

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	
Equality Analysis title: Sex Establishment Policy	
Date of Equality Analysis (EA): 25th October 2023	
Directorate: Regeneration and Environment	Service area: Community Safety and Street Scene – Licensing
Lead Manager: Alan Pogorzelec	Contact number: 01709 254955
Is this a: <input checked="" type="checkbox"/> Strategy / Policy <input type="checkbox"/> Service / Function <input type="checkbox"/> Other If other, please specify	

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)
Alan Pogorzelec	RMBC	Licensing Manager
Diane Kraus	RMBC	Principal Officer
Steve Eling	RMBC	Equalities team specialist – provision of advice

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 aim of this policy is to ensure that sex establishments operate within the authority area in a safe, fair and discreet manner, and do not negatively affect residents, visitors to the area or the character, or economic development of the Borough. The policy is written taking into account the principles laid out within Rotherham’s Children and Young People’s Plan, the Rotherham Safeguarding Adults Board Strategy and the Safer Rother Partnership Plan.

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

There is very little equality information available – primarily due to the fact that most stakeholders affected by the policy are commercial entities.

We have however undertaken wide ranging consultation with as many people / groups as possible, including:

- Direct contact with representatives of businesses / organisations that are directly affected by the policy.
- Online consultation via the Council’s website.
- Direct mail contact with local residents (a mailshot to over 1000 randomised residential addresses within the Rotherham Borough).
- Public drop in sessions throughout the Borough.
- Consultation at Rotherham Show.
- Contact with groups / organisations representing specific sectors of our communities.

<ul style="list-style-type: none"> • Direct contact with individuals that have previously responded to a consultation regarding the development of this policy (where their details are known). • Consultation with local ward Members. • Publicity via local newsletters and mailings • Press releases / social media publicity raising awareness of the policy review. 	
<p>Are there any gaps in the information that you are aware of? Although this policy primarily affects businesses, it is possible that individual people could be affected by the requirements and therefore it is important to gather equality data in relation to those people that apply for licences, or raise concerns about them, so that any trends can be identified. However, it has been identified that the service does not routinely collect equality data regarding premises owners and users.</p>	
<p>What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics? All licensed premises will be inspected by licensing officers to ensure compliance with the policy and legal requirements. The service will also monitor complaints and other contacts with licence holders or premises users to identify any trends that will require action.</p>	
<p>Engagement undertaken with customers. (date and group(s) consulted and key findings)</p>	<p>Wide ranging consultation took place between September and October 2023 – the findings of this consultation are detailed in the Cabinet report.</p>
<p>Engagement undertaken with staff (date and group(s) consulted and key findings)</p>	<p>Although not directly impacted by the policy, staff were included in the general consultation exercise so that their views could be obtained and considered as appropriate.</p>

<p>4. The Analysis - of the actual or likely effect of the Policy or Service (Identify by protected characteristics)</p>	
<p>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)</p> <p>The policy primarily affects businesses, but it has the potential to impact any person it is important to ensure that it does not introduce any requirements that would have a disproportionate impact on a group or individual with a protected characteristic.</p> <p>In addition, the nature of the premises to which this policy relates is such that there is a need to ensure that the policy sets out the expectations on licensed premises so that people are not discriminated against or treated unfairly as a result of their gender etc.</p>	
<p>Does your Policy/Service present any problems or barriers to communities or Groups?</p>	

None that have been identified.

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

The policy specifically identifies that the service will undertake its role having due regard to the Public Sector Equalities Duty and the requirements of the Equalities Act. In addition, the policy outlines the expectations on licensed premises in relation to compliance with equalities requirements.

In addition, the policy makes specific reference to the promotion of equalities within licensed premises – and introduces specific requirements that are intended to protect individuals that share a protected characteristic (for example, the prohibition on fining – a practice that primarily affects females).

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)

There may be particular sensitivities of certain buildings, for example religious buildings, to certain licensable activities taking place in close proximity. The policy (and consultation) took this into account and restricts the development of sex establishments in sensitive locations.

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: Sex Establishment Licensing Policy 2023
Directorate and service area: Regeneration and Environment, Community Safety and Street Scene
Lead Manager: Alan Pogorzelec
Summary of findings:
The policy takes into account the potential impact of the policy requirements on all relevant stakeholders. However, there is a need to obtain equality information where this is possible.

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)
Start to gather equality information from people that are affected by the requirements of this policy, or the regulation of Sex Establishments in general. This includes licence holders, premises users and those that contact the Licensing Authority to raise concerns about licensed premises.	All	04/24

*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
Alan Pogorzelec	Licensing Manager	27/10/23

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 For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.	
Date Equality Analysis completed	27/10/23
Report title and date	Sex Establishment Licensing Policy 2023
Date report sent for publication	30/10/23
Date Equality Analysis sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	27/10/23