

Equality Impact Assessment Template – Policy, function or strategy

This document should be completed when a new policy, function or strategy is introduced or when a substantive change to an existing policy, function or strategy is recommended.

1. Policy, function or strategy		
a.	Name/description of the policy, function or strategy ¹	Revision of the process regarding Criminal Records Checks for Taxi/Private Hire Driver Licence Applicants born out with the United Kingdom
b.	Responsible organisation(s)/Lead Service	Head of Legal, Democratic, Digital and Customer Services
c.	Lead Officer	Anne Sinclair, Legal Services Manager - Licensing, Litigation and Committees
d.	Date of Impact Assessment	8 August 2025
e.	Partners/other Services involved in the development of the policy, function or strategy	Police Scotland
f.	Is the policy, function or strategy?	<input type="checkbox"/> New
		<input checked="" type="checkbox"/> Reviewed/Revised
g.	What is the purpose of the policy, function or strategy (include details of any new legislation which prompted the introduction of the policy, function or strategy or the substantive change to the policy, function or strategy)?	<p>The process is part of the consideration of the fit and proper person test applicable to Taxi Driver Licence and Private Hire Driver Licence applicants to drive, and in relation to what criminal record checks are requested from applicants who were born out with the UK or have spent more than six months out with the country, as well as those who were born in the UK and who have spent more than six months out with the country.</p> <p>The Council's obligations under The Civic Government (Scotland) Act 1982 refer.</p>

¹ Please attach details of the policy, function or strategy to this Template

h.	What are the intended outcomes of the policy, function or strategy?	To ensure a consistent and proportionate approach is adopted by the Council, as a licensing authority, in relation to criminal record checks for foreign nationals when implementing the processing of applications.	
i.	Geographical area (Inverclyde-wide or a specific location)	Inverclyde-wide	
j.	Which parts of the Equality Duty will the policy, function or strategy impact on?	X	Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by The Equality Act 2010
		X	Advance equality of opportunity between people of different groups
		<input type="checkbox"/>	Foster good relations between people from different groups
k.	Will those who may be directly or indirectly affected by the policy, function or strategy be involved in its development?	No.	

2. Does the policy, function or strategy impact on:		
	Yes	No
a. Protected Characteristics under The Equality Act 2010: Age; Care experienced; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion and Belief; Sex; Sexual Orientation (see Section 3)	X	
b. Reducing inequalities of outcome caused by socio-economic disadvantage – Fairer Scotland Duty ² (see Section 6)	X	

² [Fairer Scotland Duty: guidance for public bodies](#)

c. Inverclyde Alliance Partnership Plan 2023/33 ³ (see Section 7)	X	
d. Council Plan 2023/28 ⁴ (see Section 8)	X	
3. If 'Yes' is selected for any part of Section 2, please populate the other relevant Sections of this Template.		
4. If 'No' is selected for <u>every part</u> of Section 2, please state the reasons for this.		
<p>Please sign below and email a copy of this Template to Karen Barclay, Corporate Policy and Performance Officer:</p> <p><u>karen.barclay@inverclyde.gov.uk</u></p>		
Signature:	Date:	

3. Impact – Protected Characteristics						
Which of the Protected Characteristics will the policy, function or strategy have an impact upon?						
	Impact					
Protected Characteristic	Positive		Neutral	Negative		Reasons/Comments
	High	Low		High	Low	

³ Inverclyde Alliance Partnership Plan 2023/33

⁴ Council Plan 2023/28

Age		X			X	<p>Elderly people may be more likely to use taxis/private hire cars if other modes of transport are not suitable for them. The proposed revision of the process may result in increased availability of taxis/private hire cars.</p> <p>Elderly people may have concerns about using taxis/private hire cars if, in future, drivers are not subject to the fit and proper person checks that are currently in place.</p>
Care experienced			X			
Disability		X			X	<p>Disabled people may be more likely to use taxis/private hire cars – including wheelchair accessible vehicles - if other modes of transport are not suitable for them. The proposed revision of the process may result in increased availability of taxis/private hire cars.</p> <p>Disabled people may have concerns about using taxis/private hire cars if, in future, drivers are not subject to the fit and proper person checks that are currently in place.</p>
Gender Reassignment			X			
Marriage and Civil Partnership			X			
Pregnancy and Maternity			X			
Race		X				<p>The proposed review of the process will consider a wide range of issues including whether issues of discrimination arise.</p>
Religion and Belief			X			

Sex		X			X	<p>Women, in their capacity as primary caregivers, may be more likely to use taxis/private hire cars – including wheelchair accessible vehicles - if other modes of transport are not suitable for the people for whom they provide care. The proposed revision of the process may result in increased availability of taxis/private hire cars.</p> <p>Women, including caregivers and users of the night-time economy, may have concerns about using taxis/private hire cars if, in future, drivers are not subject to the fit and proper person checks that are currently in place.</p>
Sexual Orientation			X			
Other groups to consider <ul style="list-style-type: none">Carers		X			X	<p>Carers may be more likely to use taxis/private hire cars – including wheelchair accessible vehicles - if other modes of transport are not suitable for the people for whom they provide care. The proposed revision of the process may result in increased availability of taxis/private hire cars.</p> <p>Carers may have concerns about using taxis/private hire cars if, in future, drivers are not subject to the fit and proper person checks that are currently in place.</p>
<ul style="list-style-type: none">The Armed Forces Covenant Duty			X			

4. Which parts of the Equality Duty will the policy, function or strategy have an impact upon?	
X	Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by The Equality Act 2010
X	Advance equality of opportunity between people from different groups
<input type="checkbox"/>	Foster good relations between people from different groups

5. Impact – Groups	
From the information you have highlighted above, describe the positive and negative impacts and the groups affected under The Equality Act 2010.	
<p>Positive impact + <i>(Describe groups affected.)</i></p> <p><u>Age; Disability; Sex; Carers</u>: Frequent users of taxis/private hire cars may welcome the potential increase in the availability of the service.</p> <p><u>Race</u>: The proposed revision to the process may benefit people who were not born in the UK.</p>	<p>Negative impact - <i>(Describe groups affected.)</i></p> <p><u>Age; Disability; Sex; Carers</u>: Frequent users of taxis/private hire cars may be reluctant to do so if, in future, drivers are not subject to the fit and proper person checks that are currently in place.</p>

6. Impact – Fairer Scotland Duty

What impact will the policy, function or strategy have on reducing inequalities of outcome caused by socio-economic disadvantage?

Positive impact +	Neutral impact =	Negative impact -
+		
<p>Briefly describe how the policy, function or strategy will impact on reducing inequalities of outcome.</p> <p>The proposed revision to the process may potentially help to reduce socio-economic disadvantage by enabling people into work.</p>		

7. Impact – Inverclyde Alliance Partnership Plan 2023/33

Which Themes from the Inverclyde Alliance Partnership Plan 2023/33 will the policy, function or strategy impact on?

<input type="checkbox"/>	Theme 1: Empowered people <ul style="list-style-type: none">• Communities can have their voices heard, and influence the places and services that affect them• Gaps in outcomes linked to poverty are reduced
X	Theme 2: Working people <ul style="list-style-type: none">• More people will be in sustained employment, with fair pay and conditions• Poverty related gaps are addressed, so young people can have the skills for learning, life and work• Businesses are supported and encouraged to reduce their carbon footprint and develop green jobs
<input type="checkbox"/>	Theme 3: Healthy people and places <ul style="list-style-type: none">• People live longer and healthier lives• Supportive systems are in place to prevent alcohol and drug misuse• Our natural capital is looked after, and we are effectively adapting and mitigating the effects of climate change
<input type="checkbox"/>	Theme 4: A supportive place <ul style="list-style-type: none">• Vulnerable adults and children are protected and supported, ensuring they can live safely and independently• We recognise where people are affected by trauma, and respond in ways that prevent further harm and support recovery• Public protection and community safety are improved through targeting our resources to reduce the risk of offending and harm
<input type="checkbox"/>	Theme 5: A thriving place <ul style="list-style-type: none">• Growth in our working age population by encouraging people to stay here, and attracting new people to settle here• Development of strong community-based services that respond to local need• Homes are energy efficient and fuel poverty is reduced• Increased use of active travel and sustainable transport options• Easy access to attractive and safe public spaces, and high-quality arts and cultural opportunities

<p>Briefly describe how the policy, function or strategy will impact on the Inverclyde Alliance Partnership Plan 2023/33 Themes.</p> <p><u>Theme 2:</u> The proposed revision to the process will support delivery of this Theme by potentially enabling people into work.</p>

8. Impact – Council Plan 2023/28

Which Themes from the Council Plan 2023/28 will the policy, function or strategy impact on?

X	<p>Theme 1: People</p> <ul style="list-style-type: none">• Our young people have the best start in life through high quality support and education• Gaps in outcomes linked to poverty are reduced• People are supported to improve their health and wellbeing• More people will be in employment, with fair pay and conditions• Our most vulnerable families and residents are safeguarded and supported
<input type="checkbox"/>	<p>Theme 2: Place</p> <ul style="list-style-type: none">• Communities are thriving, growing and sustainable• Our strategic housing function is robust• Our economy and skills base are developed• We have a sufficient supply of business premises• Our natural environment is protected
<input type="checkbox"/>	<p>Theme 3: Performance</p> <ul style="list-style-type: none">• High quality and innovative services are provided, giving value for money• Our employees are supported and developed

<p>Briefly describe how the policy, function or strategy will impact on the Council Plan 2023/28 Themes.</p> <p><u>Theme 1:</u> The proposed revision to the process will support delivery of this Theme by potentially enabling people into work.</p>

9. Evidence

What evidence do you have to help identify any potential impacts of the policy, function or strategy?

Note: Evidence could include information from consultations, surveys, the Citizens’ Panel, focus groups, interviews, projects, user feedback, complaints, Officers’ knowledge and experience, equalities monitoring data, publications, research, reports, and local and national groups.

Evidence	Details
Consultation/engagement (including any carried out while developing the policy, function or strategy)	Police Scotland was consulted in advance of the present report being prepared. The Licensing Sergeant has confirmed that it will be for the local authority to make the determination as to whether to accept an applicant’s explanation as to why documentation is not available.
Research	It appears that, out of 32 licensing authorities in Scotland, at least 12 licensing authorities have specific information in their applications or guidance notes about criminal records checks for applicants born out with the United Kingdom. Of the 12 licensing authorities with specific information about criminal records checks for foreign nationals, six licensing authorities have similar requirements to one of the options presented to the Board for the proposed revision to the process.
Officers’ knowledge and experience (including feedback from frontline staff)	<p>The Immigration Act 2016 requires the Council to undertake additional checks on persons making applications for a Taxi Driver’s Licence relative to their right to work in the United Kingdom. All applications are intimated to Police Scotland for a “fit and proper” test to be carried out.</p> <p>There has been a noticeable increase in the number of applications from foreign nationals seeking a Taxi/Private Hire Vehicle driver’s licence in the last 18 months.</p>

Equalities monitoring data	
User feedback (including complaints)	<p>The Council's licensing section staff, when rejecting applications, have faced increased challenges from both applicants and their advisers in relation to the current approach.</p> <p>Local media coverage of the possible revision to the process has attracted a number of negative comments.</p>
Stakeholders	
Other	
Are there information gaps and, if so, what are these?	

10. Consequences of Analysis

What steps will you take in response to the findings of your analysis? Please select at least one of the following and provide a brief explanation.

a.	Continue development with no changes	<input type="checkbox"/>	
b.	Continue development with minor alterations	X	What alterations are necessary as the procedure develops will depend upon the decision of the General Purposes Board.
c.	Continue development with major changes	X	See above.

d.	Discontinue development and consider alternatives (where relevant)	<input type="checkbox"/>	
<p>How will the effect of the policy, function or strategy be monitored following implementation?</p> <p>The procedure will be kept under review.</p>			
<p>When is the policy, function or strategy due to be implemented?</p> <p>Following approval by the General Purposes Board at its meeting on 13 August 2025.</p>			
<p>When will the policy, function or strategy be reviewed?</p> <p>All processed are kept under regular review and discussed at regular Licensing team meetings.</p>			
<p>What resources are available for the implementation of the policy, function or strategy? Have these resources changed?</p> <p>Costs will be contained within Directorate budgets.</p>			

<p>11. Please use the space below to detail any other matters arising from the Equality Impact Assessment process, including what action could be taken to mitigate the impact of the policy, function or strategy.</p>

The drivers of taxis provided by the Council for school pupils are subject to additional and separate checks conducted by the Council in its capacity as an Education Authority, prior to contracts being granted by the Education Service.

Details of the Person(s) who completed the Assessment:	
Name:	Anne Sinclair
Position:	Legal Services Manager - Licensing, Litigation and Committees
Date:	13 August 2025
Authorised by:	
Name:	Stuart Jamieson
Position:	Chief Executive
Date:	13 August 2025

Please send a copy of the completed Template to Karen Barclay, Corporate Policy and Performance Officer at karen.barclay@inverclyde.gov.uk.