

## PART B – Equality Analysis Form

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

This form:

- Can be used to prompt discussions, ensure that due regard has been given and remove or minimise disadvantage for an individual or group with a protected characteristic
- Involves looking at what steps can be taken to advance and maximise equality as well as eliminate discrimination and negative consequences
- Should be completed before decisions are made, this will remove the need for remedial actions.

Note – An Initial Equality Screening Assessment (Part A) should be completed prior to this form.

When completing this form consider the Equality Act 2010 protected characteristics Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc. – see page 11 of Equality Screening and Analysis Guidance.

1. Title	
<b>Equality Analysis title:</b> Gambling Act 2005 Statement of Licensing Policy 2020-2023	
<b>Date of Equality Analysis (EA):</b> 27 <sup>th</sup> February 2020	
<b>Directorate:</b> Regeneration and Environment	<b>Service area:</b> Community Safety and Street Scene
<b>Lead Manager:</b> Tom Smith	<b>Contact number:</b> 01709 822025
<b>Is this a:</b> <input checked="" type="checkbox"/> <b>Strategy / Policy</b> <input type="checkbox"/> <b>Service / Function</b> <input type="checkbox"/> <b>Other</b>  <b>If other, please specify</b>	

**2. Names of those involved in the Equality Analysis (Should include minimum of three people) - see page 7 of Equality Screening and Analysis Guidance**

Name	Organisation	Role (eg service user, managers, service specialist)
Ben Mitchell	RMBC	National Management Trainee
Tom Smith	RMBC	Assistant Director
Alan Pogorzelec	RMBC	Licensing Manager
Steve Eling	RMBC	Policy Officer

**3. What is already known? - see page 10 of Equality Screening and Analysis Guidance**

**Aim/Scope (who the Policy/Service affects and intended outcomes if known)**

This may include a group/s identified by a protected characteristic, others groups or stakeholder/s e.g. service users, employees, partners, members, suppliers etc.)

The Council is responsible for licensing: premises related to gambling; operators of those premises; and societies that hold small lotteries. Furthermore, the Council are required to monitor compliance and enforce the Gambling Act within the borough. Any other regulation and licensing powers sit with the Gambling Commission.

The Gambling Commission states that ‘Gambling is a legitimate leisure activity that many people enjoy. It can generate income, employment and taxi revenue. However, it can also generate significant disbenefits such as working days lost through problem gambling, or the cost of treatment for ill-health caused by stress related to gambling debt’.

There is an increasing awareness of the harms associated with problem gambling. In Rotherham, estimates suggest that between 1,700 and 3,716 individuals have problems with gambling. However, evidence suggests that it is likely that these individuals affect a further 6-10 people directly through their activity.

Evidence also suggests that gambling can also adversely affect children and young people. Recent research suggests that nearly 2% of children between 11-16 are problem gamblers, and a further 2.2% are at risk of problems associated to gambling.

Through a revised policy, the Council has aimed to create a joined-up approach to tackling problem gambling, integrating the licensing policy with other key strategies across the Council and its partners. Furthermore, detailed guidance has been given to applicants to emphasise how the licensing objectives can be promoted, which includes how best to work with the Council and its partners to: prevent gambling being a source of crime or disorder; ensure gambling is conducted in a fair and open way; and protect children and other vulnerable persons from harm or exploitation by gambling.

Finally, the Council have proposed to carry out further work to create a ‘Local Area Risk Profile’, which would identify communities within the borough that may have a higher

sensitivity to problem gambling. The draft policy includes substantially more information and gives advice to applicants on how to carry out their own risk assessment of the local area, but currently the Council have not identified a toolkit that could be used by the responsible authorities to proactively monitor problem gambling across the borough.

**What equality information is available? (Include any engagement undertaken)**

As stated above, there is an increasing evidence base that gambling can create significant social harms, which disproportionately affect those who live in more deprived, or are vulnerable due to their age or another protected characteristic.

The Council have endeavoured to engage members of the public through a wide-range of consultation methods, including an online survey, drop-in sessions and representative forums. Consultation has been ongoing from June 2019 to February 2020, and a total of twenty weeks of consultation has been undertaken.

The first stage of consultation focused on broad issues associated to gambling premises to identify the public perception of gambling within the borough, as well as the associated harms they may pose through health, public order and crime. The Council received 70 responses to the first stage of consultation over twelve weeks. Overall, it appeared that respondents were unsure about the extent of problems associated with gambling in Rotherham. However, although respondents were unsure if problems existed, they agreed that the Council had an important role in protecting residents from the harms associated with gambling, as well as suggestions that gambling did lead to health or social problems.

Based on this response, the Council produced a revised policy, which was then subject to a further eight-week period of consultation. A further 21 responses were received in this timeframe. The main theme that emerged from this consultation was that companies and licensees should be responsible for assessing the risk that they pose to communities, and that various services such as schools, youth clubs, addiction centres and areas of high crime should be taken into account when considering any application.

Through this consultation, the Council have formulated a final policy which takes into account the views raised, and ensures that communities, those with protected characteristics and other groups who may be more vulnerable to problem gambling are protected through this policy.

**Are there any gaps in the information that you are aware of?**

Both nationally and locally, there is a significant lack of data regarding the problems related to gambling, how prevalent this is or specific groups who may be at a higher risk. Across Yorkshire and Humber last year, only thirty people presented at hospitals with gambling related issues, and this is the only dataset which measures health-related outcomes associated with problem gambling. However, the Council recognise that this is not normally the most appropriate way to measure health-related outcomes and that other measures need to be put in place to provide the Council with more accurate information.

Overall, any information that is available is likely to be significantly underestimating the prevalence of problem gambling, which is likely to mean that any locally available data is also underestimating the scale of the problem. Furthermore, this data does not take into account any equalities screening, so it is not possible to identify particular groups that may

be at higher risk.

**What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics?**

The enforcement of the policies, as undertaken by the Licensing service, will be regularly reported to the Licensing Committee. These reports will clearly show how those with protected characteristics are being protected through the policy, specifically focusing on children and young people, and those with a disability, but having regard to all groups of people.

**Engagement undertaken with customers. (date and group(s) consulted and key findings)**

A full consultation on the revised policy has been undertaken, totalling twenty weeks of consultation. This has aimed to engage a wide range of stakeholders, including licensees, members of the public and other interest parties.

**Engagement undertaken with staff (date and group(s) consulted and key findings)**

A full consultation on the revised policy has been undertaken, totalling twenty weeks of consultation. This has aimed to engage a wide range of stakeholders including staff, both that work for the Council and its partner agencies, such as the Police and colleagues in Public Health.

**4. The Analysis - of the actual or likely effect of the Policy or Service (Identify by protected characteristics)**

**How does the Policy/Service meet the needs of different communities and groups? (Protected characteristics of Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity) - see glossary on page 14 of the Equality Screening and Analysis Guidance)**

The adoption of this policy will support the Council and the communities it represents to have a higher level of confidence in the way that the Council considers and regulates gambling premises. A number of changes will have a positive impact on local communities, as well as children and other vulnerable groups.

The Council are proposing to integrate the Licensing policy with a number of other key strategies which have an involvement with gambling related harms, through the Council and its wider partners. This includes the Health and Wellbeing Board, Safer Rotherham Partnership and Culture and Tourism. This proposal will enable the Council to deal with the harms associated with gambling in a single approach, improving the outcomes for all people in the borough, specifically those who are vulnerable to harms associated to gambling.

Furthermore, the Council has issued substantially more guidance in the new policy than was previously available to applicants. This gives information to potential licensees about the promotion of each individual licensing objective, and what to consider when submitting their application for a licence. One of the licensing objectives is:

- Protecting children and other vulnerable persons from harm or exploitation

Within this section, the Council have set out the definition of children and young people under the policy, as well as signposting to a code of practice issued by the Gambling Commission and giving information regarding Child Sexual Exploitation and wider forms of Child Exploitation of which applicants and licensees should be particularly aware. The Council also encourage applicants to work in partnership with the police and the Council's MASH team in order to sufficiently take into account these issues.

Vulnerable persons have also been defined as 'anybody that gambles more than they want to', but makes particular reference to the elderly, those with mental illnesses who may not be able to make informed choices, and those under the influence of alcohol or drugs. The Council also have regard to the Gambling Commission's code of practice which gives recommendations for policies that should be implanted by the operator to protect vulnerable people.

The policy then states the additional measures that applicants may consider necessary when applying their licence, which include CCTV, proof of age schemes, advertisements displayed in windows and entrances, self-exclusion schemes and provision of information and leaflets for helplines and support services.

Finally, the Council are proposing to undertake further work on a Local Area Risk Profile. This document is designed to assist operators undertaking their risk assessments, and would also be taken into account when considering applications or variations to existing licences. This document could include data and maps showing the distribution of gambling premises, alongside sensitive services that were identified through the consultation, such as:

- addiction centres,
- schools and colleges,
- youth clubs,
- pawn brokers and pay day loan companies,
- and areas of high crime

Although this work is ongoing, this would help to meet the needs of different groups who may be at the highest risk of problem gambling. This includes services that are designed for children and young people, those who have mental illnesses or addictions, alongside services which target and exploit areas of deprivation and vulnerable people.

**Does your Policy/Service present any problems or barriers to communities or Groups?**

As the policy only interacts with licensees, applicants, or decision makers, there shouldn't be any barriers for particular communities/ groups when accessing the policy. However, the Council do have regard for the fact that the overall aim of the policy is to support those at risk.

**Does the Service/Policy provide any positive impact/s including improvements or remove barriers?**

As stated in Section 4, a number of changes to the policy will have positive impacts on vulnerable groups, including further information given to applicants on how to promote the licensing objectives and the conditions that could be applied to ensure that certain groups are protected from the harms associated to gambling, including children, the elderly and those who may be vulnerable to problem gambling.

**What affect will the Policy/Service have on community relations?** (may also need to consider activity which may be perceived as benefiting one group at the expense of another)

When considering community relations, the Council believe that the introduction on a Local Area Risk Profile will improve relations between communities, the Council and licensees. This piece of work will enable the Council to make more informed decisions when considering applications, and only allow for new licenses to be granted in appropriate places. Therefore, communities that may have higher levels of deprivation, or a high density of existing premises, may be protected from further establishments being licensed.

Please list any **actions and targets** that need to be taken as a consequence of this assessment on the action plan below and ensure that they are added into your service plan for monitoring purposes – see page 12 of the Equality Screening and Analysis Guidance.

## **5. Summary of findings and Equality Analysis Action Plan**

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the impact of the policy/service/change on communities or groups according to their protected characteristic - See page 11 of the Equality Screening and Analysis guidance

**Title of analysis:** Gambling Act 2005 Statement of Licensing Policy 2020-2023

**Directorate and service area:** Regeneration and Environment, Community Safety and Street Scene

**Lead Manager:** Tom Smith, Assistant Direct, Community Safety and Street Scene

### **Summary of findings:**

This assessment has shown the wide ranging consultation that has been undertaken by the Council in relation to the revised Gambling Act 2005 Statement of Licensing Policy. The Council have introduced new parts of the policy that aim to have a positive impact on specific protected characteristics, including age, as well as vulnerable groups who are at risk of problem gambling.

Although the Council has recognised that there is a lack of data available, both locally and nationally, which reports on the harms associated to gambling, the Council believe that socio-economic deprivation does have an impact on problem gambling and has introduced new parts of the policy that aim to minimise the risks that this group may face from the premises regulated under this policy.

Finally, the Council will undertake further work on a Local Area Risk Profile, which may protect communities where there is a higher risk of problem gambling, or where the density of premises is already high. This should improve relations between communities and the Council, giving the public more confidence in the licensing process, the premises that it regulates and the protection of vulnerable residents.

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)
To undertake further work to introduce a Local Area Risk Profile for the borough	O	
To identify relevant data and proxies to measure the risk of problem gambling on communities and specific groups.	ALL	

\*A = Age, D= Disability, S = Sex, GR Gender Reassignment, RE= Race/ Ethnicity, RoB= Religion or Belief, SO= Sexual Orientation, PM= Pregnancy/Maternity, CPM = Civil Partnership or Marriage. C= Carers, O= other groups

#### 6. Governance, ownership and approval

Please state those that have approved the Equality Analysis. Approval should be obtained by the Director and approval sought from DLT and the relevant Cabinet Member.

Name	Job title	Date
Tom Smith	Assistant Director, Community Safety and Street Scene	28/08/20
Paul Woodcock	Strategic Director, Regeneration and Environment	04/03/20

#### 7. Publishing

The Equality Analysis will act as evidence that due regard to equality and diversity has been given.

If this Equality Analysis relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy should also be sent to [equality@rotherham.gov.uk](mailto:equality@rotherham.gov.uk) For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

<b>Date Equality Analysis completed</b>	27/02/20
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<b>Report title and date</b>	Gambling Act 2005 Statement of Licensing Policy
<b>Date report sent for publication</b>	04/03/20
<b>Date Equality Analysis sent to Performance, Intelligence and Improvement</b> <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a>	03/03/20