

**THE MORAY LICENSING BOARD
RACE EQUALITY SCHEME
2003 – 2005**

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1. INTRODUCTION

The Race Relations (Amendment) Act 2000 came into force on 2nd April 2001. It amended the Race Relations Act 1976 and introduced new duties for public authorities, including The Moray Licensing Board.

The Act now makes it the **general duty** of the Board, in carrying out its functions, to have due regard to the need to eliminate unlawful race discrimination and to promote equal opportunities and good race relations between people from different racial groups.

Unlawful racial discrimination can be either direct or indirect.

Direct racial discrimination means treating a person less favourably than another on racial grounds.

Indirect racial discrimination means that a requirement or condition which is applied to everyone:

- Can only be met by a considerably smaller proportion of people from a particular racial group;
- Is to their detriment; and
- Cannot be justified on non-racial grounds.

Racial grounds are on grounds of colour, race, and nationality or ethnic or national origins.

In relation to, and for the better performance of the general duty, the Board has a specific duty to produce, and review, a Race Equality Scheme.

This document is our Race Equality Scheme. It summarises our approach to Race Equality and sets out how we plan to meet our new duties.

This scheme was approved on 28 November 2002.

MORAY'S POPULATION

From the 1991 census, the total population of Moray is 83,616. 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.

When looking at the break down in figures for Moray this shows a very low ethnic population. According to the 1991 census, the largest ethnic group in Moray is white with 83,253 people while the second largest ethnic group is Chinese at 109. The other 254 people are from 8 other ethnic groups.

However when Moray resident information is broken down into the country of birth, it shows that 69,046 residents were born in Scotland with the second highest being England at 11,201. This may explain why out of the 27 racial incidents reported to Grampian Racial Equality Council since January 2002; the majority of incidents involved English residents.

At present there are 403 licensed premises in Moray which can be broken down as follows:-

Betting Offices	9
Bookmakers	11
Bingo Clubs	3
Entertainment Premises	16
Hotels	80
Off Sales	137
Public Houses	99
Refreshment Licences	11
Restaurants	29
Restricted Hotels	8

The Licensing Board at present do not record, as part of the application process, the place of birth or ethnic origin of licensees. From our general knowledge of premises and their licensees approximately 9 of the 29 restaurants, 2 of the 80 hotels, 3 of the 137 off sales and 1 of the 11 refreshment licences are operated by licensees of ethnic origin, excluding English residents.

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

Action: Clerk to the Board will incorporate census 2001 data into the scheme when it becomes available in March 2003.

2. AIMS AND OBJECTIVES OF SCHEME

The Moray Licensing Board is opposed to racism. It is committed to taking all steps within its power to eliminate discrimination and racist incidents and to promote equal opportunities and good relationships amongst all communities.

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 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.

Action: Monitoring of policies as part of the timetable.

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

Achievements to Date

The Moray Licensing Board and its operation is governed by the terms of the Licensing (Scotland) Act 1976 as amended and therefore has always ensured, and will continue to ensure, that its statutory duty to consider all applications on the individual merits will not be by reference to the ethnic origin of the Applicant.

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.

Action: This is in place now. No further action required.

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

As part of the Racial Incidents Multi-Agency Strategy, the Moray Council has established a policy to record and report all racial incidents reported to them. The monitoring of the incidents will be carried out by 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.

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.

Action: The Racial Incidents Monitoring Form (RIMF) will be introduced by the Moray Council and in turn the Licensing Board probably in line with the Council's revised complaints procedure in January/February 2003.

Training

The Moray Council's Employee Development Section includes equality issues in many of its training courses such as customer care, induction, etc. Additionally the Moray Council is currently considering training requirements for the reporting of racial incidents using RIMF. The Licensing Board staff will be subject to the same training as they are employees of the Moray Council.

3. ASSESSMENT AND PRIORITISATION OF FUNCTIONS AND POLICIES

The Duty

The Licensing Board is obliged to set out and prioritise for review all functions that are assessed as relevant to the general duty.

Our Approach

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 duty and that arrangements are in place to investigate their impact and performance.

Given this, the Licensing Board examined all of its functions against each of the three strands of the general duty, giving each of the functions a high, medium or low priority based on the evidence available and the type of service.

- High priorities include those functions which have direct responsibility for responding to the most immediate concerns around racial equality or which could have the greatest impact on the community.
- Medium priorities include functions which have a distinct race dimension but where the impact is less direct or obvious.
- Low priorities include back office functions for running the Licensing Board as a whole.

A timetable was then prepared listing all the functions and scheduling them for assessment. This timetable forms **Appendix 1**.

Responsibility

The responsibility for ensuring that all functions are reviewed will lie with the Clerk to the Licensing Board who will ensure inclusion of reviews and assessments in the Service Plan.

Action: Include reviews of functions, policies etc in Service Plan.

4. ARRANGEMENTS FOR ASSESSMENT OF PROPOSED POLICIES

The Duty

The Licensing Board is obliged to set out in this scheme its arrangement for assessing its policies and proposed policies for likely impact on the promotion of race equality.

Our Approach

The Licensing Board's aim is to integrate the promotion of racial equality into its service provision and policy development. Therefore the policies associated with the functions and priorities will be examined at the same time. We also aim to integrate the assessment of policies into existing review and quality systems such as Best Value, European Foundation for Quality Model (EFQM) and Performance Management & Planning (PMP) audits.

The Moray Council will apply for European or other external Funding, which will include the wider issue of equal opportunities assessment, not just focusing on race relations. The development of impact assessment guidance and the development of monitoring strategies will form part of the funding proposal. This will be available to the Board.

Responsibility

The responsibility for ensuring that assessments are carried out to a high standard will lie with the Clerk to the Licensing Board who will ensure inclusion of assessments in the Service Plan.

Action: The Corporate Policy Unit of the Moray Council will publish assessment guidance to assist services by the end of March 2003 and apply for European Funding in November 2002.

Include assessments of proposed policies in Service Plan.

5. ARRANGEMENTS FOR CONSULTATION

The Duty

The Licensing Board is obliged to set out in this scheme its arrangement for consulting on its policies and proposed policies for likely impact on the promotion of race equality.

Our Approach

The Licensing Board is committed to involving the local community in its decision making process. This includes giving the community a voice in our proposed policies. Statutory arrangements for the Board to consult on applications are already in place. In addition we consult on other initiatives with the Licensed Trade, Police etc. Therefore in the first instance the Board will use the existing networks and build or establish others as required.

Achievements to Date

To date the following is in place already at the Licensing Board.

Consultation Toolkit

The Consultation Toolkit is available which outlines our responsibilities in consulting with our service users and the factors we need to consider before embarking on a consultation exercise. The toolkit contains brief summaries of a wide range of consultation techniques and facilitation tips.

Consultations

The Licensing Board regularly consults with licensees and the local licensed trade association. The Board already holds twice yearly meetings with the licensed trade, police etc to discuss current issues. Other specific matters which require trade consultation are done by letter eg Christmas & New Year arrangements.

Consultation Strategy with local ethnic minority communities

For the purposes of Race Equality Scheme, our aims are to:

- Use existing information, such as the census, to understand local needs.
- Ensure that consultation takes place at the beginning of the process.
- Consult people from all racial groups and take their views into consideration.
- Tailor the consultation methods to reach the intended groups.
- Use a range of consultative methods, which would be most suited to the consultation exercise and the intended groups.
- Use existing consultation networks, eg Licensed Trade Association.
- Seek advice from Grampian Racial Equality Council and other associations on how to reach ethnic minority communities including the possibility of establishing a Specialist Focus Group for ethnic licensees.

- Ensure that translated materials and interpretation assistance support our consultation methods and that any meetings are not arranged on inappropriate dates or unsuitable times.
- Keep our local ethnic communities and all residents of Moray fully informed about our progress with our Race Equality Scheme and how we are meeting our general and specific duties.

Responsibility

The responsibility for ensuring that consultations are carried out to a high standard will lie with the Clerk to the Licensing Board, who will ensure inclusion of consultation in the Service Plan.

Action: Develop a consultative framework with ethnic communities starting in December 2002.

Include consultation on policies in Service Plan.

6. ARRANGEMENTS FOR MONITORING POLICY FOR ADVERSE IMPACT

The Duty

The Licensing Board is obliged to set out in this scheme its arrangement for monitoring policy for likely impact on the promotion of race equality.

Our Approach

The Licensing Board already has in place many methods to monitor the impact of existing policies. These current methods include:

Best Value Reviews and European Foundation for Quality Management (EFQM)

The process of monitoring policies is built into a Best Value Review or an EFQM self-assessment.

Consultations

Consultations provide information to inform new or revised policies and an opportunity to monitor the impact of any existing policies.

Racial Incidents Monitoring Form (RIMF)

We will continue to participate in developing inter-agency responses to racist incidents against members of ethnic minority communities in Moray. All racist incidents reported to the partnership agencies will be recorded on a Racist Incident Monitoring Form (RIMF) in accordance with the strategy.

Teamwork Against Racial Crime (TARC)

TARC is the monitoring agency for racial incidents through the use of RIMF. Monitoring provides valuable information about the crime patterns, harassment trends and for cross-referencing purposes. Monitoring also creates the opportunity for an independent review of cases and relevant policies.

Besides the existing systems for monitoring policies, the Licensing Board will also:

- Include an update on the Race Equality Scheme in its Annual Statistical Report at its Statutory Quarterly Meeting each June.
- Develop a comprehensive system of ethnic monitoring.

Developing a comprehensive system of ethnic monitoring is linked to a broader reassessment of the way we manage information. This includes:

- Building and maintaining an accurate picture of the area, its residents, licensees, licensed premises and their customers.
- Anticipating new trends.

- Developing policy based on good evidence.
- Assessing the impact of policy on the area, as well as the variable impact, both geographically and by constituent group.

The information management system will service a range of needs across the Moray Council including the Licensing Board and will support the effective delivery of the Race Equality Scheme.

Responsibility

The responsibility for ensuring that monitoring is carried out will lie with the Clerk to the Licensing Board who will ensure inclusion of monitoring in the Service Plan.

Action: Include updates on Scheme in Statistical Report, annually in June. Develop an ethnic monitoring system in March 2003. Building and maintaining an accurate picture of community, after census release in March 2003.

Include monitoring policy for adverse impact on Race Equality in Service Plan.

7. ARRANGEMENTS FOR PUBLISHING RESULTS OF ASSESSMENTS, CONSULTATIONS AND MONITORING

The Duty

The Licensing Board is obliged to set out in this scheme its arrangement for publishing its results of assessments, consultation and monitoring.

Our Approach

The Licensing Board is committed to publishing the results of assessments, consultation and monitoring for any adverse impact on the promotion of racial equality of either existing or proposed policies.

In particular, we aim to:

- Publish our Scheme on a yearly basis, which will include an update on our progress with our action plan.
- Publish a brief summary of our actions in our Annual Statistical Report.
- Use the media, both mainstream and ethnic minority, to place a notice telling people where they can find more detailed information.

Further refinements and improvements will be made to our consultation strategies and the ways in which we publish our results as our Race Equality Strategy develops.

Responsibility

The responsibility for ensuring that results are published will lie with the Clerk to the Licensing Board who will ensure inclusion of publishing results in the Service Plan.

Action: Include updates on Scheme in Statistical Report, annually in June.

Include Publishing of results of assessments, consultations and monitoring in Service Plan.

8. ARRANGEMENTS FOR ENSURING PUBLIC ACCESS TO INFORMATION AND SERVICES

The Duty

The Licensing Board is obliged to set out in this scheme its arrangement for ensuring public access to information and the services that it provides.

Our Approach

The Licensing Board's aim is to ensure that everyone, whatever their racial group, 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 (such as language barriers).

"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 from ethnic minority communities might face when they try to get information or use our services.
- Make use of Language Line for interpreters when required.
- 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 members of ethnic minority communities, for example in particular licensees.
- Encourage people from ethnic minority communities to become involved in our consultation exercises.

Further refinements and improvements will be made to our information strategy as our Race Equality Scheme develops.

Responsibility

The responsibility for ensuring public access for information and services will lie with the Clerk to the Licensing Board who will ensure inclusion of public access in the Service Plan.

Action: Work with GREC regarding getting ethnic involvement in consultation, starting December 2002. Monitor use of services and remove barriers as per functions timetable.

Include public access to information and services in Service Plan.

9. ARRANGEMENTS FOR TRAINING STAFF

The Duty

The Licensing Board is obliged to set out in this scheme its arrangement for training staff in connection with its general and specific duties under the Race Relations Act 1976.

Our Approach

Licensing Board staff are employed as staff of the Moray Council

- Incorporated within corporate and departmental induction of the Moray Council there is a need for a re-emphasis of both the organisation and employee's responsibilities with regard to Race Relations.
- Integrate an overview of race relations' stance within the induction process for new staff to ensure awareness.
- Issuing the Scottish Executive leaflet "New Laws for Race Equality in Scotland" to line managers.
- Creation of an abridged version of the above document for wider distribution.
- Identify options/methods for diversity training.
- Through the Community Safety Racial Equality Sub-Group, GREC will provide training on the RIMF. First training October 2002 and then on a rolling basis.

Responsibility

Head of Personnel Services of the Moray Council.

Action: Issue Scottish Executive leaflets to line management by March 2003.

Distribute abridged version of leaflet by June 2003.

GREC training October 2002 and subsequently on a rolling basis.

10. ACTION PLAN

The following actions have been highlighted throughout this scheme:

2002

- Through the Community Safety Racial Equality Sub-Group, Grampian Racial Equality Council (GREC) will provide training on the Racial Incidents Monitoring Form (RIMF). First training October 2002 and then on a rolling basis.
- Commence work on developing a consultative framework with ethnic communities starting in December 2002.
- Include reviews of functions, policies etc in Service Plan.
- Include assessment of proposed policies in Service Plan.
- Include consultation on policies in Service Plan.
- Include monitoring policy for adverse impact on Race Equality in Service Plan.
- Include publishing results of assessments, consultations and monitoring in Service Plan.
- Include public access to information in Service Plan.

2003

- Racial Incidents Monitoring Forms (RIMF) will be introduced in January/February 2003. The Reception document should also be available at the same time.
- Census 2001 data will be incorporated into this scheme when it becomes available in March 2003. Building and maintaining an accurate picture of the community will be undertaken after the census release.
- Scottish Executive leaflet “New Laws for Race Equality in Scotland” distributed to line management by the end of March 2003.
- Commence work on developing an ethnic monitoring system, starting March 2003.
- Abridged version of Scottish Executive leaflet “New Laws for Race Equality” distributed to all staff by June 2003.

- Updates on the Scheme will be included in the Statistical Report at the Statutory Quarterly Meeting of the Board in June 2003.
- Report on monitoring submitted to the Licensing Board.

2004

- Assessment of functions, policies etc will be undertaken in line with the timetable in **Appendix 1**.
- Updates on the Scheme will be included in the Annual Statistical Report at Quarterly Meeting of Board in June 2004.
- Report on monitoring submitted to the Licensing Board.

2005

- Assessment of functions, policies etc will be undertaken in line with the timetable in **Appendix 1**.
- Commence review of Scheme in June 2005.
- Updates on the Scheme will be included in the Annual Statistical Report at Quarterly Meeting of Board in June 2005.
- Publish reviewed Scheme in November 2005.
- Report on monitoring submitted to Licensing Board.

11. ABOUT THIS SCHEME

Copies of this scheme will be distributed to all staff and contacts.

Copies of this scheme will be available in certain minority languages upon request.

This scheme will be published on the Moray Council web-site (www.moray.org).

Complaints or enquiries should be directed to:

The Clerk to the Board
Moray Licensing Board
Council Office
High Street
Elgin
IV30 1BX

Tel: 01343 563451

Fax: 01343 540183

Review Date - no later than 30 November 2005 and at three yearly intervals thereafter.

APPENDIX 1

PRIORITY AND TIMESCALE OF FUNCTIONS FOR RACIAL EQUALITY¹

Project	2003												2004												2005											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Licensing Board																																				
Application processing												M	M	M	M	M	M	M	M	M	M	M	M													
Information & advice												M	M	M	M	M	M	M	M	M	M	M	M													
Conduct of Licensing Board Meetings												M	M	M	M	M	M	M	M	M	M	M	M													
Licensing Board Guidelines/ Initiatives & Policies												M	M	M	M	M	M	M	M	M	M	M	M													
Training of Licensing Board Members																								L	L	L	L	L	L	L	L	L	L	L	L	

¹ Key: H- High priority, M - Medium priority, L - Low priority