

# **West Dunbartonshire Licensing Board**

## **Equality Scheme 2011 – 2013**

The Scheme is available in standard print (12 point), in large print, in Braille, on CD and on audio tape. It can also be made available in community languages.

**This document is also available in other languages, large print and audio format on request.**

**Arabic**

هذه الوثيقة متاحة أيضا بلغات أخرى والأحرف الطباعية الكبيرة وبطريقة سمعية عند الطلب.

**Hindi**

अनुरोध पर यह दस्तावेज़ अन्य भाषाओं में, बड़े अक्षरों की छपाई और सुनने वाले माध्यम पर भी उपलब्ध है

**Punjabi**

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਆਡੀਓ ਟੇਪ 'ਤੇ ਰਿਕਾਰਡ ਹੋਇਆ ਵੀ ਮੰਗ ਕੇ ਲਿਆ ਜਾ ਸਕਦਾ ਹੈ।

**Urdu**

درخواست پر یہ دستاویز دیگر زبانوں میں، بڑے حروف کی چھپائی اور سننے والے ذرائع پر بھی میسر ہے۔

**Chinese (Cantonese)**

本文件也可應要求，製作成其他語文或特大字體版本，也可製作成錄音帶。

**Polish**

Dokument ten jest na życzenie udostępniany także w innych wersjach językowych, w dużym druku lub w formie audio.

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## **1 Introduction**

- 1.1** The West Dunbartonshire Licensing Board Equalities Scheme and associated Action Plan sets out the Board's approach to age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex and sexual orientation. It conforms to the requirements of The Equality Act 2010.
- 1.2** The Board's equality scheme draws closely on the West Dunbartonshire Council's Equality Scheme 2009-2012, and meets the standards set for equality schemes by the Council's overarching Equality and Diversity Strategy.
- 1.3** The scheme applies these legislative requirements and strategic approaches to the work of the Board. Therefore a number of issues, such as procurement of goods and services, which are addressed in the Council Equality Scheme, are not included in the Board scheme.

## **2 Background**

- 2.1** The West Dunbartonshire Licensing Board is the Board constituted for the Local Government area of West Dunbartonshire in terms of the Licensing (Scotland) Act 2005. It comprises eight members who are elected members of West Dunbartonshire Council and who are appointed to the Board by the Council.
- 2.2** All West Dunbartonshire employees working to support the Licensing Board through application of the Licensing (S) Act 2005 are subject to the Council's own Equality Scheme. For the purposes of the Equality Act 2010, the Board is considered to be a service provider and not an employer.
- 2.3** The main function of the Licensing Board is to establish local licensing policy and determine licensing matters put before it. This entails dealing with applications for the grant, renewal and transfer of licences, permits, etc. and taking appropriate action where expected standards are not being met or maintained, or legal requirements are not being observed.
- 2.4** The Licensing Board considers licensing applications under any provision of the Act at meetings which are held alternately in Dumbarton and Clydebank as required. Certain non-contentious applications are dealt with by the Clerk under delegated powers on an ongoing basis.

- 2.5** Licensing Board meetings are advertised by notices on the Board's website and emailed widely amongst Community Councils and Public Libraries. The meetings are open for the public to attend. The building where the service is located and venues for meetings are accessible to people using wheelchairs. Hearing loop systems are available. For those who do not have English as a first language a translation service is provided by the Council.
- 2.6** The services of the Licensing Board are available to all members of the community, from single traders to national companies. In West Dunbartonshire 0.7% of the population (from the 2001 census) are from a minority ethnic background, however it is believed that the proportion of this community who hold licences is significantly larger.
- 2.7** One of the main objectives of the Licensing Board is to assist in maintaining and improving the standards within the licensed premises in the West Dunbartonshire area. To this end the Licensing Board supports and encourages licence holders in their efforts to provide high quality establishments which cater for a wide range of demands from local residents and visitors to the area. This has been achieved in the past through licence holder seminars, written and verbal advice given by the staff within the Licensing section, both in the office, and visiting licensed premises.
- 2.8** The Board's objectives will be supported by the scheme and the equal opportunities monitoring information which will be gathered will assist to inform policy, improve decision making and help develop services.

### **3 Legislation**

- 3.1** The Board is bound by the general duties of eliminating discrimination and harassment, promoting equal opportunities and the promotion of positive attitudes and good relations between different groups.
- 3.2** Previous legislation has been pulled together and simplified by the Equalities Act 2010. The Act prescribes that there are nine characteristics that are protected however service providers such as the Licensing Board are required to examine only 8 of these 9 characteristics. The Licensing Board will however take all nine characteristics into account when carrying out its functions.
- 3.3** The following characteristics are protected;

- **age**; - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).
- **disability**; - A person has a disability if he/she 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.
- **gender reassignment**; - The process of transitioning from one gender to another.
- **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 partnership'. 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 or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
- **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.
- **religion or 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.
- **sex**; - A man or a woman.
- **sexual orientation**; - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

**3.4** In all its functions the Licensing Board will ensure that it adheres to the duties under the equalities legislation and will strive to ensure that decision making processes are fair and equitable.

## **4 Involvement**

**4.1** The Board's approach to equalities is informed by the work that West Dunbartonshire Council has carried out in engaging with the disabled community and the black and ethnic minority community. This includes groups such as the Access Panel (*Action 11*), Disability Working Group, the Council's Community Care Strategy Groups and the Minority Ethnic Association. The Board's approach to equality issues reflects these influences and it is committed to widening involvement in the future.

## **5 Leadership and Support**

- 5.1** The Board recognises equal opportunities as a continuing responsibility and has designated one of its members to take a lead role in ensuring that it shapes the way in which the Board discharges its functions. The Board will be asked to confirm who holds this position after every Council election. *(Action 1)*
- 5.2** The Board and, in particular, the designated member for equal opportunities will have the support of the officers who have responsibility for developing and supporting equalities policy for the Council.
- 5.3** The Council will ensure that Board members receive appropriate training in equalities issues. *(Action 9)*

## **6 Communication**

- 6.1** The promotion of equal opportunities is dependent on the capacity to communicate effectively with all of the communities which the Board serves. The Board will therefore follow the guidance set out in 'Communicating Effectively', West Dunbartonshire Council's guide on communication with disabled people and people from black and minority ethnic communities. *(Action 2)* The Board will seek competent advice as required, if this is likely to be needed, by communicating and involving people with other protected characteristics.

## **7 Employment and Training**

- 7.1** The Licensing Board does not employ staff directly but is supported by officers employed by West Dunbartonshire Council. These officers will be involved in the monitoring of recruitment, training and promotion required under the Equality Act 2010.
- 7.2** Employee training is central to the achievement of equal opportunity in the provision of service, and the staff who support the Board will be included in the Council's equality training strategy. *(Action 9)*
- 7.3** Consideration should be given to the provision of training and/or information provided to Designated Premises Managers of licensed premises. *(Action 8)*

## **8 Impact Assessment**

- 8.1** The integration of equal opportunities into the work of the Board requires an assessment of the impact of its policies and procedures on the communities

that it serves, to ensure that groups of people are not being disadvantaged in some way. This process is known as impact assessment.

- 8.2** West Dunbartonshire Council has developed an impact assessment process which takes into account issues of equality. This process will be used to assess the impact of the work of the Board to ensure that it is meeting its general and specific duties under equalities legislation. This assessment was last carried out in March 2008 and approved by the Board in September 2008. It is recommended that this assessment be reviewed after every Council election (2012). This process is likely to result in further action points. (*Action 3*)

## **9 Information Gathering**

- 9.1** The Licensing Board will include equal opportunities monitoring for all applications. The monitoring will be in line with that carried out for services provision functions carried out by WDC. Monitoring information will be collated and analysed to identify any adverse impact on the promotion of equality. Any adverse impacts will be investigated and the steps required to mitigate the impact will be reported to the next appropriate Board meeting. (*Action 4*)
- 9.2** The Licensing Board will be guided by the West Dunbartonshire Council Equal Opportunities Monitoring Guidance for Services.

## **10 Reporting and Reviewing the Scheme**

- 10.1** An annual report on the progress of actions under the scheme will be made to the Licensing Board (*Action 5*) and information on its progress will be included in the reports on Council services published on the Council's website. (*Action 6*)
- 10.2** The Scheme is to be reviewed in 2012 along with the review of West Dunbartonshire Council's Equality Scheme. (*Action 7*)
- 10.3** The Licensing Board will put a complaints procedure in place. It is suggested that it adopts the Council's complaints procedure. A link will be placed on the Licensing Board's webpage that allows members of the public to access this procedure. (*Action 10*)