

Fairness and Equalities Impact Assessment (FEIA)

This is an integrated Impact Assessment which aims to ensure Newport City Council makes decisions which are fair, take account of relevant evidence, and seek to secure the best outcomes for our communities. **An FEIA should be used to inform the first steps of decision-making, at concept stage, not when a decision is already made, or at the point when it cannot be influenced.** This impact assessment considers our legislative responsibilities under:

- The Equality Act (2010), including the Socio-economic Duty
- The Wellbeing of Future Generations (Wales) Act (2015)
- The Welsh Language (Wales) Measure (2011)

The FEIA process is not intended to prevent decisions being made, but to ensure we have considered their potential impact. An FEIA also helps us to focus on how we can reduce any negative impacts and provides us with evidence that we have met our legal duties.

For support to complete your FEIA, please contact the [Connected Communities Team](#)

What do we mean by Fairness?

The Newport Fairness Commission is an independent body which advises the council on the best use of resources and powers to achieve the fairest outcomes for local people. The Fairness Commission has established four **Principles of Fairness** which should be considered as part of any decisions that the council make – the questions below are useful to reflect on before you start your FEIA.

Equity	Are people being treated in a consistent way, whilst acknowledging their differences (for example, need, barriers to accessing services)?
	Will the gap between those with more, and those with less be reduced?
	Have the interests of different groups affected (including minority or disadvantaged communities) been taken into account?
Priority	Have the needs of the most disadvantaged and vulnerable across the city been given priority?
	Have you considered possible indirect consequences for minority/disadvantaged communities when other priorities are directing decisions?
Inclusion	Will the voices of all those affected by your decision be heard?
	Are people able to participate in and shape a service, as well as receiving it?
	Have you considered the impact of your decision on the relationship between communities, and the spaces they share?
Communication	Are decisions being made transparently and consistently?
	How will decisions be communicated to people who are affected in a clear way, with the opportunity for feedback?

Part 1: Identification

Name of person completing the FEIA	Alastair Dearling
Role of person completing the FEIA	Licensing Manager
Date of completion	08/11/21
Head of Service who has approved this FEIA	Gareth Price

1. What is being assessed? *(Please double click on the relevant box(es) (X) and select 'checked' as appropriate)*

- New or revised policies, practices or procedures (which modify service delivery or employment practices)
- Service review or re-organisation proposals which affect the community and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- Decisions affecting service users, employees or the wider community including (de)commissioning or revising services
- New project proposals affecting staff, communities or access to the built environment
- Public events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Service Boards
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other *please explain in the box below:*

2. Please describe the overall aims, objectives and intended outcomes of your decision

This is an equalities impact assessment of the Council's draft policy for the licensing of gambling premises and permits.

Under Gambling Act 2005 local authorities are responsible for issuing premises licences, permits and notices in respect of gambling premises. The city council are required to adopt a gambling policy every three years, the first of which came into effect in January 2007.

We now need to prepare and publish a new policy by end of January 2022.

Function of the Policy The gambling policy may be referred to by officers and members of committees when determining licensing Applications and is available for all parties when applying for licences and submitting representations.

As mentioned above this policy is relevant to various permissions and authorisations under the Gambling Act 2005 relating to gambling premises and permits, there are separate policies for other areas of licensing e.g., alcohol and entertainment, street trading , taxis and sexual entertainment venues.

The policy has served the council well and has not been subject to any challenge since implementation. The licensing of gambling related activities is a well-regulated low risk licensing function. It was anticipated that there will be any need to change the policy other than some drafting amendments to reflect some minor amendments to guidance/legislation since the last policy was adopted and the fact the Government is proposing to revise the Gambling Act.

The legislation sets out a consultation process and framework which the council has a statutory responsibility to follow. The Licensing Authority's role is limited as we licence premises and related activities e.g., Amusements with prizes (AWP) machines in licensed premises. The bulk of policy and operations are held with the Gambling Commission, which licences and regulates the operators through issuing operating licences. Our experience of processing gambling act applications is that they are no contentious. Since the legislation came into force only a small number of applications have been referred to the Licensing Committee for determination.

3. Who are the main stakeholders who may be impacted by your decision and what data do you hold on them? Consider communities of place (people who live in the same geographic area) and communities of interest (people who share particular characteristics but may live in different geographic areas). Stakeholders may include residents, local businesses, community groups, staff or partners.

- Local Businesses / Premises / operators that currently hold a license or wish to in future hold licenses
- Local residence or those who visit the city.
- Responsible Authority's and trade bodies as defined under the 2005 Act
- Consultation was undertaken in accordance with the Act and details can be found within Cabinet Members Report.

Part 2: Engagement

When completing this section, you need to consider whether you have sufficient information about the views and experiences of people who your decision will impact upon. If you don't, you may need to undertake a period of engagement/consultation before continuing. An FEIA is a live document, so can be updated with consultation findings, and amended as needed during the decision-making process.

The council has a duty to consult and engage with people who may experience inequalities as a result of your decision. This includes people **who share Protected Characteristics** (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and people who **have lived experience of socio-economic disadvantage**. The council's Youth Promise also requires us to ensure **all young people in Newport are listened to and included in decisions affecting them**.

The council also has a duty to ensure that any consultation is available bilingually (in Welsh as well as English), and you may like to consider any other community languages that are spoken by people who may be impacted by your decision. Below are some questions that should be included in any public consultation relating to a decision which may impact on the use of Welsh language in Newport:

1. Do you believe that the proposed decision/policy will have a positive or negative effect on opportunities to use the Welsh language?
2. If you think it will have a negative effect, what steps could we take to lessen or remove this and improve positive effects?
3. Do you believe that the proposed decision/policy will treat the Welsh language less favourably than the English language?

1. How have you engaged with people who may be affected by your decision (the stakeholders you have identified)?

The Draft Policy was consulted under the provisions of the Gambling Act 2005

2. What do you know about the views or experiences of people who may be affected by your decision?

Consultation responses were considered, and the Policy was amended in parts, details of which can be found within the council report.

Part 3: Assessment

This section requires you to assess the potential impact of your decision on a range of groups who may experience specific disadvantages. Your assessment should be supported by evidence – either from your own engagement/consultation, similar or previous engagement, what you already know about the people who access your service, or from local and national sources of information.

Useful documents which set out information about how communities are impacted by inequalities include [EHRC – Is Wales Fairer?](#) and the council’s [COVID-19 Community Impact Assessment](#). Your decision may have both positive and negative impacts – if this is the case, please place a cross in both boxes.

1. Impact on people that share Protected Characteristics

[Protected Characteristics](#) are defined under the Equality Act 2010, and describe groups of people who are protected from discrimination, either in the workplace, or through the provision of goods and services. The council must consider how decisions may impact on people differently because of a protected characteristic, and how any negative impact could be reduced. National guidance on assessing equality impacts and the Public Sector Equality Duty can be found [here](#). You can also access further advice and examples of positive and negative impacts [here](#).

Protected characteristic	Impact:			<p>Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:</p> <ol style="list-style-type: none"> Promote equal opportunity across different groups Promote community cohesion Help eliminate unlawful discrimination/ harassment/ victimisation
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>This policy will have a Positive impact on age. Actions and objectives are stated in the policy that will help protect vulnerable and young people. The policy outlines what the licensing authority’s duty is in and what the Council expects from licence holders in respect of protecting young people from harm. The policy makes provision for Children and Young Peoples services to act as the responsible authority for matters relating to the protection of children from harm and enables them to comment on variations/new applications and request reviews of licences.</p>

Protected characteristic	Impact:			<p>Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:</p> <ol style="list-style-type: none"> Promote equal opportunity across different groups Promote community cohesion Help eliminate unlawful discrimination/ harassment/ victimisation
	Positive	Negative	Neither	
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>No positive or negative impact anticipated but each licence application, where representations are made, will be considered against the three key Gambling Act objectives, namely:</p> <ol style="list-style-type: none"> preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime, ensuring that gambling is conducted in a fair and open way, and Protecting children and other vulnerable persons from being harmed or exploited by gambling. <p>In the policy applicants are requested to have regard to the type of people that are likely to visit their premises in their application when identifying the steps, they will take to promote the licensing objectives. Applicants will be expected to propose steps to ensure that the physical layout of the premises does not present any risks to ‘vulnerable’ people, some of whom may be disabled.</p>
Gender Reassignment/ Transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No expected impact
Marriage or civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No expected impact
Pregnancy or maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No expected impact

Protected characteristic	Impact:			<p>Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:</p> <ol style="list-style-type: none"> 1. Promote equal opportunity across different groups 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation
	Positive	Negative	Neither	
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy will ensure that all services are aware of the need to abide by the Equality Act (2010)
Religion or Belief or non-belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Most religions do not condone gambling for money; consequently some sectors could view the gambling policy as an endorsement of this kind of activity. There is however no expected significant negative impact.
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No expected impact
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No expected impact

2. Impact on Welsh Language

The Welsh Language (Wales) Measure specifies that for all policy decisions, the council must consider the effects (both positive and negative) on the Welsh language. For further guidance on Welsh language considerations see [here](#).

	Impact:			
	Positive	Negative	Neither	
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No expected impact

1. Please describe how you have ensured your engagement has considered the view of Welsh speakers in Newport.

This strategy will be available to members of the public in Welsh. The public have been able to contribute to the development of the strategy, and will be to future developments of the strategy, through the medium of Welsh.

3. The Sustainable Development Principle

The Well-being of Future Generations Act puts in place a sustainable development principle which helps organisations consider the impact they could have on people living in Wales in the future, and ensure they are focused on tackling long-term challenges. Below, consider how your decision promotes, advances, or contradicts the [5 ways of working](#) which underpin the sustainable development principle. You can access further guidance on considering the sustainable development principle [here](#).

<p>Long term</p> 	<p><i>The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</i></p>	<p>The Policy set out clear expectation on how operators, business should conduct their business in line with Gambling Act 2005 specifically the Licensing Objectives.</p>
<p>Prevention</p> 	<p><i>Putting resources into preventing problems occurring or getting worse</i></p>	<p>The Policy builds on the current Policy that has been in place since 2019, we continue to support, listen, and work with the interested parties and businesses. Clearly as highlighted within the policy The Gambling Act 2005 one of the Licensing objectives is to preventing gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime; (Long term & Prevention)</p> <ul style="list-style-type: none"> • Ensuring that gambling is conducted in a fair and open way; (Prevention) • Protecting children and other vulnerable persons from being harmed or exploited by gambling. (Prevention) • The policy has been out for public consultation allowing input from relevant persons and organisations ensuring the policy is undertaken in collaboration and allows involvement. <p>(Collaboration & Involvement)</p>
<p>Integration</p> 	<p><i>Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</i></p>	<p>To provide consistency for bodies and individuals who work with licensing or apply of a licence.</p> <ul style="list-style-type: none"> • The policy has been out for public consultation allowing input from relevant persons and organisations ensuring the policy is undertaken in collaboration and allows involvement.

<p>Collaboration </p>	<p><i>Working together to deliver objectives.</i></p>	<p>The Chief Medical Officer for Wales Annual Report 2016-17 – Gambling with our health’ http://gov.wales/topics/health/professionals/cmo/reports/?lang=en Some of the key points that this report has raised is as follows; The most important benefit of the gambling industry is the tax revenues, which are considerable in the UK: in 2017 this amounted to £2.7 billion. This income is used by the UK government to help fund its programme for government. However, the economic benefits of gambling need to be balanced against the social and health harms to people who gamble, their family, friends and wider society. While most people who participate in gambling activities do so without any significant problems, for others gambling is problematic, causing damage to their health and to wider society. The availability of gambling products and platforms to diverse groups, and the developments in the infrastructure of game design, make gambling an immediate and rapidly evolving public health issue. The public health approach aims to improve quality of life for all and to achieve health equity. This focus on equity is necessary as people living in areas of deprivation are more likely to experience gambling-related harm. The harms caused by gambling for the individual include anxiety, stress, depression, and alcohol and substance misuse. These factors are likely to have a wider impact on family and friends. Further family problems can include money-troubles and family breakdown, as well as neglect and violence towards any partner or children. There are higher rates of separation and divorce among problem gamblers compared to the general population. Further impacts of gambling include the inability to function at work, and financial problems which can lead to homelessness. The harms from gambling to wider society include fraud, theft, loss of productivity in the workforce, and the cost of treating this addiction. Gambling harm not</p>

		<p>only affects the individual, but the family and wider society. Since this report Joint work published by a team led by Prof Robert Rogers, Bangor University, with colleagues from Public Health Wales, Heather Wardle Research Ltd and Swansea University highlights the widespread harms that gambling can cause, not only for those who gamble, but also for families, friends, and communities. Gambling is increasingly being recognised as a public health priority.</p> <p>Once again the policy has been out for public consultation allowing input from relevant persons and organisations ensuring the policy is undertaken in collaboration and allows involvement.</p>
<p>Involvement</p> 	<p><i>Involving those with an interest and seeking their view - ensuring that those people reflect the diversity of the area.</i></p>	<p>Discussions, Engagement, and consultation has taken place in accordance with the Gambling Act 2005.</p>

4. Socio-economic Duty

The [Socio-economic Duty](#) is set out in the Equality Act 2010, and requires the council, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage. Inequalities of outcome are felt most acutely in areas such as health, education, work, living standards, justice and personal security, and participation.

A 'strategic decision' is defined by Welsh Government as a decision **which affects how the council fulfils its statutory purpose over a significant period of time and does not include routine 'day to day' decisions.** Strategic decisions include:

- Corporate plans
- Setting wellbeing, equality and other strategic objectives
- Changes to, or development of public services

- Strategic financial planning
- Strategic policy development

If you do not think your decision meets this definition, and you do not plan on carrying out a Socio-economic Duty Assessment in this section, please provide your rationale below. Any decision which is presented to a Cabinet Member, at Cabinet or Council will be viewed as a strategic decision.

If your decision does meet the definition, please consider the impact of your decision on the socio-economically disadvantaged groups, and areas of inequality that may arise from socio-economic disadvantage contained in the matrix below. The groups listed are not exhaustive and you should consider any additional groups relevant to your decision who may experience socio-economic disadvantage in the following ways:

- **Low Income/Income Poverty** - cannot afford to maintain regular payments such as bills, food, clothing, transport etc.
- **Low and/or no Wealth** - enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provisions for the future
- **Material Deprivation** - unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, hobbies etc.)
- **Area Deprivation** - where you live (rural areas), where you work (accessibility of public transport)
- Socio-economic Background – for example, parents’ education, employment and income

Indicate a positive or negative impact, or both where they apply, and the severity of this impact by coding the sections of the grid based on the below. *If there is no/neutral impact, please leave blank.*

Negative Impact		Positive Impact	
N1	Negative impact – mild	P1	Positive impact – mild
N2	Negative impact – moderate	P2	Positive impact – moderate
N3	Negative impact – significant	P3	Positive impact – significant
N4	Potential for negative impact (but unsure)	P4	Potential for positive impact (but unsure)

Areas of inequality that may arise from socio-economic disadvantage – definitions
Education :The capability to be knowledgeable, to understand and reason, and to have the skills and opportunity to participate in the labour market and in society
Work : The capability to work in just and favourable conditions, to have the value of your work recognised, even if unpaid, to not be prevented from working and to be free from slavery, forced labour and other forms of exploitation

Living Standards: The capability to enjoy a comfortable standard of living, in appropriate housing, with independence and security, and to be cared for and supported when necessary.

Justice, Personal Security and Community Safety: The capability to avoid premature mortality, live in security, and knowing you will be protected and treated fairly by the law

Health: The capability to be healthy, physically and mentally, being free in matters of sexual relationships and reproduction, and having autonomy over care and treatment and being cared for in the final stages of your life

Participation: The capability to participate in decision making and in communities, access services, know your privacy will be respected, and express yourself

Groups	Areas of inequality						
	Living Standards	Work	Health	Education	Justice and community safety	Participation	Physical Environment
Children living in poverty							
Low income households without dependent children							
Unemployed young people							
Long term unemployed							
Homeless households							
Refugees, migrants and asylum seekers							
Deprived neighbourhoods - WIMD rank in 10% most deprived LSOA							
People on Universal Credit / income related benefits							
Adults with no qualifications or low qualifications							
People living in low quality housing or in Houses of Multiple Occupation							

1. What evidence do you have about socioeconomic disadvantage and inequalities of outcome in relation to this decision?

2. Please describe how you have ensured your engagement has considered the views of people living in Newport who are affected by socio-economic disadvantage.

3. Does this decision contribute to a cumulative impact?

A.

Part 3: Actions and Outcomes

Considering any negative impacts that you have identified, indicate below how you will reduce these, and how you will monitor potential impact. Further guidance on how to complete your action plan can be found [here](#).

IMPACT ON PEOPLE THAT SHARE PROTECTED CHARACTERISTICS			
Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner
IMPACT ON WELSH LANGUAGE			
Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner

SOCIO-ECONOMIC IMPACTS			
Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner
SUSTAINABLE DEVELOPMENT PRINCIPLE			
Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner

Once your FEIA is complete, please forward to ncequality@newport.gov.uk