

Equality Impact Assessment: Penalty Points Scheme

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Licensing Committee 31 January 2023	Penalty Points Scheme	<p>Licensing Committee agree the proposed Penalty Points Policy as contained in Appendix A</p> <p>Licensing Committee endorse and authorise the proposals are put out to public consultation to run from 6 February 2023 until 17 March 2023 (6 weeks)</p>	

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This is must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	neutral	low	There is no evidence to suggest that the proposed policy would have a potential impact on this characteristic.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment	neutral	low	There is no evidence to suggest that the proposed policy would have a potential impact on this characteristic.

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.			
Sex/Gender	neutral	low	There is no evidence to suggest that the proposed policy would have a potential impact on this characteristic.
Gender reassignment	neutral	low	There is no evidence to suggest that the proposed policy would have a potential impact on this characteristic.
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	neutral	low	There is no evidence to suggest that the proposed policy would have a potential impact on this characteristic.
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	neutral	low	There is no evidence to suggest that the proposed policy would have a potential impact on this characteristic.
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	neutral	low	There is no evidence to suggest that the proposed policy would have a potential impact on this characteristic.
Pregnancy and maternity including new and breast feeding mothers	neutral	low	There is no evidence to suggest that the proposed policy would have a potential impact on this characteristic.
Marriage and civil partnership status	neutral	low	There is no evidence to suggest that the proposed policy would have a potential impact on this characteristic.

Actions identified that will mitigate any negative impacts and/or promote inclusion

- **None.** The proposed policy would apply equally to all of the groups identified above, and are considered to have a neutral impact in all cases.

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Date: 29 December 2022