

PART A - Initial Equality Screening Assessment

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.

A **screening** process can help judge relevance and provide a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality and diversity
- whether or not equality and diversity is being/has already been considered, and
- whether or not it is necessary to carry out an Equality Analysis (Part B).

Further information is available in the Equality Screening and Analysis Guidance – see page 9.

1. Title	
Title: Sex Establishment Licensing Policy 2023	
Directorate: Regeneration and Environment	Service area: Community Safety and Street Scene
Lead person: Alan Pogorzelec	Contact: Alan Pogorzelec
Is this a:	
<input checked="" type="checkbox"/> Strategy / Policy	<input type="checkbox"/> Service / Function <input type="checkbox"/> Other
If other, please specify	

2. Please provide a brief description of what you are screening
The report forms the three year review of the current Sex Establishment Licensing Policy and outlines the key aspects of the current and proposed policy.

3. Relevance to equality and diversity
All the Council's strategies/policies, services/functions affect service users, employees or the wider community – borough wide or more local. These will also have a greater/lesser relevance to equality and diversity.

The following questions will help you to identify how relevant your proposals are.		
When considering these questions think about 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.		
Questions	Yes	No
Could the proposal have implications regarding the accessibility of services to the whole or wider community? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		X
Could the proposal affect service users? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>	X	
Has there been or is there likely to be an impact on an individual or group with protected characteristics? <i>(Consider potential discrimination, harassment or victimisation of individuals with protected characteristics)</i>	X	
Have there been or likely to be any public concerns regarding the proposal? <i>(It is important that the Council is transparent and consultation is carried out with members of the public to help mitigate future challenge)</i>	X	
Could the proposal affect how the Council's services, commissioning or procurement activities are organised, provided, located and by whom? <i>(If the answer is yes you may wish to seek advice from commissioning or procurement)</i>		X
Could the proposal affect the Council's workforce or employment practices? <i>(If the answer is yes you may wish to seek advice from your HR business partner)</i>		X
If you have answered no to all the questions above, please explain the reason		

If you have answered **no** to all the questions above please complete **sections 5 and 6**.

If you have answered **yes** to any of the above please complete **section 4**.

4. Considering the impact on equality and diversity

If you have not already done so, the impact on equality and diversity should be considered within your proposals before decisions are made.

Considering equality and diversity will help to eliminate unlawful discrimination, harassment and victimisation and take active steps to create a discrimination free society by meeting a group or individual's needs and encouraging participation.

<p>Please provide specific details for all three areas below using the prompts for guidance and complete an Equality Analysis (Part B).</p>	
<p>• How have you considered equality and diversity?</p> <p>The Licensing Authority has recognised its obligations under the Equalities Act and the Public Sector Equalities Duty. These requirements, and the subsequent expectations placed on licence holders are detailed in the policy.</p>	
<p>• Key findings</p> <p>Under the Equality Act 2010, people are not allowed to discriminate, harass or victimise anyone because of the following ‘protected characteristics’:</p> <ul style="list-style-type: none"> • Age • Disability • Gender reassignment • Marriage and civil partnership • Pregnancy and maternity • Race • Religion and belief • Sex • Sexual orientation <p>The Equality Act includes a Public Sector Equality Duty. This says we must show ‘due regard’ to:</p> <ul style="list-style-type: none"> • eliminating discrimination, harassment and victimisation advancing equality of opportunity; • fostering good relations between people who share a protected characteristic; • fostering good relations between people who have a protected characteristic and those who don’t. <p>The council is aware that sex establishments tend to be predominantly marketed to men and that the licensing of these establishments must not encourage discrimination against women especially in regard to women who work at the premises, women who may wish to visit the premises or women who are using the area for other purposes but who may feel intimidated by the presence of such premises.</p> <p>Due regard will therefore be given to the determination of licences and the attaching of conditions to ensure the Council delivers on the Public Sector Equality Duty.</p>	
<p>• Actions</p> <p>Need to ensure that the policy and legislative requirements are complied with by licence holders / applicants. At the current time, there is only one premises in Rotherham with a Sex Establishment Licence (Sex Shop) – this premises is closely monitored for compliance.</p>	
<p>Date to scope and plan your Equality Analysis:</p>	<p>23/10/23</p>
<p>Date to complete your Equality Analysis:</p>	<p>30/10/23</p>

Appendix 3

Lead person for your Equality Analysis (Include name and job title):	Alan Pogorzelec
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5. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening:

Name	Job title	Date
Alan Pogorzelec	Licensing Manager	15/10/23

6. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given.

If this screening 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 of **all** screenings 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 screening completed	15/10/23
Report title and date	Sex Establishment Licensing Policy 2023
If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication	Cabinet – 20 th November 2023
Date screening sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	15/10/23