

# Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

<b>Directorate:</b> <b>Resources</b>	<b>Service area:</b> <b>Taxi and Private Hire Licensing</b>
<b>Lead person:</b> <b>Kate Coldwell</b>	<b>Contact number:</b> <b>2143057</b>

## 1. Title: Taxi and Private Hire Medical Exemptions Policy - Review

Is this a:

☒

**Strategy / Policy**

☐

**Service / Function**

☐

**Other**

**If other, please specify**

## 2. Please provide a brief description of what you are screening

As a result of the Equality Act 2010, certain duties are placed on the drivers of Taxis and Private Hire vehicles;

- to carry the passenger while in the wheelchair
- not to make any additional charge for doing so
- if the passenger chooses to sit in a passenger seat, to carry their wheelchair
- to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort
- to give the passenger such mobility assistance as is reasonably required
- to carry the passengers dog, allowing it to remain with the passenger and not make any additional charge for doing so

In some circumstances a driver may be unable to fulfil the requirements of the Equality Act 2010 for medical reasons.

Sections 166, 169 and 171 of the Act allow licensing authorities to exempt drivers from the above duties if they are satisfied that it is appropriate to do so on medical grounds.

The Medical Exemption Policy sets out Leeds City Councils policy and process for drivers applying for and receiving a medical exemption. This includes how to appeal if their application is refused.

### 3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	√	
Have there been or likely to be any public concerns about the policy or proposal?		√
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		√
Could the proposal affect our workforce or employment practices?		√
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> <li>• Eliminating unlawful discrimination, victimisation and harassment</li> <li>• Advancing equality of opportunity</li> <li>• Fostering good relations</li> </ul>	√	

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

#### 4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?**

Leeds City Council is committed to an accessible public transport system in which disabled people have the same opportunities to travel as other members of society. Taxis and Private Hire vehicles are a vital link in the transport chain. It is important that people who use wheelchairs or assistance dogs can have confidence that drivers will accept them and their wheelchair or assistance dog and carry them at no extra charge.

In some circumstances however a driver of a designated Taxi or Private Hire vehicle may be unable to fulfil the requirements of the Equality Act 2010 for medical reasons, either short or longer term.

Section 166 of the Act allows licensing authorities to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for them to comply with the duties.

Sections 169 and 171 of the Act allow licensing authorities to exempt drivers from the duties to transport assistance dogs if they are satisfied that it is appropriate to do so on medical grounds.

The then Disability Discrimination Act 1995, prompted the introduction of the Taxi and Private Hire Licensing Sections Medical Exemption Policy in 2007. This was informed by the legal requirements and supporting guidance available as well as extensive local consultation was carried out with the licensed trade and with the Access Committee for Leeds (a disability access forum).

The current Medical Exemption Policy emphasises the need to provide accessible transport to disabled people and sets out the process for drivers applying for and receiving an exemption. This includes how to appeal if their application is refused.

As part of the review of all of the Taxi and Private Hire Sections policies and Conditions, a wider consultation project was undertaken in 2011, whereby the general public, the trade and Elected Members were asked to review the current Medical Exemptions policy and provide feedback.

At present, the Taxi and Private Hire Licensing Section does not have any live medical exemption granted to licensed drivers. This is comparative to in excess of 4,000 licensed drivers working within the Leeds Licensing district and indicates that the licensed trade are able to fulfil their duties in Leeds.

There have not been any applications for a medical exemption certificate over the last 12 months.

- **Key findings**

Comments received as a result of the consultation carried out amongst the general public, licensed trade and Elected Members requested that the Taxi and Private Hire Licensing Section remains reasonable and understanding to drivers medical conditions.

It would therefore appear that the policy and practice is effective for:

- drivers applying with a genuine need to obtain a medical exemption
- supporting a refusal for an application
- ensuring the service is able to respond positively to the needs of disabled customers and others in need of assistance (e.g. helping a parent with their pushchair )

Minor amendments are required to the policy and practice to ensure it reflects and references current legislative requirements

The policy and practice needs to continue to be 'reasonable' to the needs of drivers, the licensing authority and meeting customer needs.

- **Actions**

**(think about** how you will promote positive impact and remove/ reduce negative impact)

Ensure that any changes to legislation are duly noted and updated as applicable within this policy.

Ensure that this policy continues to be administered fairly and each drivers medical condition is assessed on its own merits.

Ensure that we continue to consult fully regarding any proposed changes to the Medical Exemption Policy.

Ensure any changes to the policy are communicated widely and appropriately.

**5. If you are **not** already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment**.**

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

**6. Governance, ownership and approval**

Please state here who has approved the actions and outcomes of the screening

<b>Name</b>	<b>Job title</b>	<b>Date</b>
Kate Coldwell	Service Development Officer	26 July 2012

**7. Publishing**

This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published.

Please send a copy to the Equality Team for publishing

<b>Date screening completed</b>	26 July 2012
<b>Date sent to Equality Team</b>	26 July 2012
<b>Date published</b> (To be completed by the Equality Team)	