

The Moray Licensing Board

Gender Equality Scheme 2006 - 2009

Anyone requiring this document in another format should please contact the Clerk to the Licensing Board or visit the Council's Access Point.

Council HQ High Street, Elgin IV30 1BX

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Introduction

Our Constitution

Our Licensing Board ('the Board') is comprised of elected members whose role is to represent and serve the interests of the community of Moray.

The Board is comprised of nine elected members of the Moray Council ('the Council') including a Chairperson, elected at the first Council meeting after each ordinary Council election. The Board must consist of at least 5 members.

Board meetings are in public but deliberations can be made in private.

The Board is supported by a Clerk, one or more Deputes and support staff.

All revenue received by the Board from the fees on licence applications must be transferred to the Council. The Council is charged with the responsibility for providing accommodation for the meeting of the Board and all necessary expenses in respect of the proceedings of the Board. All staff carrying out the Board's responsibilities are appointed and employed by the Council.

Our Aim

Our aim is to serve the licensing needs of Moray as quickly and efficiently as possible, striking a balance between the business needs of our customers and the interests of the community as a whole in order to protect the public and further the licensing objectives.

To achieve our aim:

- In deciding on policies we will reach out to all parts of society and genuinely reflect their interests through the medium of the Licensing Forum.
- We will encourage an open and honest exchange of information in a customer friendly setting and make decisions in a fair and reasoned manner based around agreed and published policies.
- In all we do we will be fair and fairness includes having regard to and an interest in equality and diversity in all forms and ensuring that equality considerations are central to all that we do.
- We recognise that we do not work in isolation but achieve our objectives in partnership with a wide range of other Public Bodies including The Moray Council and its various departments, statutory consultees, the industry and the public. They too must eliminate any form of unlawful discrimination in terms of race, disability, gender or any other arbitrary criteria and promote equality of opportunity and good relations between persons from all sections of society.
- In these plans we will strive to reflect the interests of people from all sections of the society we serve.

Our Remit

Broadly speaking the Moray Licensing Board's functions are to:

- accept and process to grant, renewal or refusal all applications for liquor licences
- accept and process to grant, renewal or refusal all applications for gaming licences
- accept and process to grant, renewal or refusal all applications for gaming machine permits for public houses and hotels
- accept and process to grant, renewal or refusal all applications for betting office licences, betting agency permits and bookmaker's permits

- consider complaints in respect of licences and some permits granted and the holders of these and where necessary holds hearings with a view to resolving the complaint either by way of suspension of a licence or some less radical remedy
- formulate, consult on and adopt policies in relation to the exercise of the Board's licensing function
- make a number of decisions in terms of liquor licensing affecting the day to day management or hours of operation of premises licensed for the sale of alcohol
- provide general support and guidance to the trade and the community on the above

Duration of the Scheme

This Scheme will remain in force for three years for the period from the start of July 2007 to the end of June 2010 at which time a full appraisal and revision will take place.

In any event the Scheme will remain under review and action will be taken as and when necessary.

Statutory Governance

Our duties in respect of Gender Equality are set out in statutes detailed in the “Our Duties” section.

Apart from these, we have objectives laid down in statute specifically related to our work around which we must organise all our licensing functions:

Licensing Statutory Provisions:

- The Licensing (Scotland) Act 1976
- From the 1st February 2008 the Licensing (Scotland) Act 2005
- The Gaming Act 1968
- The Betting Gaming and Lotteries Act 1963
- From the 21st May 2007 The Gambling Act 2005
- The Civic Government (Scotland) Act 1982
- The Local Government (Scotland) Act 1973

The Licensing Objectives:

The regimes under the 2005 Acts for both gambling and liquor licensing set out broad aims which the Board must and will support in all its functions, which are:

- **Protect children and vulnerable people from harm.**
- **Secure public safety**
- **Improve public health**
- **Prevent crime and disorder**
- **Prevent public nuisance**
- **Ensure fairness**

Preparation of the Scheme

The Challenge

Elimination of discrimination is one aspect of ensuring fairness in accordance with the licensing objectives. The Moray Licensing Board is opposed to discrimination in all forms. It is committed to taking all steps within its power to eliminate actual incidents of discrimination and the potential for the same, to promote equal opportunities and good relationships amongst all communities.

Therefore the challenge underlying this whole Strategy is to ensure that all parts of our community are represented.

The Moray Licensing Board pledges to achieve this by adoption of aims and good working practices which reflect recognition of its responsibilities as a partner in a multi-agency work practice, with regard to its legislative duties, as public service providers and as an influence on public opinion and attitudes. The Moray Licensing Board will monitor and review policy and procedures and will encourage the development of relevant programmes and good practice.

Our challenge is to build on existing work to deliver better and more accountable services to the diverse community that makes up the Moray area.

Prior Schemes

In 2003 the Board published a Scheme in respect of Race Equality, which requires review. In March 2007 the Board also published a draft Disability Equality Scheme. The need has now arisen for a Gender Equality Scheme. In future the opportunity may be taken to review all aspects of equality and produce one all encompassing scheme.

Responsibility for the Scheme

All Equality Schemes are produced by the Clerk to the Board under the direction of the Board.

The close connections between the Board and Council mean that the Board is aware of the major initiatives already undertaken by the Council with regard to the promotion of equalities issues. It affords the Board the opportunity to benefit directly from the actions already proposed by Council services and in particular the Chief Executive's Section to ensure that it fulfils all the equality obligations. This is reflected in all the Council's / Board's Equality Schemes.

Although the Board has a separate legal status from the Council, it is resourced entirely by the Council and the duties will be complied with largely by the Council, as a whole, with reference to its Equalities Schemes.

This Scheme has been produced having regard to the following persons, bodies and resources:

- The Equality in Moray Research Report of November 2006
- The Moray Resource Centre
- The Moray Council

The Clerk at the direction of the Board will be responsible for implementing the action plan contained within this Scheme and reporting to the Board on progress.

Updates and initiatives will be available to view on the Moray Council's website. The website can be accessed by following this link: <http://www.moray.gov.uk>

If you wish to submit any comments on this document at any time please address them to:

The Clerk to the Licensing Board, Council Headquarters, High Street, Elgin, IV30 1BX

Our Equality Duties

The Licensing Board is defined as a public authority, separate to the Moray Council, for the purposes of equalities duties.

- From April 2001 the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 introduced duties in respect of racial equality;
- From December 2006 the Disability Discrimination Act 1995 as amended by the Disability Discrimination Act 2005 introduced duties in respect of disability equality;
- From April 2007 the Equality Act 2006 and the Employment Equality (Age) Regulations 2006 introduced duties in respect of gender equality as well as making some more basic provisions about the whole equalities structure.

The General Gender Equality Duties

The general duty in respect of gender requires the Board in carrying out its functions to have due regard of the need to:

- eliminate unlawful sex discrimination and harassment; and
- promote equality of opportunity between men and women

The Specific Gender Equality Duties

In order to help the Board to meet this ‘general duty’ under the above provisions, to demonstrate its commitment, and measure its success, there are a number of Specific Duties it will have to adhere to. Under the ‘specific duties’, the Board is required to publish a Scheme in respect of Gender Equality. It is also permissible to publish one general equalities scheme.

The Board is required to consult its employees, services users and others who appear to have an interest in the way it carries out its functions in preparing its scheme and set out the actions which it has taken or intends to take to:

- gather information on the effect of its policies and practices on men and women and the extent to which the services it provides and the functions it performs take account of the needs of men and women;
- make use of information gathered and any other information the Board considers to be relevant, to assist it in the performance of its general and specific duties and in particular its regular review of the effectiveness of the actions identified and its arrangements for the preparation of subsequent schemes;
- ensure its scheme sets out the overall gender equality objectives for it to perform its general and specific duties;
- consider the need to have gender equality objectives that address the causes of any differences between men and women that are related to their sex;
- assess the impact of its policies and practices, or the likely impact of its proposed policies and practices, on equality between women and men;
- consult relevant employees, service users and others;
- achieve the fulfilment of the objectives identified as being necessary for it to perform its general and specific duties.

Statutory Bodies

The Commissions

Up until October 2007, there are three Commissions:

- **The Commission for Racial Equality**
This Commission aims to increase equality for people from different ethnic groups. More information on the duties is available on the Commission for Racial Equality's (CRE) website at www.cre.gov.uk/duty/index.html
- **The Disability Rights Commission**
Which makes things fairer for disabled people. More information on the duties is available on the Disability Rights Commission's (DRC) website at www.drc.org.uk
- **The Equal Opportunities Commission**
Which makes things fairer between women and men. More information on the duties is available on the Equal Opportunities Commission's (EOC) website at www.eoc.org.uk

The Commission for Equality and Human Rights

From October 2007 these will become one Commission which will take over the work of all the above in order to help people who have not been treated fairly and help everyone to understand human rights. It will be called the **Commission for Equality and Human Rights (CEHR)** and it is given relevant powers in the Equality Act 2006.

The Commission for Equality and Human Rights will work with:

- women and men
- disabled people
- people from minority ethnic groups and those who are not
- people of different ages
- people who have different religions or beliefs
- gay, bisexual and lesbian people
- people who have changed sex

The Commission's work with people from different ethnic groups will begin later, by the 31st March 2009.

There will be a committee for Scotland, which will be part of the Commission.

The People of Moray

Population Statistics

General Population Characteristics

The total population of Moray at the 2001 Census was 86,940. Most people (almost 60%) live in the 5 main towns of Elgin, Buckie, Forres, Keith and Lossiemouth. The overall population density is low at 38 persons per square kilometre (compared to 66 in Scotland). There is a clear difference between the populated, rich agricultural land in the Laich of Moray along the northern coast and the sparsely populated upland area to the south.

Ethnicity

The majority of the population in Moray in 2001 were white Scottish (80.5%). 17% were other white UK, predominantly English. Recent migration has significantly increased the numbers of Europeans in the area, but there are currently few reliable statistics. The largest established minority ethnic community are the Chinese community who comprised 0.17% of the community at the 2001 Census. The next largest community was Pakistani (0.14%) The total of visible minority ethnic communities comprised 1.61% of the total population of Moray. This is less than the average for Scotland which at the 2001 Census was found to be 2.01%. 0.5% of the population were Gaelic speakers.

The varied ethnic groups and languages concentrated in the small number of the overall population, together with the high level of reported racial incidents against English residents, makes addressing the Racial Equality issue unique in Moray.

Disability

There is a distinct lack of reliable figures for the number of people with a disability within the Moray area. The following figures representing the percentage of persons with a disability have been extracted from the 2001 Census figures published by the Scottish Executive:

• 0-15	5%	• 35-59	19%
• 16-24	6%	• 60+	51%
• 25-34	9%	• All ages	20%

It is evident that as the population ages, a much higher proportion of people have long-term illness or disability. For all ethnic groups, at least 40% of people aged 60 years and over reported themselves to have a long-term illness or disability.

Taking account of the figures below for age ranges within Moray the population in this area seems to be only of a slightly lower average age than in Scotland as a whole. This would indicate that the likely percentage of people with a disability would be fairly consistent with the above, probably an overall figure of between 18% and 20%. This is a significant percentage, equivalent to between 1 in 5 and 1 in 6 people.

However the absence of reliable data and the policies that such data would support only serves to highlight the need for an increased awareness of disability issues.

Gender Split

There is an almost exact 50% division between men and women. There are more females than males throughout Scotland in every Council area other than Shetland and Moray. The higher than average proportion of males in Moray is due primarily to the presence of two RAF bases in the area. This also has some impact on the age distribution of the population, increasing the numbers of young families and single people.

Population Change

The Mid 2005 Populations Estimates for Scotland (GROS) indicate a small increase in the population of Moray owing primarily to inward migration exceeding outward. In recent years

large numbers of migrants from Eastern Europe have arrived to work for varying periods of time.

Age Characteristics

In the 2001 Census, Moray had a slightly higher percentage of young people with 20.1% of the population aged under 16 compared to a national average of 19.2%. 16.3% of population of Moray was aged over 65, in line with the average for Scotland. The age structure was broken down as follows:

• 0-4	5.66%	• 45-64	24.44%
• 5-15	14.46%	• 65-74	9.09%
• 16-24	9.51%	• 75+	7.19%
• 25-44	29.65%		

Licensed Premises Statistics

For the purposes of licensing, 4 categories of working partners can be identified:

- Licence holders and applicants represented in the statistics below
- The public as customers and neighbours of licensed premises represented by the general population statistics above
- Interested departments and statutory consultees
- Staff supporting the Board for which see the “Our Staff” section

At present* there are 451 gaming and alcohol licensed premises in Moray which can be broken down as follows:-

Betting Offices	6
Bingo Clubs	3
Bookmakers	5
Entertainment Premises	12
Hotels	72
Off Sales	146
Public Houses	105
Refreshment Licences	17
Registered Clubs	44
Restaurants	33
Restricted Hotels	8
TOTAL	<u>451</u>

There are also 125 listed voluntary organisations that apply for occasional licences.

*Figures correct as at January 2007

Licence Holders

The Licensing Board at present do not record, as part of the application process, the place of birth or ethnic origin of licensees. Neither is gender specifically recorded. Consideration will be given to collecting such data as it may be useful. However for both purposes certain information can be extracted from the recorded names and titles of licence holders in any event.

- Ethnicity - From an examination of records our general knowledge of premises and their licensees approximately 9 of the restaurants, 2 of the hotels, 3 of the off sales and 1 of the refreshment licences are operated by licensees of ethnic origin, excluding English residents. This represents an overall percentage of approximately 3.3%. This is above the level of ethnicity within the population as a whole both within Moray and Scotland.
- Disability - There is currently no information held as to the number of licensees that may have a disability
- Gender - From records out of a sample of 203 licence holders, 128 (63%) were male and 75 (37%) female.

Measures in Place

There is obviously a cross over between different equality strands and some measures are useful in combating more than one form of discrimination. Therefore a more exhaustive list of measures is set out below.

1. Licensing Forum

The most important development specific to the Board, as opposed to the Moray Council in general, has been the development of the Local Licensing Forum. The Moray Licensing Board has been a pioneer in this field having had an Interim Forum in place since the first meeting in September 2005.

The Local Licensing Forum is the medium through which the Board can engage with representatives of all parts of the community and ensure community views are taken into account. This will be the foundation of any equality scheme.

In 2005, as part of an existing prior consultation process on policy development, the Board helped to create an Interim Local Licensing Forum for Moray. This brought together elected members, trade interests, licensing solicitors, health board representatives, Police, Fire Brigade and community groups. The Interim Forum already plays a significant part in the development of Board policies.

The Act places responsibility for recruitment of the Forum on the Moray Council. The make up of the Local Licensing Forum must change on implementation of the Licensing (Scotland) Act 2005. The Act prescribes minimum and maximum numbers for the Forum and lays down statutory groups that must be represented within the Forum as follows:

- Holders of premises licences and personal licences
- The Chief Constable for the area
- Persons having functions related to health, education or social work
- Young people
- People resident within the Forum's area
- Licensing Standards Officer – see below

The Board will ensure discussions take place with the Council and relevant parties to ensure the involvement of representatives of the community as a whole on an equal footing. This should include any community groups related to ethnicity, disability and gender to ensure the actual (not just perceived) views or needs of those groups are represented.

2. Licensing Standards Officer

Under the Licensing (Scotland) Act 2005 the Council is required to employ one or more Licensing Standards Officers (LSO). The LSO will be on the front line as the first point of contact between the Board and both the trade and the public. The LSO will be a source of advice, a mediator in disputes and a compliance officer in one. It will be important for the LSO to engage with any and all members of the community and as such a priority will be training including training on equality and diversity issues.

3. Language Line

The Moray Council has subscribed to Language Line, a UK wide organisation able to provide instant telephone interpreting in over 100 languages, 24 hours a day, 7 days a week. This can be utilised by Board Applicants.

4. Racial Incidents Monitoring Form (RIMF) & Teamwork Against Racial Crime (TARC)

A system of racial equality was the first duty imposed on public bodies and so there has been more time for implementation of measures.

As part of the Racial Incidents Multi-Agency Strategy, the Moray Council established a policy to record and report all racial incidents reported to them. The monitoring of the incidents was directed to the Grampian Racial Equality Council (GREC). The Council is committed to resolving any racial incidents involving Council and related services including the Licensing Board and will work with all partners to achieve a satisfactory resolution to the incident. More

information is available at : <http://www.grec.co.uk>

TARC is the part of GREC that is responsible to the Community Safety Partnership for monitoring all racial incidents in Moray. As a result, TARC is responsible for preparing reports that include statistical information on incidents, any emerging problems and recommendations for future action.

5. Training

The Licensing Board members are subject to the general training of the Moray Council members and whilst this is not specific to the Board business it does include general equalities awareness training. The Moray Council staff will be subject to it's training regime and requirements as employees of the Council.

6. Happy to Translate

The Moray Council is again leading the way as part of a Steering Group, established by Equality Scotland, made up of representatives from the funding bodies and pilot organisations to oversee the development and progress of this project.

As part of its ongoing effort to promote equal opportunities for all communities in Scotland, Trust, Hanover (Scotland) and Bield Housing Associations developed the concept of the "Happy to Translate" Logo Initiative. The "Happy to Translate" Logo will be a key tool in providing equal access to information and services. The Moray Council will display the official logo on literature and in reception areas to let non-English readers and speakers know they will provide quality translation and interpreting services. The use of the logo will include good practice guidelines and monitoring and evaluation techniques in order to establish and maintain a customer-oriented approach for the provision of language assistance.

7. Recruitment and Staff Issues

All staff supporting the Board are recruited and employed by the Moray Council. The Moray Council has numerous measures in place including:

- Recruitment of Persons with a Disability - The Moray Council has developed principles in respect of both recruitment and working practices to meet the needs of those with a disability. Anyone with a disability that meets the essential job requirements for any advertised post is guaranteed an interview.
- Equal Pay - The Moray Council is one of the first Councils to have a full scheme for a single status pay and grading structure in place compliant with the principle of equal pay in the workplace.
- Family-Friendly Working - The Moray Council offers both a flexi scheme and a flexible working hours scheme and other family-friendly working arrangements.

8. Accessibility

The Moray Council has an ongoing plan of development and upgrading of Council property and building to ensure accessibility for all.

9. Equality in Moray

In 2006 The Moray Council in association with MVS0, Moray College, Careers Scotland and other Community Planning partners commissioned research into equalities issues in Moray. The report was called "Equality in Moray".

It aimed to explore current equalities policy and practice in Moray, identify good practice and help public, voluntary and private sector organisations address equalities issues as employers and service providers.

The Moray Council had developed a number of initiatives to enable people to access services including developing matters in this section, welcome packs for new migrants, introducing a home visiting team to assist clients access benefits, funding multi-cultural events and initiating a range of imaginative multicultural approaches within schools. The latter included exchange visits to Poland and making links with schools in other countries. Services which provided dedicated support to particular equality groups, such as the Moray Resource Centre, also received particular praise.

Our Policies and Functions

The Impact Assessment Duty

The duty requirement to conduct impact assessments is an important mechanism for ensuring that we give due regard to equality in our decision making and activities. The Licensing Board is obliged to set out and prioritise for review all functions that are assessed as relevant to the general duties.

Our Approach

Assessing Policies

The Board is required to have and identify arrangements for assessing and consulting on the likely impact of its proposed policies on the promotion of equality.

The aim is to ensure that all Licensing Board functions, policies and procedures have been effectively screened for their relevance and importance to the general duties and that arrangements are in place to investigate their impact and performance.

The Board recognises that the steps required in respect of each policy will vary depending on the nature of the policy and the surrounding circumstances. From the introduction of this Scheme, all reports presented to the Board proposing policies that have any significant relevance to any equality strand will include details of:

- any assessment of the impact of the proposed policy on equalities strands;
- any consultation carried out in conjunction with that assessment and
- any action, including monitoring where appropriate, proposed in consequence of that assessment and consultation.

The Board will consider these matters in reaching its decision on the proposed policy. In particular, the Board will have regard to them when developing and consulting on its Statements of Licensing Principles under the Gambling Act and the Licensing (Scotland) Act 2005.

The Board is required to have and identify arrangements for monitoring its policies for any adverse impact on equality. It is proposed that the effects of policies will be subject to regular scrutiny as part of the annual review process.

Gathering Information

The gathering of information regarding the Board's service delivery will largely be carried out under the Moray Council's data collection arrangements.

The Council continually reviews its equality monitoring procedures with regard to data collection. All employees including Licensing Board support staff are asked to identify if they consider themselves at a disadvantage.

In addition to existing and planned Council procedures for gathering and utilising information, the Board will consider methods of gathering feedback on service delivery from licensees and members of the public who become involved in the licensing process. Feedback will be encouraged at all times whether through consultations, service delivery forms, emails and in response to newsletters or other specific requests.

This will inform the Board regarding future service delivery and will allow it to consider making adjustments to that service delivery where necessary. The Board will use the information when it reviews its Scheme and Action Plan and in the preparation of any subsequent Equality Scheme. Relevant remedial measures will be proposed and implemented and the Action Plan updated accordingly.

Consultation

This scheme is designed to cover the gender equality duty. Previously consultation programmes have been developed for equality schemes published by the Board in respect of both race and disability equality. The specific duty requires us to consult relevant employees, service users and others. The proposed consultation is therefore set out in **Annex 1**.

Monitoring

It is important that we assess the actual impact of policies and changes thereto, to check whether they have had the intended effect. Up to now monitoring has been hampered by a lack of reliable, consistently-collected information on the participation of people from diverse and priority groups.

The assistance of the Council's Equalities Officer will be sought in relation to the implementation of a monitoring scheme and also in relation to the monitoring of data gathered. It is intended that data be collected by reference to age, disability, ethnicity, gender, religion and belief and sexual orientation. Consideration will also be given to extending this monitoring to complaints processed by the Board.

The Board encourages feedback at any time both generally and specifically in response to consultations, during the application process and when disseminating information, for example in newsletters.

Publishing the Results of Assessments, Consultations and Monitoring

The Board will make publicly available its Equality Scheme and consequent documents or statistics that relate to its current policies. This material will be accessible on the Moray Council's website: www.moray.gov.uk

It will also be available in printed format upon request to either the Clerk to the Board at the address given above or in person at The Moray Council's Access Point.

Information to be made available to the public will not include personal information in respect of individual applications or licensees. Public Registers are maintained on the Moray Council's website. Where relevant this is restricted to information available under statute.

The scheme will be circulated to all members and officers of the Board and to the members of the Moray Local Licensing Forum.

Feedback and comment are encouraged at any time as part of the ongoing review of the Scheme. Translations and alternative formats will be made available by arrangement when required.

The Involvement Duty

Involvement of Underrepresented Groups

Our aim is to become a public body which is much more closely in touch with its stakeholders. We must understand the nature of the people we serve if we are to respond adequately to their needs and priorities. As elected members, the Moray Licensing Board is accountable to the public and must demonstrate that it is credible to, and meeting the needs of, all stakeholders and not just some of them. This includes ethnic minorities, persons with a disability, men and women including people from differing age groups, including young people.

We understand that equality of opportunity cannot be achieved merely by treating everyone in the same way. Therefore, the success of our policies and functions in the future will depend on our ability to work with representatives of diverse groups more widely. The Local Licensing Forum is the main vehicle for this involvement and the makeup of the Forum is therefore of primary importance.

As stated The Moray Council is responsible for the appointment of and the support for the Forum and the Board will actively engage with the Council in that process.

Involvement should not be a one-off process but a continuing and evolving engagement with underrepresented stakeholders.

The Board consults with the Moray Council Equalities Officer to advise on appropriate means of ensuring involvement of ethnic minorities, persons with a disability and men and women, including people from differing age groups, on policies potentially impacting on equality through the mechanism of the Licensing Forum or otherwise.

Access to Information and Services

The Licensing Board's aim is to ensure that everyone can get information about the Board and its services. This will involve focusing not only on people who know about us and what we do, but also identifying those who do not appear to know about our services or who face barriers in accessing them.

“Information” is used in its widest sense here, and includes information about our functions, powers, duties, policies and services and complaints procedures, as well as information about people's rights under our functions, procedures and services. We also include information about people's right to receive fair treatment and what people can do if they experience discrimination. As a result, our aims will be to:

- Identify and remove any barriers that some people might face when they try to get information or use our services.
- Make sure that Board Guidelines, application forms and information leaflets are available in different languages / allow interpretation facility to be used at Board meetings.
- Make sure that news and information reaches all communities.
- Encourage people from all communities to become involved in our consultation exercises.

Enquiries from people with particular needs, for example information in a large format or a different language are extremely rare but we endeavour to meet any demand as it occurs on a case-by-case basis.

Our Staff

We value the benefits of a diverse and varied workforce and are committed to providing the support and encouragement needed to ensure that everyone is given the opportunity to reach their full potential and make an effective contribution to the work of the Board and the Department supporting it.

As stated the Moray Council is an equal opportunities employer. There is no discrimination against staff or eligible applicants for posts on the grounds of gender, marital status, race, colour, nationality, ethnic origin, religion, disability, age or sexual orientation. Every possible step is taken to ensure that staff are treated fairly and that decisions on recruitment, selection, training, promotion and career management are based solely on objective and job related criteria. The Council actively pursues arrangements for flexible working patterns and is committed to provide a working environment where no one is disadvantaged. Staff are fully consulted on all issues.

The Moray Council currently provides the opportunity for diversity and equality training for all staff. The in-house intranet, available to all staff, has a set of pages on the current equality duties. These set out the requirements, with links to the relevant websites and data resources. This is being expanded as staff gain experience in fulfilling these duties. The Council also has an ongoing programme of equalities training seminars.

The Board

The Board is comprised of elected members of the Moray Council and so the potential candidates of the Board are all selected by the electorate. This means that equality and diversity issues play no specific part in the selection of the Board. This in turn means that training and engaging with as many sections of the public as possible are both important measures.

Members of the Moray Council are subject to an ongoing training programme which includes equalities issues. Other proposed measures should also serve to increase awareness. Whilst Board members may not sit on the Licensing Forum they will actively engage with the Forum in both mandatory meetings and general discussions. In this way the Board will be actively engaging with the community as a whole on an ongoing basis.

Recommendations and Actions

The Equality in Moray Research Report undertook a vast amount of research in respect of the various equalities duties. It took account of the views of many interested parties. The report highlighted the general level of awareness of equalities issues, where measures were in place, where measures were effective and where further work would be required. Given that the report was only completed in 2006 and given the research undertaken it is sensible to consider and adopt recommendations from that report.

The functions of the Licensing Board have been considered and compared to the findings of the Report to highlight where the two overlap. From this study a certain number of problem areas have been identified that may affect the way in which the Licensing Board currently operates. These problems and proposed solutions are set out in this section. They are both general in nature and specifically related to gender equality. All quotes and references to research, feedback etc in this section are taken from and relate back to the Equality Report.

It should be remembered from above that much has already been done. This work needs to be built upon.

The measures proposed by the Board for meeting its general and specific duties to promote equality in large part will be carried out as part of the Moray Council's corporate measures in this regard. The Action Plans in the Moray Council's Equality Schemes where appropriate, will be reflected in the Board's proposed measures.

The Board will, within three years of the publication of this Scheme, take the steps which it has set out in this Scheme unless in all the circumstances it would be unreasonable or impractical to do so. In that event the Board will consider other and alternative measures if appropriate.

General

Identified Problem

There is currently a lack of accurate and consistent monitoring within many public sector organisations in Moray. Effective monitoring needs to be developed by all Public Sector organisations to ensure access to the data necessary to implement public sector duties under the new Equalities legislation. Whilst a Scheme requires a pro-active approach it is also necessary to collect equalities data to ensure involvement in the process and to highlight particular areas requiring attention.

Action

- Data collection. An equalities action form is to be developed with the assistance of the Council's Equalities Officer with the aim of distributing the same along with all applications, consultations and other general releases of information.

Identified Problem

Level of awareness of equalities issues among staff varies and equalities training needs to be developed and promoted at all levels within organisations to enable both employees and users of services to access the support that meets their needs.

Action

- The Moray Council has an ongoing plan of training initiatives, on a large scale, aimed at all Council employees. This is primarily comprised of a series of seminars for Council employees on a range of topics including equalities issues.
- All future reports made to the Board that involve a policy decision assessed as having an impact on equalities will include the heading "Equalities Issues". The impact of the proposed policy on those issues will be discussed under this heading to raise the Board's awareness and highlight the Board's duties.

Women

Identified Problem

Some women felt that their voices were not being heard in community planning. Awareness of equalities legislation and duties varies greatly and there is an urgent need for effective and widespread training.

Action

The Board will actively encourage feedback at all times through monitoring forms, newsletters and more targeted information dissemination. Women will be given the opportunity to apply to the Council to be a part of the licensing Forum.

Identified Problem

Women were very concerned about the perceived lack of facilities and opportunities for young people.

Action

The public sector in general needs to address the age profile of its workforce and encourage greater numbers of younger people to join. Encouraging participation of younger people in general will increase awareness of relevant issues. This is not directly relevant to the functions of the Licensing Board it is a general area that demands action. The licensing Forum must and will include a representative of young people.

General Action Points

- Review the Scheme three yearly
- Review the Scheme annually and report to the Board members
- Consider the implementation of a voluntary monitoring scheme covering applicants for licence as a means of gathering useful data
- Consider extending this monitoring to complaints processed by the Board
- Require all reports presented to it proposing policies that have any significant relevance to equality to include details of any assessment of the impact of the proposed policy on equality, any consultation carried out in conjunction with that assessment, any action, including monitoring where appropriate, proposed in consequence of that assessment and consultation
- Initiate discussions with the Equalities Officer to determine an appropriate means of ensuring the involvement of persons relevant to ensuring active participation equality either through the existing mechanism of the Interim Local Licensing Forum or otherwise
- As part of the annual review process consider whether further publicity including publicity in relation to the Scheme itself is required.
- Equalities awareness will continue to be included in the induction training for members of the Board
- Equalities awareness will be included in the training given to Licensing Board staff

Annex 1

Consultation

This scheme is designed to cover the gender equality duty. Previously consultation programmes have been developed for equality schemes published by the Board in respect of both race and disability equality. The specific duty requires us to consult relevant employees, service users and others. It is therefore proposed that consultation be undertaken with the following:

- All members of the Moray Licensing Board
- All members of the Moray Interim Local Licensing Forum
- All elected members of the Moray Council
- The general public through publication on the Council's website with a form for feedback.
- All staff employed in the Council's Litigation and Licensing Section
- The Moray Council Equalities Officer