**EQUALITY IMPACT ASSESSMENT (EQIA):**

**SCREENING FORM**

Introduction to the EQIA screening process

A successful EQIA screening will look at 5 key areas:

1. **Identify the Policy, Project, Service Reform or Budget Option to be assessed**

A clear definition of what is being screened and its aims

1. **Gathering Evidence & Stakeholder Engagement**

Collect datato evidence the type of barriers people face to accessing services (research, consultations, complaintsand/or consult with equality groups)

1. **Assessment & Differential Impacts**

Reaching an informed decision on whether or not there is a differential impact on equality groups, and at what level

1. **Outcomes, Action & Public Reporting**

Develop an action plan to make changes where a negative impact has been assessed. Ensure that both the assessment outcomes and the actions taken to address negative impacts are publically reported

1. **Monitoring, Evaluation & Review**

Stating how you will monitor and evaluate the **Policy, Project, Service Reform or Budget Option** to ensure that you are continuing to achieve the expected outcomes for all groups.

**1. IDENTIFY THE POLICY, PROJECT, SERVICE REFORM OR BUDGET OPTION**:

1. Name of the Policy, Project, Service Reform or Budget Option to be screened

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| Implementation of the changes to Theatre Licensing. |

1. Reason for Change in Policy or Policy Development

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| The change to the licensing of theatres is a direct result of the implementation of section 74 of the Air Weapons and Licensing (Scotland) Act 2015 which was brought into force by the Air Weapons and Licensing (Scotland) Act (Commencement No. 9) Order 2019. |

1. List main outcome focus and supporting activities of the Policy, Project, Service Reform or Budget Option

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| The main outcome focus is to ensure Glasgow City Council’s Licensing and Regulatory Committee, as Licensing Authority under the Civic Government (Scotland) Act 1982, complies with the changes to theatre legislation under the legislation. |

1. Name of officer completing assessment (signed and date)

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| Gillian McNaught 14.04.20 |

1. Assessment Verified by (signed and date)

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| Mairi Millar 14.04.20 |

# GATHERING EVIDENCE & STAKEHOLDER ENGAGEMENT

The best approach to find out if a policy, etc is likely to impact positively or negatively on equality groups is to look at existing research, previous consultation recommendations, studies or consult with representatives of those groups. You should list below any data, consultations (previous relevant or future planned), or any relevant research or analysis that supports the Policy, Project, Service Reform or Budget Option being undertaken.

|  |  |  |
| --- | --- | --- |
| Please name any research, data, consultation or studies referred to for this assessment: | Please state if this reference refers to one or more of the protected characteristics:   * age * disability, * race and/or ethnicity, * religion or belief (including lack of belief), * gender, * gender reassignment, * sexual orientation * marriage and civil partnership, * pregnancy and maternity, | Do you intend to set up your own consultation? If so, please list the main issues that you wish to address if the consultation is planned; or if consultation has been completed, please note the outcome(s) of consultation. |
| Consultation with Glasgow City Council’s Building Control and Environmental Health regarding conditions to be attached to the new Public Entertainment Licence, specifically for theatres. | Yes, it refers to all of the above. | No, the proposed changes are a direct result of changes to legislation surrounding the licensing of theatres.  Given the above and the fact it is not within the Licensing Authority’s remit to change legislation a wider consultation on the proposed changes was not considered necessary. |

# ASSESSMENT & DIFFERENTIAL IMPACTS

Use the table below to provide some **narrative** where you think the **Policy, Project, Service Reform or Budget Option** has either a positive impact (contributes to promoting equality or improving relations within an equality group) or a negative impact (could disadvantage them) and note the reason for the change in policy or the reason for policy development, based on the evidence you have collated.

| **Protected Characteristic** | **Specific Characteristics** | **Positive Impact**  **(it could benefit an equality group)** | **Negative Impact –**  **(it could disadvantage an equality group)** | **Socio Economic /**  **Human Rights Impacts** |
| --- | --- | --- | --- | --- |
| **SEX/ GENDER** | Women | The changes will ensure that all theatre groups are complying with legislation. Also existing conditions will be updated in line with current legislation. | Current licence holders will have to become familiar with a new style of application form. | At present the cost of a Theatre Licence under the Theatres Act 1968 is £597 per year and a Theatre Licence requires to be renewed every year. Under the new licensing regime, a Public Entertainment Licence would require to be applied for, as the Theatre Act 1968 is being repealed. The cost of a Public Entertainment Licence is £1792 and is for a period of three years. Although there would be a higher one off payment for the three year licence, the financial difference over the course of three years would therefore only be £1 to current Theatre Licence holders. |
|  | Men | As above | As above |  |
|  | Transgender | As above | As above |  |
|  | | | | |
| **RACE\*** | White | As above | As above |  |
| *Further information on the breakdown below each of these headings, as per census, is available* [*here.*](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwij_q-kganSAhXEDsAKHZoeBgcQFggcMAA&url=https%3A%2F%2Fwww.ons.gov.uk%2Fons%2Fguide-method%2Fharmonisation%2Fprimary-set-of-harmonised-concepts-and-questions%2Fethnic-group.pdf&usg=AFQjCNFH-QwgZzHMg_lyyP4rhOqS2uZWjw)  *For example Asian includes Chinese, Pakistani and Indian etc* | Mixed or Multiple Ethnic Groups | As above | As above |  |
| Asian | As above | As above |  |
| African | As above | As above |  |
| Caribbean or Black | As above | As above |  |
| Other Ethnic Group | As above | As above |  |
|  | | | | |
| **DISABILITY** | Physical disability | As above | As above |  |
| *A definition of disability under the Equality Act 2010 is available* [*here.*](https://www.gov.uk/definition-of-disability-under-equality-act-2010) | Sensory Impairment  (sight, hearing, ) | As above | As above |  |
| Mental Health | As above | As above |  |
| Learning Disability | As above | As above |  |
| **LGBT** | Lesbians | As above | As above |  |
|  | Gay Men | As above | As above |  |
|  | Bisexual | As above | As above |  |
|  | | | | |
| **AGE** | Older People (60 +) | As above | As above |  |
|  | Younger People (16-25) | As above | As above |  |
|  | Children (0-16) | As above | As above |  |
|  | | | | |
| **MARRIAGE**  **& CIVIL PARTNERSHIP** | Women | As above | As above |  |
|  | Men | As above | As above |  |
|  | Lesbians | As above | As above |  |
|  | Gay Men | As above | As above |  |
|  | | | | |
| **PREGNANCY & MATERNITY** | Women | As above | As above |  |
|  | | | | |
| **RELIGION & BELIEF**\*\*  A list of religions used in the census is available [here.](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKEwi0tbauhqnSAhVkDMAKHRrOBtAQFggkMAE&url=https%3A%2F%2Fwww.ons.gov.uk%2Fons%2Fguide-method%2Fharmonisation%2Fsecondary-set-of-harmonised-concepts-and-questions%2Fnational-and-religious-identity.pdf&usg=AFQjCNEq3xYwRxcbtwe3qqtyFgstlLd1WQ&bvm=bv.148073327,d.ZGg) | See note | As above | As above |  |

\* For reasons of brevity race is not an exhaustive list, and therefore please feel free to augment the list above where appropriate; to reflect the complexity of other racial identities.

\*\* There are too many faith groups to provide a list, therefore, please input the faith group e.g. Muslims, Buddhists, Jews, Christians, Hindus, etc. Consider the different faith groups individually when considering positive or negative impacts. A list of religions used in the census is available [here.](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKEwi0tbauhqnSAhVkDMAKHRrOBtAQFggkMAE&url=https%3A%2F%2Fwww.ons.gov.uk%2Fons%2Fguide-method%2Fharmonisation%2Fsecondary-set-of-harmonised-concepts-and-questions%2Fnational-and-religious-identity.pdf&usg=AFQjCNEq3xYwRxcbtwe3qqtyFgstlLd1WQ&bvm=bv.148073327,d.ZGg)

Summary of Protected Characteristics Most Impacted

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| All protected characteristics would be impacted by the changes to Theatre Licensing. The changes to Theatre Licensing affects all protected (and unprotected) characteristics in the same way. |

Summary of Socio Economic Impacts

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| The changes will lead to an increase over a three year period of £1 for current Theatre Licence holders. |

Summary of Human Rights Impacts

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| --- |
| The legislative changes to Theatre Licensing are to ensure individual’s human rights are not breached. |

# OUTCOMES, ACTION & PUBLIC REPORTING

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| --- | --- |
| **Screening Outcome** | **Yes /No**  **Or /**  **Not At This Stage** |
| **Was a significant level of negative impact arising from the project, policy or strategy identified?** | Not at this stage. |
| **Does the project, policy or strategy require to be amended to have a positive impact?** | Not at this stage. |
| **Does a Full Impact Assessment need to be undertaken?** | Not at this stage. |

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| **Actions: Next Steps**  (i.e. is there a strategic group that can monitor any future actions) | | |
| **Further Action Required/ Action To Be Undertaken** | **Lead Officer and/or**  **Lead Strategic Group** | **Timescale for Resolution of Negative Impact (s) / Delivery of Positive Impact (s)** |
| The Licensing Authority has no remit to change the legislation and it is unable to give legal advice to licence holders. In addition, the proposed changes are all as result of changes to Scottish legislation and the Licensing Authority must ensure its licensing of theatres complies legislation. | Should an issue arise in relation to the theatre licence application forms or conditions, licensing officers would review the application form and discuss conditions with the Council’s Building Control and Environmental Health. | It is therefore suggested that no further action is required. |

**Public Reporting**

All completed EQIA Screenings are required to be publically available on the [Council EQIA Webpage](https://www.glasgow.gov.uk/index.aspx?articleid=17533) once they have been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. (See [EQIA Guidance](https://www.glasgow.gov.uk/index.aspx?articleid=17533): Pgs. 11-12)

# MONITORING OUTCOMES, EVALUATION & REVIEW

The Equalities Impact Assessment (EQIA) screening is not an end in itself but the start of a continuous monitoring and review process. The relevant Strategic, Policy, or Operational Group responsible for the delivery of the Policy, Project, Service Reform or Budget Option, is also responsible for monitoring and reviewing the EQIA Screening and any actions that may have been take to mitigate impacts.

Individual services are responsible for conducting the impact assessment for their area, staff from **Corporate Strategic Policy and Planning** will be available to provide support and guidance.

## Legislation

**Equality Act (2010) - the Equality Act 2010 (Specific Duties) Scotland Regulations 2012**

# The 2010 Act consolidated previous equalities legislation to protect people from discrimination on grounds of:

* race
* sex
* being a transsexual person (transsexuality is where someone has changed, is changing or has proposed changing their sex – called ‘gender reassignment’ in law)
* sexual orientation (whether being lesbian, gay, bisexual or heterosexual)
* disability (or because of something connected with their disability)
* religion or belief
* having just had a baby or being pregnant
* being married or in a civil partnership, and
* age.

Further information: [Equality Act Guidance](https://www.gov.uk/equality-act-2010-guidance)

As noted the Equality Act 2010 simplifies the current laws and puts them all together in one piece of legislation. In addition the **Specific Duties (Scotland Regulations 2012)** require local authorities to do the following to enable better performance of the general equality duty:

* report progress on mainstreaming the general equality duty
* publish equality outcomes and report progress in meeting those
* impact assess new or revised policies and practices as well as making arrangements to review existing policies and practices  
  gather, use and publish employee information
* publish gender pay gap information and an equal pay statement
* consider adding equality award criteria and contract conditions in public procurement exercises.

Further information: [Understanding Scottish Specific Public Sector Equality Duties](http://www.equalityhumanrights.com/about-us/devolved-authorities/the-commission-in-scotland/legal-news-in-about-us/devolved-authorities/the-commission-in-scotland/articles/understanding-the-scottish-specific-public-sector-equality-duties)

**Fairer Scotland Duty**

Authorities should also consider Socio-Economic Impacts where appropriate. Further information: [Fairer Scotland Duty Interim Guidance](https://www.gov.scot/binaries/content/documents/govscot/publications/guidance/2018/03/fairer-scotland-duty-interim-guidance-public-bodies/documents/00533417-pdf/00533417-pdf/govscot%3Adocument)

**Enforcement**  
Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty.  Only the EHRC can enforce the specific duties.   A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.