

[Taken from the Equality Impact Assessment Process Guidelines.]

**Appendix A1**

**Equality Impact Assessment:**  
**Initial assessment**

**What are the proposed outcomes of the policy?**

The introduction of a further requirement of fitness to be attached to the grant of a driver's licence requiring all new applicants, prior to applying for a Hackney Carriage or Private Hire Driver's Licence, to undertake the PCC "Taxi General Competence Course", provided by Peterborough Regional College.

The day training course incorporates Equality Act 2010, producing written receipts & issuing change, Highway Code, Road Signs, Licensing Conditions & PCC Penalty Point System and an English Reading & Writing Test.

The course is designed to assess the applicant, disseminate pertinent information and ensure they possess the necessary knowledge associated with the private hire/taxi trade

**Which individuals or groups are most likely to be affected?**

Anyone wishing to become a taxi / private hire driver.

**Now consider whether any of the following groups will be disproportionately affected:**  
**See Appendix B for further information**

<b>Equality Group</b>	<b>Note any positive or negative effects</b>
Particular age groups	Not affected
Disabled people	Not affected
Married couples or those entered into a civil partnership	Not affected
Pregnant women or women on maternity leave	Not affected
Particular ethnic groups	Applicants whose first language is not English may be initially disadvantaged, however steps are in place to assess, support and provide necessary instruction to enable applicants to reach the required level.
Those of a particular religion or who hold a particular belief	Not affected
Male/Female	Not affected
Those proposing to undergo, currently undergoing or who have undergone gender reassignment	Not affected
Sexual orientation	Not affected

**What information is available to help you understand the effect this will have on the groups identified above?**

Both the Trade and Council Officers have identified issues with the current English Reading & Writing Test, particularly relating to the applicant's ability to understand written and spoken English. A high number of applicants speak English as a second language. On average applicants take four attempts before successfully passing the test. This places a considerable drain on the team's resources.

The test is currently administered by the council's regulatory officers. If an applicant fails the current test, there is no resource or specialist help available to assist the applicant to reach the standard required to obtain a licence.

Members of the trade, via the previous Forum and the more recently, the Hackney and Private Hire Federations, have indicated that they believe the test is too simple and despite passing the test, some applicants are unable to communicate effectively in English. This can be corroborated by the Licensing Team's officers when dealing with complaints from the public and on personally observing applicants passing the test, only to discover during the driving test that they struggle to communicate with the applicant.

It is a necessary requirement for licensed drivers to be able to communicate effectively in English. Their role requires them to provide a written receipt if requested, understand pertinent legislation / licensing conditions and follow diversion signage if a road closure is in force. In addition if a passenger is taken ill, there may be a need for a licensed driver to contact the Emergency Services and follow instructions given by them to facilitate immediate aid.

As an issue had been identified concerning the English Reading and Writing Test it is proposed that a more structured course be introduced. The course will introduce the applicant to relevant legislation and information pertinent to the industry.

In addition we have received a number of complaints concerning the way that disabled passengers are treated and transported by the hackney and private hire drivers. In particular complaints indicate that people in wheelchairs have been placed in hackney carriages without access ramps being used, wheelchairs have not been secured correctly and some disabled passengers allege they have been refused access to hackney carriages. In 2010 we prosecuted two private hire operators for making additional charges for carrying assistance dogs. The Disabled Persons Transport Advisory Committee, in their 2003 Good Practice Guide emphasised the need for driver training for taxi drivers dealing with disabled people. The proposed course includes an input into the Equality Act 2010, in particular the responsibilities placed on taxis & private hire drivers.

As part of the report process a public consultation was undertaken, this included contact with focus groups, some of whom are best placed to advise how it may affect those identified above.

**Who will be the beneficiaries of the policy?**

The community, the new applicants and the taxi /private hire trade.

The community, due to the improved customer service, communication skills and knowledge of the new applicants entering the trade.

The applicant themselves. On completing the training, new applicants will have better communication skills and a greater understanding of the pertinent legislation. They will also receive instruction on the relevant disability awareness / equality legislation.

**Has the policy been explained to those it might affect directly or indirectly?**

As mentioned above, before the report was submitted to Licensing Committee, a public consultation exercise was undertaken. Various stakeholders, including the trade were contacted along with a public notice and entry on the council website's consultation pages. The consultation involved groups, some of whom could be affected if the new course is implemented.

**Can any differences be justified as appropriate or necessary?**

Our strategic priorities include creating opportunities – tackling inequalities

All applicants will be assessed and those unable to reach the desired level will be given the necessary support and access to additional training courses to improve their skill set. These courses will equip the applicant with the necessary skills to gain a private hire / taxi licence and are transferrable skills which will assist in personal development.

**Are any remedial actions required?**

No

**Once implemented, how will you monitor the actual impact?**

The Licensing department will monitor the quality of new applicants, customer feedback and liaise with both the Peterborough Hackney Carriage Federation and the Peterborough Private Hire Association in order to assess the impact.

<b>Policy review date</b>	
<b>Assessment completed by</b>	<b>Regulatory Officer Ian Robinson</b>
<b>Date Initial EqIA completed</b>	<b>3<sup>rd</sup> May 2012</b>
<b>Signed by Head of Service</b>	

**Appendix A2**

**Equality Impact Assessment:**

**Full assessment**

**Name/title of the policy area/strand or programme with which this assessment is concerned**

**Requirement of Fitness (General Competence Test).** The introduction of a further requirement of fitness to be attached to the grant of a driver's licence requiring all new applicants, prior to applying for a Hackney Carriage or Private Hire Driver's Licence, to undertake the PCC Taxi General Competence Course, provided by Peterborough Regional College.

**Description/summary of the policy area/strand or programme**

**See Appendix C for further guidance**

The purpose of the policy change if approved by members of the licensing committee is to amend the requirement of fitness to include the requirement for new applicants to undertake a general competence course, which includes an updated English Reading & Writing Test.

As part of the application process the authority must establish that persons wishing to be licensed drivers must be “fit and proper.” Whilst there is no approved test to establish if an applicant is “fit & proper,” factors such as the ability to communicate effectively in English and understand the relevant licensing legislation and conditions should be considered.

During the current application process, all new applicants are required to undertake an English Reading and Writing Test. This test has been criticised by the licensed trade for being “too easy.” They highlight some new drivers entering the trade struggle to communicate effectively with the customers. On occasion this has caused simple misunderstandings to escalate into a more heated situation. In addition, our officers have found that despite applicants having passed the current test, they still encounter communication problems.

The current test is facilitated by the Licensing Team’s Regulatory Officers. On average applicants take four attempts before successfully passing the test, which places a considerable drain on the team’s resources. As it stands there is no additional fee to sit a re-test and it is common occurrence for applicants to attend multiple re-tests, without any preparatory work between each one, or improvement shown.

If an applicant fails the current test, there is no resource or specialist help available to assist the applicant to reach the required standard required to obtain a licence.

It is anticipated that all new applicants will be required to undergo the new proposed course prior to submitting an application form. The course syllabus will include:

- (i) Equality Act 2010
- (ii) Producing written receipts & issuing change
- (iii) Highway Code
- (iv) Road Sign Quiz
- (v) Licensing Conditions & PCC Penalty Point System
- (vi) English Reading and Writing Test

**The evidence base** (list the principal sources of relevant evidence, both quantitative and qualitative. [See Appendix C for further guidance](#))

The council have been criticised in the past and continue to be challenged regarding the quality of the drivers that are licensed, this originates from various channels including members of the public, other trade members, the police and other regulatory organisations.

The main criticism seems to be the inability of some drivers to communicate effectively, and or their lack of ability to read or write in English, also their lack of disability awareness. The council has a current reading and writing test which is now proved to be out of date and not effective in the assessment of prospective applicants. The test assesses the basic skills in conversation and a reading and writing test.

The downside of the current test is where an applicant fails a test he or she can retake the test at a later date, however in the period between the testing the council are not in a position to offer any support or tuition, this leads to many failed attempts or in fact as we find in practice applicants use the repetitive attempts and memory to pass the test. With the proposed test not only is tuition made available on the day but the testing centre can arrange additional learning facilities for those applicants where required.

**What the evidence shows – keys facts** [See Appendix C for further guidance](#)

During the consultation phase the council contacted various departments and organisations including

1. The Peterborough Hackney Driver Federation
2. The Peterborough Private Hire Association
3. The Disability Forum
4. All Private Hire Operators
5. Hackney Vehicle Owners
6. Featured on the councils website consultation page
7. Consultation notice placed in the Peterborough Evening Telegraph

All but one response to the consultation saw the introduction of the course as a positive step, offering increased standards within the trade and additional safety to passengers and other drivers. It was indicated that the additional competency testing would benefit all groups and stakeholders by means of greater awareness and understanding.

**Challenges and opportunities**

(indicate the policy’s potential to reduce and remove existing inequalities)

It has been highlighted far too often that applicants are retaking the current reading and writing tests without making the effort to develop their academic skills. When asked, applicants openly say that they have not practiced or sought help from others, they simply return to re-sit the test hoping to scrape through. It is inappropriate for the licensing officers to offer tuition for many reasons.

The new policy will empower applicants by increasing their knowledge of disabilities, widening their awareness of the individual needs of others. The training and assessment will enable the understanding that some customers are vulnerable and accordingly require different levels of assistance and support.

There is a clear potential for inequalities to be removed as applicants will be able to gain additional skill sets, raising their social skills, this will not only enable them to acquire an agreed standard, it will also benefit them by furthering their career, or to consider employment previously out of their reach due to lack of experience or transferable skills.

Many people suffer inequalities due to lack of social or academic skills, whilst the training will be provided in the area’s identified, as the applicants will be tutored at the Regional College it is expected that some applicants will take the opportunity to continue to learn and benefit by the vast availability of free and low cost courses on offer.

**Summary of Equality Impact Assessment**

[See Appendix C for further guidance](#)

An adverse impact is unlikely, and on the contrary, the policy has the clear potential to have a positive impact by reducing and removing barriers and inequalities that currently exist.

An adverse impact is unlikely as the 2 key principles of the policy will be firstly to identify applicants that currently do not meet the required standards that we expect of our drivers, and secondly, through the Peterborough Regional College offer help and support on how to gain or develop the necessary skills to the required level. We anticipate that the only adverse impact would be where an applicant does not meet the criteria and is unwilling to consider additional help and support in order to develop, or where an applicant fails to develop skills after receiving further support. Both scenarios are outside of the scope of the proposed policy insofar as where a minimum entry level is required and the necessary tools are made available to achieve that level it is then the applicant’s choice not to progress.

In some cases it might well be assessed that the applicants will not in the foreseeable future reach the required level due to their academic abilities, this sadly cannot be seen as a barrier and more of a fact of life where ability restricts career choice.

With the introduction of the new policy we are offering an opportunity that could significantly enhance the career options for people attending the course. This will have the effect of not only improving the standard of living of the drivers and their families, but also have a positive effect of improving customer safety.

**Next steps** See [Appendix C](#) for further guidance

The next stage will be to present the report and the associated documents, including this Equality Impact Assessment to Licensing Committee. The committee will then consider the details of the proposed policy and raise any concerns for officers to address. The recommendation to the committee will be to adopt the policy.

If the new course is introduced we will be able to monitor and review implementation through the quality of new applicants, feedback and any customer complaints.

<b>Policy review date</b>	<b>May 2013</b>
<b>Assessment completed by</b>	<b>Adrian Day</b>
<b>Date Full EqIA completed</b>	<b>16/05/2012</b>
<b>Signed by Head of Service</b>	

## Appendix B

### Protected Characteristics

#### Age

Where this is referred to, it refers to a person belonging to a particular age (i.e. 32 years old) or a range of ages (e.g. 18-30 year olds)

#### Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

#### Marriage and civil partnership

Marriage is defined as a 'union between a man and a woman.' Same-sex couples can have their relationships legally recognised as 'civil partnerships.' Civil partners must be treated the same as married couples on a wide range of legal matters.

#### Pregnancy and maternity

Pregnancy is the condition of being pregnant. Maternity refers to the period of 26 weeks after the birth, which reflects the period of a woman's ordinary maternity leave entitlement in the employment context.

#### Race

Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins. The following categories are currently used on recruitment application forms.

Group	Type	Group	Type
White	British/English/Scottish/Welsh Irish Italian Portuguese Other European Traveller Other White background	Asian or Asian British	Bangladeshi Indian Kashmiri Pakistani Other Asian background
Black or Black British	African Caribbean Other Black background	Other ethnic group	Chinese Other background
Mixed	White and Asian White and Black African White and Black Caribbean Other Mixed background		

#### Religion and belief

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

#### Religious groups

Christian	Muslim
Hindu	Sikh
Jewish	Other

**Sex**

A man or a woman.

**Gender reassignment**

Gender reassignment refers to those proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex.

**Sexual orientation**

Where a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Gay man	Bisexual
Gay woman/lesbian	Heterosexual



## Appendix C

### Describing a policy area, strand or programme

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Write a summary of the policy, bearing in mind that what you write is a public document, not a file note for yourself or an internal memo for colleagues.

It follows that people reading the description will not necessarily be familiar with educational acronyms and abbreviations. All acronyms and abbreviations should therefore be spelled out in full the first time they are used.

Although they may not be specialists in your area of expertise, the people reading the description may well have specialist knowledge relating to equality issues. Your purpose, in these paragraphs about your policy, is to provide such people with sufficient preliminary information for them to follow the discussion that will follow.

You probably do not need to write more than about 300 words altogether – three or four short paragraphs.

Other things being equal, it will be appropriate to outline the following:

- the policy's rationale and purposes
- how it operates, or will operate, in practice
- the historical background, for example when it began or will begin, and reference to any pilots or trials
- how the policy fits in with other policies, for example whether it is a strand within a larger policy area
- an indication of the size of the budget
- sources of further information.

With regard to sources of further information, please make sure you give sufficient details for them to be easily followed up – paragraph or page references within a document, and URLs for documents that can be accessed online.

### Types and sources of evidence

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An EqIA should name, with full bibliographical details as appropriate, the principal sources of relevant evidence which have been consulted. The principal types of relevant evidence are summarised below.

Please note that the word 'evidence' is used here in the broad sense. There are many kinds of evidence, that is to say, ranging from substantial academic research to accounts of personal experience and viewpoint by individuals and groups.

It is relevant to note and use the familiar distinction between quantitative evidence and qualitative. The term **quantitative** refers to a type of information based in quantities or else quantifiable data (objective properties) —as opposed to **qualitative** information which deals with apparent qualities (subjective properties). There are further notes on the distinction below.

## Quantitative evidence

Quantitative evidence is mostly about relative levels of participation, involvement and take-up, or else about outcomes, successes and failures.

Quantitative evidence is derived from administrative data collected, for example, from local authority returns, census data etc.

In addition to quantitative evidence about participation and outcomes, it may be relevant to cite also the results of opinion surveys of various kinds.

## Qualitative evidence

The principal **types** of qualitative evidence include:

- case studies and project evaluations
- literature reviews
- interviews and focus groups i.e. statements of concern and opinion from stakeholders
- inspection reports
- views, proposals, recommendations and good practice guides
- responses to Green Papers and White Papers
- responses to draft equality impact assessments.

The principal **authors** of qualitative evidence include:

- research centres and units based in universities (academic research)
- specialist consultancy organisations
- the three equality commissions (CRE, DRC and EOC) and, more recently, the Equality and Human Rights Commission (EHRC)
- other government departments
- interest and advocacy groups, including trade unions and professional associations, specialist organisations, and associations and alliances representing concerns around any of the protected characteristics.

## What the evidence shows

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This should detail:-

- which diverse groups have been identified as being disadvantaged by the proposals together
- what consultation has taken place
- a summary of the negative impacts
- the proposed changes as a result of the research and or consultation
- whether the changes to the policy lower the negative impact
- whether the changes provide opportunities to promote equality of opportunity and improve relations between diverse groups?

## Summarising an assessment of impact

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In the light of evidence make an assessment.

We suggest you copy and paste one of the following statements into your document, and then expand and explain it as appropriate.

- A. A positive impact is explicitly intended and very likely.
- B. An adverse impact is unlikely, and on the contrary the policy has the clear potential to have a positive impact by reducing and removing barriers and inequalities that currently exist.
- C. An adverse impact is unlikely. On the contrary there is potential to reduce barriers and inequalities that currently exist. There is insufficient evidence, however, for this assessment to be made with as much confidence as is desirable.
- D. Adverse impact is unlikely, but positive impact is also unlikely.
- E. Adverse impact is probable or certain, since certain groups will be disadvantaged, either proportionately or absolutely, or both. Remedial action is therefore necessary.
- F. Adverse impact is probable or certain for certain groups but the policy as a whole can nevertheless be justified.

### **PLEASE NOTE**

If you select the last of these assessments it will be necessary to obtain legal advice.

## Next steps

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An EqIA should conclude by indicating clearly the ways in which it will be followed up and kept under review i.e. progress detailed in a project plan, objectives set in an employees PDR/appraisal etc.

So far as is appropriate, the statements about next steps should reflect SMART principles – the measures should be:

- specific
- measurable
- achievable
- realistic
- time-bound

The statement of next steps should also emphasise the equality impact assessment as a whole is a living document and that, accordingly, it will be revised and updated, as appropriate, in the light of further evidence, discussions and representations.

You are likely to mention some or all of the following:

- plans that are already under way or under active consideration to address challenges and priorities you have highlighted
- arrangements for monitoring, and for periodic reports to certain groups
- arrangements for ensuring that monitoring systems are in place to ensure regular checks are undertaken on the effects of the policy
- arrangements for ensuring that evaluations of any pilot projects take account of the concerns and discussions outlined in your assessment
- arrangements for discussing with other agencies and regulatory bodies the scope for taking account of the concerns and discussions in your assessment
- arrangements for ensuring that your assessment is brought to the attention of all relevant colleagues, and in this contributing to reviews of the Department's single equality scheme
- arrangements for disseminating information about your assessment to local authorities and other stakeholders
- arrangements for improving the information base
- intentions for drawing up a detailed action plan.