



Derbyshire Dales and High Peak
Local Strategic Partnership

Derbyshire Dales & High Peak LSP
Partial Equality Impact Assessment Form
Brief guidance notes shown in italics

Title of policy, practice, service or function being assessed	Review of District Council's Gambling Policy - Statement of Principles
Officers conducting assessment	Eileen Tierney, Licensing and Administration Manager and Sarah Newton, Policy Analyst.
Date of assessment	January 2013
Reason for assessment	To review Gambling Policy. Legislative requirement - the Gambling Act 2005 requires all Licensing Authorities to review and publish a Statement of Principles every 3 years. [effective from 31 January 2007].
Equalities Lead Officer	Giles Dann

Purpose, aims and objectives of the policy, practice, service or function under impact assessment

Brief bullet point summary

- To ensure compliance with the legislation is achieved whilst treating all parties fairly by processing applications and carrying out enforcement measures in a consistent and proportionate manner.
- To inform applicants, interested parties, other statutory (responsible) authorities and anyone else affected by premises used for gambling, of the principles which the Licensing Authority will apply, in determining applications for licences and permits.
- To ensure that the Licensing Authority will have regard to the licensing objectives as specified in the legislation, when carrying out its functions. These are:
 - preventing gambling from being a source of crime or disorder being associated with crime or disorder or being used to support crime;
 - ensure that gambling is conducted in an open and fair way;
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.

Are there any other organisations involved in its implementation?

Other partners\contractors\agencies involved in delivery

- The Council acting as the Licensing Authority has responsibility for the implementation of this Policy/Licensing Service;
- The Licensing Authority works mainly with the Gambling Commission and the Police Authority in enforcing the responsibility. Additional partners include the Local Safeguarding Children Board, the Council's Environmental Health Section and the Fire Authority.

Main customer groups (beneficiaries) / stakeholders	
<p>Customer Groups:</p> <ul style="list-style-type: none"> • All licensed members of the Gambling Trade (eg casino, bingo and betting shop proprietors; race course bookmakers, small society lotteries, family and adult gaming entertainment centre proprietors etc. • Organisations/Bodies representing the Gambling Trade. • Solicitors/Consultants acting for applicants for licences and permits. • Licensees of premises where alcohol is sold/supplied eg with AWP machines (amusement with Prizes – fruit machines of varying playing stakes and prize amounts) 	<p>Other stakeholders:</p> <ul style="list-style-type: none"> • Members of the Public and/or users of Gambling facilities/premises. • Gambling Commission. • Police Authority. • Environmental Health. • Local Safeguarding Children Board. • Planning Control Authorities. • Gambling ‘Help’ Organisations. • Citizens’ Advice Bureaux, • Government Agencies/Departments. • Neighbouring Licensing Authorities. • Elected Members as decision makers and representatives of local residents.
<p>Which other District Council departments are affected by the policy, practice, service or function? Do any of the objectives directly support or hinder another activity?</p>	
<ul style="list-style-type: none"> • In addition to the Licensing Section, the following sections are affected by any licensing policies and implementation of the service: <ul style="list-style-type: none"> – Democratic Services and Legal Section: significant role in providing advice and legal interpretation with contentious applications being referred to the Licensing and Appeal Sub-Committees to be determined. – Planning Department: to ensure the premises have the correct permissions for use. – Environmental Health Section: potentially these premises could be ones where the Health & Safety at Work Act is enforced by EHOs. – Finance Department: collection of annual licence fees (not pre-paid on application). – Policy Section: Equality and Diversity obligations. working with services to ensure that the Authority has due regard to the need to eliminate discrimination, harassment and victimisation and, advance equality opportunity and foster good relations between protected groups. – Community Safety Section: working towards prevention of Anti-Social Behaviour in licensed premises as a result of excessive gambling. 	

Assessing relevance to the public sector Equality Duty	
<p>The general Equality Duty has three aims which require the District Council to have due regard to the need to:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination (both direct or indirect), harassment and victimisation; • advance equality of opportunity between all persons i.e. removing or minimising disadvantages suffered by protected groups; taking steps to meet the needs of people from protected groups where these are different from the needs of other people and encouraging people from protected groups to participate in public life or other activities where participation is disproportionately low; • foster good relations between all persons i.e. tackling prejudice and promoting understanding between people from different groups. <p>Which aims of the Equality Duty is the policy, practice, service or function relevant to?</p>	<p><i>Please state</i></p> <p>This Policy is relevant to all 3 aims of the public sector equality duty, but in particular to the aim of eliminating discrimination, harassment and victimisation.</p>

What evidence is already available or needed to help establish the impact of the policy, practice, service or function on protected groups? (Include consideration of relevant data and research available locally and nationally; monitoring information; performance information; previous consultation and engagement e.g. residents' surveys, satisfaction surveys, focus groups; access to services data; complements and complaints; previous equality assessments. When considering gaps, think about any additional monitoring arrangements needed and the need for further consultation).

Information / Data	When and how collected	Source	What it tells you	Gaps
Complaints from the public	Monitored since January 2007	/	The Licensing Authority has not received any complaints or other reports about gambling activities since it took over responsibility for this service.	/
Consultation on changes to Gambling Policy	November 2012. Draft policy published for comment via website and letters to statutory consultees / stakeholder bodies e.g. CAB, Police, Local Safeguarding Children Board	Dales residents and other key stakeholders consulted	Limited response / no equalities issues raised	/
EIAs undertaken by other Licensing Authorities have been researched to identify any common areas that should be addressed.	August-October 2012 via the internet.	Various.	Children and young people, particularly those who might be vulnerable, are considered the highest risk group.	

Protected Groups	Positive effects	Negative effects	No effect	Don't know	Improvement actions
	<i>Identify effects, both service and outcome based (think about sub groups too e.g. older men, disabled women etc.)</i>	<i>Identify effects, both service and outcome based</i>	<i>If no effect identified enter 'None'</i>	<i>If so then what needs to be done(if anything)?</i>	<i>What improvements are needed (or actions should be continued) to remove or minimise negative impacts?</i>
Does the policy, practice, service or function have a positive or negative impact on people of a particular age such as children, young people, older people? Describe how and which	Gambling Policy prevents exploitation of young people and promotes regulatory mechanisms to achieve this with appropriate statutory authorities being part of the consultation process. Consultation on revised policy undertaken with Local Safeguarding Children Board. No comments received.	If Policy is inadequate there is a higher risk of harm to young and vulnerable persons – eg addiction to gambling.			Existing Policy requires age limits for entering certain premises and playing high-stake machines, betting on horses etc. Licensing visits will be carried out in all premises during 2013/14 to ensure the policy is being followed
Does the policy, practice, service or function have a positive or negative impact on people with disabilities including people with physical disabilities, sensory impairments, limiting long-term illnesses, learning disabilities or mental health difficulties? Describe how and which	The Policy does not discriminate on grounds of disability as it is universally applied consistently and fairly to all applicants and users of the service in Derbyshire Dales.	Officers need to be mindful of sight/hearing and learning difficulties – taking into consideration applicants and other persons' ability to read, write and understand any legal consequences of non-compliance, for example.			On request, all licensing application forms and guidance documentation are available in large print format or other formats if required
Does the policy, practice, service or function have a positive or negative impact on any racial / minority ethnic groups ? Describe how and which	The Policy will ensure that Gambling services are conducted in a transparent manner to protect all members of the public irrespective of ethnic group.	Officers need to be mindful that if the applicant's first language is not English positive efforts must be made to explain the application process.			Ensure appropriate engagement with travelling Fairs (Showmen's Guild) to ensure understanding of Council's gambling Policy.
Does the policy, practice, service or function have a positive or negative impact on women or men including those living in particular	Better regulation of Gambling will provide universal protection to all persons.		None specifically.		

Protected Groups	Positive effects	Negative effects	No effect	Don't know	Improvement actions
communities? Describe how and which					
Does the policy, practice, service or function have a positive or negative impact because of a person's marital status including civil partnership ? Describe how and which	Better regulation of Gambling will provide universal protection to all persons.		None specifically.		
Does the policy, practice, service or function have a positive or negative impact on people with a particular sexual orientation ? Describe how and which	Better regulation of Gambling will provide universal protection to all persons.		None specifically.		
Does the policy, practice, service or function have a positive or negative impact on people with particular religion or belief ? Describe how and which		Some religions are opposed to gambling as a pastime – the law does not take into account moral or religious grounds for objections to licence applications.			Make sure the information provided to applicants and members of the public explains the legal situation and the process for calling licences in for a review if they give rise to any breaches of the legislation or undermining of the licensing objectives.
Does the policy, practice, service or function have a positive or negative impact on trans people or people planning to or going through gender reassignment ? Describe how and which	Better regulation of Gambling will provide universal protection to all persons.		None specifically.		

Protected Groups	Positive effects	Negative effects	No effect	Don't know	Improvement actions
Does the policy, practice, service or function have a positive or negative impact on access for people in rural areas ? Describe how and which	Better regulation of Gambling will provide universal protection to all persons.		None specifically.		
Does the policy, practice, service or function have a positive or negative impact on other groups e.g. those experiencing deprivation or health inequalities ? Describe how and which	Better regulation of Gambling will provide universal protection to all persons.	Real possibility of persons on low income becoming victims of gambling addiction.			No evidence of this in Derbyshire Dales, but to scope the issue further the PCT and Citizens' Advice Bureaux have been consulted, to see if specific evidence of this exists since the Policy review in January 2010. No comments on the proposed Policy were received. The situation will continued to be monitored

Outsourced services	
If your policy, practice, service or function is partly or wholly provided by external organisations/agencies, please list any arrangements to ensure that they promote equality and diversity (Include this in your improvement plan)	<i>Are council policies built into contractual or service agreements?</i> N/A.

Relations between different protected groups	
Does your assessment show that a policy, practice, service or function may amount to potential adverse impact between different protected groups? If yes please explain how the improvement plan is going to tackle this issue	<i>Any adverse differential impacts should be addressed</i> No.

If an existing policy, practice, service or function, has it achieved its intended outcomes for the customer groups / stakeholders identified? If not, are there any equalities issues for protected groups?
<i>N.B. If nothing additional to answers to key questions move on.</i> The Policy provides a framework for Officers and Councillors to measure their actions/decisions against, to ensure that the delivery of this strand of the licensing service and enforcement of the legislation is of a high standard for visitors to, and businesses and persons living or working in the Derbyshire Dales. The existing Policy addresses issues relating to young people and no complaints have been received that suggest that young people are being put at risk in the District

If a new policy, practice, service or function, what factors could effect its intended outcomes from being achieved and are there any equalities issues for protected groups?

N.B. If nothing additional to answers to key questions move on.

N/A - Existing Policy.

Can you think of any intentional or unintentional factors that could contribute to negative or differential impact?

N.B. If nothing additional to answers to key questions move on.

No. The Policy seeks to address issues relating to the main risk groups identified.

Summarise the key issues resulting from this initial equality impact assessment and any measures identified to minimise or remove any adverse impact and promote equality of opportunity?

Key Issues:

- Protection of young/vulnerable people on low incomes.

Actions:

- Licensing visits to be carried out in all premises during 2013/14
- Continue to monitor levels of gambling addiction with key partners e.g. CAB
- Continue to monitor any gambling related issues with Local Safeguarding Children Board
- Engage with travelling Fairs (Showmen's Guild) to ensure understanding of Council's Gambling Policy during 2013/14

All actions to be completed by Licensing and Administration Manager

From the information gathered above, does the policy, practice, service or function discriminate (either directly or indirectly) against any protected groups? Explain why?

No.

Do you think this policy, practice, service or function should proceed to full EIA? Explain why

The full EIA process includes a stakeholder day to gain views on any key issues and the preparation of an action plan to address them.

In Derbyshire Dales there are only a limited number of licensed gambling premises and it is therefore relatively easy to monitor these. [4 betting shops; 1 adult gaming centre (high stake/prize machines); 5 family entertainment centres (amusement arcades); 82 pubs with amusement with prizes machines (AWPs – slot machines); 168 small society lotteries (raffles, prize draws etc for charity). The Council does not have any evidence to suggest that the existing Statement of Principles [Policy] which was first introduced in 2007 and reviewed in 2010, has had any adverse effect on any of the protected groups. Consultation on the proposed policy has also not identified any issues. I do not believe that the Policy should proceed to full EIA as no major issues have been identified during this initial impact assessment or consultation process.

PLEASE FORWARD THE COMPLETED FORM TO THE DISTRICT COUNCIL'S LEAD EQUALITIES OFFICER

Signed



(Completing Officer)

Signed



(Equalities Lead Officer)