

ABERDEENSHIRE LICENSING BOARDS

North, Central and South Divisional Licensing Boards

REPORT TO the CENTRAL, SOUTH and NORTH DIVISIONAL LICENSING BOARDS – 21st August 2019 (Late Report), 28th August 2019 and 30th August 2019

**EQUALITY ACT 2010 (SPECIFIC DUTIES)(SCOTLAND) REGULATIONS 2012
EQUALITIES MAINSTREAMING & OUTCOMES PROGRESS REPORT 2019
APPROVAL OF UPDATED EQUALITIES POLICY FOR THE LICENSING BOARDS**

1 Recommendations

The Boards are recommended to:

- 1.1 Consider the progress made towards meeting the Public Sector Equality Duty and specific duties in terms of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.**
- 1.2 Approve for publication the joint Aberdeenshire Council, Aberdeenshire Education Authority and Aberdeenshire Licensing Boards' Equality Mainstreaming & Outcomes Progress report 2017-2019 (Appendix 1).**
- 1.3 Agree the terms of the updated Equalities Policy for the Boards (Appendix 2) and authorise the Depute Clerk to publish the updated Policy on the Boards' website.**

2 Background / Discussion

- 2.1 The Public Sector Equality Duty, referred to as the General Duty, is a legal duty under the Equality Act 2010 whereby Local Authorities, Local Education Authorities and Licensing Boards must give 'due regard' to (or to consciously consider) nine protected characteristics specified in the Act when exercising its public functions.**
- 2.2 Furthermore, the Scottish Government passed the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, which came into force in May 2012. These specific duties require for all three of the above entities to identify and publish fresh Equality Outcomes every four years, and to publish an equality outcomes progress report every two years. At its meeting on 27 April 2017, Aberdeenshire Council approved new Equality Outcomes for 2017 – 2021. The report was also approved by the Licensing Boards and the Education and Children's Services Committee on 23 March 2017 and 30 April 2017 respectively.**
- 2.3 Since then, considerable work has been undertaken regarding both, the integration of equalities into the council's structure, and in respect of our six Equality Outcomes. It is two years now since publishing the new outcomes, and the Equality Mainstreaming & Outcomes Progress report 2017-2019 is now put before the Licensing Boards for consideration on progress made in matters relating to the Licensing part of the Equality Outcomes.**
- 2.4 The legislation states that an interim report on progress must be made in relation to mainstreaming equalities and also that progress made in respect of**

the Equality Outcomes is published. The aim is to build on previous work and promote a fairer, more inclusive Aberdeenshire where everyone can feel part of the community and ensure that equalities are always an important consideration in everything we do.

2.5 Furthermore we are required to publish information in relation to the following:-

- Assess and review policies and practices;
- Gather and use employee information;
- Report and publish gender pay gap information;
- Consider award criteria and conditions in relation to public procurement; and
- Publish in an accessible manner.

2.6 The Equality Mainstreaming & Outcomes Progress report 2017-2019 has been presented to the Education and Children's Services Committee and is now being presented to the Licensing Boards for approval. This will be followed by a report to Full Council on 26th September for approval. The purpose of this is to have the joint report approved by all three authorities, those being Aberdeenshire Council, Aberdeenshire Education Authority and Aberdeenshire Licensing Boards, in a transparent manner. The report is scheduled to be published on later date in September, subject to its approval. **(See Appendix 1)**

2.7 The Boards' Equality Policy has been updated as follows **(see Appendix 2)**:

- The Policy has been formatted into the new corporate layout for Licensing Board Policy documents, for consistency
- The information relating to obtaining copies of the Policy in alternative languages has been updated to reflect current information
- There has been a table added to the bottom of the foreword to indicate the dates the current licensing boards formally adopted the Equality Policy
- Paragraph 2.5 of the Policy now names the Equalities Champions for the Licensing Boards
- 5.2 of the Policy reflects the fact that there is now one Licensing Forum for Aberdeenshire
- Paragraph 8.3 has been corrected to reflect the fact that progress report is required bi-annually rather than annually.
- Contract details for the Depute Clerks have been updated
- Appendix 1 has been updated to show evidence of work done to date. This evidence has been incorporated into the Progress Report that has been prepared.
- The statistics in Appendix 2 have been updated and will continue to be updated on an annual basis
- The Equalities Overview will be revised when the new outcomes are set in 2 years' time
- Work on the Equalities Outcomes has been evidenced

3 Governance

3.1 The Licensing Boards have the authority to approve all matters relating to Equalities for licensing purposes which have not been delegated to officers and are therefore able to consider and approve the subject matter of this report.

4 Equalities, Staffing and Financial Implications

4.1 A live Equality Impact Assessment currently exists for the Mainstreaming and Equality Outcomes 2017-2021. As this is a progress report there is not the requirement for an additional Equality Impact Assessment to be completed.

4.2 Staff within the Licensing and Governance Teams are committed to furthering activity in support of equalities and this is considered as part of the wider staff implications and embedded in day to day activity. There are no financial implications.

Karen Wiles
Clerk to the Board

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