizens Panel. No responses

received related to the activities of the Licensing Board, Licensing Team or licensed trade.

A supplementary request for information on equality matters was issued in February 2017 to the Licensing Board, Licensing Forum and Access Panel. However no responses were forthcoming.

### **Review of The Equality Outcomes 2013-2017**

#### **1. Greater participation and involvement of people from underrepresented groups in influencing decision making in West Dunbartonshire.**

To this end the Licensing Board, Licensing Forum, Pubwatch groups, Taxi Forum, Access panel etc have all been regularly consulted on the activities of the Board and it's officers. Consultations include policy formation for the Board's Licensing Policy and Overprovision Assessment.

#### **2. Licensed businesses better meet the needs of West Dunbartonshire's diverse communities.**

Some work of the Licensing Team cross cuts to other areas of legislation that have equality impacts. An example would be the review of Wheelchair Accessible Taxis in Dumbarton and The Vale of Leven which has resulted in recommendations to increase the availability of these vehicles and is a matter that officers continue to monitor.

#### **3. Increased level of satisfaction with Licensing services by all relevant protected groups.**

The Licensing Board and it's officers support Nightzone West and Pubwatch which are both schemes that help to protect vulnerable users of the night-time economy. Licence holders and members of the public have both been seen to be very satisfied with these schemes.

The Board and Licensing Team will be supported by processes initiated such as expanding equality monitoring of service delivery and involvement that will let us set stronger baseline information and measure progress. As more transactions are now carried out online equality monitoring is now moving online.

#### **4. The Licensing Board contributes to higher confidence in the reporting of hate crimes and incidents.**

The Licensing Board continues to support the attendance of officers at Pubwatch meetings where the reporting of hate crimes is robustly encouraged of its members.

The Equality Impact Assessment process has continued to improve in quality and they are made use of from an earlier stage in policy formation and are therefore assisting in the formation of those policies. The EIA process is being trialed as a purely online process and Board officers are involved in these trials. This will assist in the EIA process being more auditable.

### **The Equality Outcomes 2017-2021**

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 a concentration of effort in the next four years. An update on progress will be provided in 2019, and the outcomes will be reviewed in 2021. Further detail is provided at appendix 1 showing actions and measures to help achieve the outcomes.

<p><b>1. Greater participation and involvement of the public and licence holders in meetings and other statutory processes of the Licensing Board.</b></p>
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<p>Protected Characteristic; All</p>
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<p>Key Partners: Licensing Forum, local Pubwatch groups, licensed trade via seminars, Access Panel, Community Councils</p>
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<p><b>2. An increased proportion of Licensing Board communication is available digitally as part of the Council's commitment to "Communicating Effectively".</b></p>
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<p>Protected characteristics: All</p>
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<p>Key Partners: Licensing Forum, local Pubwatch groups, licensed trade via seminars, Access Panel, Community Councils</p>
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### **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. Close monitoring of complaints will be made for themes of inequality that may arise.

More detailed census results will give more up to date information on the ethnic make up of the West Dunbartonshire Council area, and the number of disabled people within it. 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 2019.

## **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 and accessing equality and diversity training
- Number of Equality Impact Assessments carried out and published
- Number of public consultations carried out

**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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