

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: Gambling Act Policy 2023	
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
<p>Aim/Scope (who the Policy/Service affects and intended outcomes if known) Section 349 of the Gambling Act 2005 requires a licensing authority to prepare and publish a statement of its licensing policy at least every three years.</p> <p>The Council's current Gambling Act Statement of Licensing Policy was adopted in 2020 and requires a review after three years.</p> <p>The policy affects all those that hold, or will apply for, a licence issued under the Gambling Act 2005, or that use licensed premises that have such a licence.</p>
<p>What equality information is available? (Include any engagement undertaken)</p> <p>There is very little equality information available – primarily due to the fact that most stakeholders affected by the policy are commercial entities.</p> <p>We have however undertaken wide ranging consultation with as many people / groups as possible, including:</p> <ul style="list-style-type: none"> • Direct contact with representatives of businesses / organisations that are directly affected by the policy. • Responsible Authorities in relation to the Gambling Act 2005. • 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. • 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? In general, those that are affected by the policy tend to be commercial operations and therefore it is difficult to obtain equality information in relation to them. However, there is the potential for individual people to be impacted by the policy requirements – but at the current time, we do not collect equality information from individuals that fall into this category (for example, an individual that makes an application for a licence or that complains about their experiences at a licensed premises). This needs to change and the equality information should be gathered at the time that the service has contact with the individual.</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? Inspections of licensed premises will be carried out to ensure that the requirements of this policy, and the relevant statutory requirements, are being met. In addition, we will monitor complaints / contacts with individuals so that any trends can be identified – for example, if a particular group is being disproportionately affected by the implementation of the policy.</p>	
<p>Engagement undertaken with customers. (date and group(s) consulted and key findings)</p>	<p>Wide ranging consultation took place between July and October – see detail above. 100% of the respondents to the survey agreed that the Council was correct to take account of various other strategies when developing the Gambling Policy (which includes the requirement to promote equality).</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>This policy does not have a direct impact on any specific group or individual with a protected characteristic. However, as the policy has the potential to impact any person it is important to ensure that it does not introduce any requirements that would have an disproportionate impact on a group or individual with a protected characteristic.</p>	
<p>Does your Policy/Service present any problems or barriers to communities or Groups?</p> <p>No barriers / problems have been identified.</p>	
<p>Does the Service/Policy provide any positive impact/s including improvements or remove barriers?</p>	

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.

The policy outlines a number of actions that will be implemented by the Licensing Authority with a view to promoting equality.

- The Licensing Policy and associated documents will be available on the internet, and in other formats upon request.
- The licensing objective of protecting children from harm will be promoted.
- Support will be offered to licence applicants, licence holders and potential objectors who are socially excluded.
- Account will be taken of the effect of specific applications on community cohesion, including the need to balance the benefits of cultural and community activities with limited local disturbance.
- Action will be taken to endeavour to ensure the safety of vulnerable people in licensed premises.
- Action will be taken to ensure that all applications, particularly those for disadvantaged groups, are dealt with fairly.

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)

The Licensing Authority is aware that there may be particular sensitivities of certain buildings, for example religious buildings, to certain licensable activities taking place in close proximity. Where this proximity has an impact on the promotion of one of the licensing objectives this is a matter for the Licensing Authority. Where the impact does not affect the promotion of the licensing objectives, there may be other control mechanisms, such as the planning system, that could be applicable.

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: RMBC Gambling Act 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 Gambling Premises 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	RMBC Gambling Act Statement of Licensing Policy – Cabinet 19 th November 23
Date report sent for publication	30/10/23
Date Equality Analysis sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	27/10/23