

Full Equality Impact Assessment- EIA

An EIA is a way of finding out if:

- Our services are accessible to service users and employees.

An EIA helps us to make sure that:

- Our functions and policies do not have a negative impact or discriminate in any way against any members of our local community.

A Full EIA needs to work through the following stages:

- ↓ **Establish clear aims & objectives-** What is the purpose? Who will benefit? What are the intended outcomes?
- ↓ **Consideration of data & information-** National & local data; service data; satisfaction/feedback data; complaints; research
- ↓ **Assessing the impact-** Who does/does not use service? Have you consulted? Does it reflect varied needs of community?
- ↓ **Reviewing/Scrutinising the impact-** Is there a differential impact on different groups? Is it adverse? Is it directly or indirectly discriminatory? *Show justification if applicable*
- ↓ **Addressing the issues-** Measures to alleviate impact; alteration to policy; action plans
- ↓ **Formal consultation-** Use appropriate methods; consult those affected or with legitimate interest; consult widely; ensure consultation is open, inclusive & accessible
- ↓ **Making a decision-** Explain decision & intended effects/benefits; monitor any actions
- ⇒ **Publication of results-** Accessible & user friendly; add website & intranet; notify consultees

Name of service or policy being assessed	Proposals to change the level of support available under the Council Tax Reduction Scheme 2016/17		
Directorate	Chief Executive	Is this a new or existing service or policy?	New/ Existing
Officers completing the assessment	Lucy Wright-Revenues, Benefits & Customer Services Manager	Director	Ian Miller-Chief Executive
Date	October 2015	Relevant Cabinet Member	Cllr Sara Fearn-Cabinet Member for Transformation & Change

<p>Establish clear aims & objectives What is the purpose and expected outcomes?</p>	<p>The Council Tax Reduction Scheme (CTRS) provides assistance to people on low incomes to help them pay their council tax.</p> <p>When council tax benefit was abolished and replaced by localised council tax schemes in 2013, central government protected pensioners with a view that they are unable to take advantage of employment and unable to alter their financial situation. Our current scheme was introduced in 2013 and meant all working age claimants had to initially pay 8.5% of their council tax liability, which rose to 10% in 2014.</p> <p>The proposed scheme will continue to protect pensioners who will get the same level of council tax support as they do now. The proposals for 2016/17 are as follows:</p> <ul style="list-style-type: none"> • Reduce the amount of capital people are allowed to have before no longer being eligible to receive support from £16,000 to £12,000. • Make technical changes to the way the awards are calculated changing from a reduction in entitlement where the percentage is taken off the award figure to a cut in council tax liability before entitlements are calculated (moving from bottom slicing to top slicing). • Allowing CTRS claims to be backdated at management discretion. • Reducing the minimum award from £5 per week to 50p per week (this would provide more support to claimants who currently receive no support if their weekly entitlement is between 50p and £4.99). • Increasing the minimum council tax contribution required from working age claimants from 10% to 20%
<p>Will there be any effect on other council procedures or strategies e.g. Corporate Plan or the <u>council's workforce</u>?</p>	<p>None</p>
<p>Are there any statutory requirements or implications?</p>	<p>The Local Government Finance Act prescribes details of the scheme to be used for pension age applicants under the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012. Certain aspects of the scheme for working age applicants are also included within those regulations.</p>

<p>Are there any other organisations / bodies involved?</p>	<p>None</p>
<p>Consideration of data & information National & local data; service data; satisfaction/feedback data; complaints; research that is being used</p>	<p>Due to changes made by central government from 2013 all local authorities were required to create a local scheme to replace council tax benefit. If the Council wish to consider making any changes to the scheme, there is a legal requirement to undertake a consultation.</p> <p>The Council has consulted on a range of options including whether or not to make changes to the existing scheme to make the financial savings required by all preceptors. If no changes are made to the scheme, opinion was sought as to how the council could make the required savings including increasing council tax for all households, using reserves or cutting/reducing existing services.</p> <p>The consultation ran for 12 weeks from 6th July to 27th September 2015. Posters were displayed in our customer service centre and staff were asking customers to comment, press releases were issued, it was displayed on the home page of our website, emails were sent to our partners asking them to promote it, it featured in our largest housing associations residents' magazine and several reminders were posted on our social media sites. Forecasting was undertaken based on data from the existing caseload.</p>
<p>Assessing the impact Who does/does not use service? Have you consulted? Does it reflect varied needs of community?</p>	<p>All households are liable to pay council tax. However the level of financial support they receive is up to the Council to decide under their local scheme regulations.</p> <p>The current scheme provides 100% support for low income pension age claimants and 90% support for low income working age claimants, meaning all working age households have to pay a minimum of 10% of their council tax bill.</p> <p>There is a Cabinet recommendation to Council to reduce the level of support for all working age claimants meaning all working age households would have to pay a minimum of 20% of their council tax bill.</p> <p>The current Council Tax Reduction Scheme caseload is approximately 8,785. 50% of claimants are working age so the impact would be felt by approximately 4,387 households.</p>

The following table is based on the current caseload of working age claimants who will be affected by any changes.

	Number of working age cases	% of working age caseload
Band A	2,352	53.61%
Band B	1,381	31.48%
Band C	464	10.58%
Band D	125	2.85%
Band E	41	0.93%
Band F	13	0.29%
Band G	9	0.21%
Band H	2	0.05%
Total working age claimants	4,387	

We currently have 12 cases with total capital between £12,000 and £16,000 that would be affected by reducing the capital limit to £12,000.

We currently have 3,534 cases (81% of our working age caseload) receiving the maximum 90% award. The remaining 853 Cases (19% of our working age caseload) receive a partial entitlement.

What impact does the service / policy / project have on the nine protected characteristics as defined by the Public Sector Equality Duty 2010 – for definitions, please see overleaf.

Reviewing/Scrutinising the impact

Is there a differential impact on different groups? Is it adverse? Is it directly or indirectly discriminatory? Show justification if applicable

1. Age

Negative

Evidence:

While the changes will impact negatively on working age claimants as pensioners are protected the impact is not considered to be significant. This is based on findings from our neighbouring authorities who have implemented similar schemes where a minimum payment of 20% has been required.

The retention of a discretionary exceptional hardship fund that will support low income working age claimants will mitigate the impact on working age households that are unable to pay the liability.

Current caseload shows that 51% of our caseload is working age and 49% are pensioners. The scheme means that all working age claimants have to pay at least 10% of their liability, possibly increasing to 20% depending on the decision by full Council in December 2015.

2. Disability

Negative

Evidence:

Working age disabled people will also be negatively affected. This is because they are believed to be disproportionately represented within the working age caseload and are currently required to pay at least 10% of their liability (potentially increasing to 20%). In addition, people with disabilities are less likely to have the same opportunities and access to work that would improve their financial situation.

The retention of a discretionary exceptional hardship fund will support low income working age claimants, including those with disabilities that will mitigate the impact on claimants that are unable to pay their liability.

Positive

Evidence:

The Council recognises the barriers disabled people face and seeks to address them by:

- awarding additional premiums for disablement
- disregarding higher levels of income where a claimant with a disability is working
- there is no requirement to have non dependant deductions where the claimant is disabled and in receipt of DLA (Care), Personal Independence Payments (Daily Living Component), Attendance Allowance or registered blind.

3. Gender Reassignment	Positive/Negative <u>Evidence:</u> No impact
4. Marriage and Civil Partnership	Positive/Negative <u>Evidence:</u> No impact
5. Pregnancy and Maternity	Positive/Negative <u>Evidence:</u> No impact
6. Race	Positive/Negative <u>Evidence:</u> No impact
7. Religion or belief	Positive/Negative <u>Evidence:</u> No impact
8. Sex	Positive/Negative <u>Evidence:</u> No impact
9. Sexual orientation	Positive/Negative <u>Evidence:</u> No impact
Other e.g. Deprivation, health inequalities, urban/rural divide, community safety.	Negative <u>Evidence:</u> Council Tax Reduction is a means tested discount that is available to low income households. It is on this basis that all working age recipients would be at a socio-economic disadvantage in particular lone parents, part-time workers and carers. The retention of a discretionary exceptional hardship fund that will support low income working age claimants will mitigate the impact on working age households that are unable to pay the liability. Positive <u>Evidence:</u> The present scheme applies a discount only if a claimant's weekly award is £5.00 or above. Any award under £5.00 means the claimant will not receive support. The recommended change reduces the minimum entitlement to 50p per week which will mean more claimants will be eligible for support.

<p>Can any differential impact be justified? (e.g. promoting equality of opportunity)</p>	<p>Y</p>	<p>N</p>	<p><u>Evidence</u> When creating the local scheme, the Council have given due regard to central government's stipulation that people of pension age must be protected. In a public consultation undertaken in 2012, the principle of 'Every household with working age claimants should pay something' was agreed by 84% of respondents and this became a principle embedded into our scheme. A further consultation was undertaken in 2015 and there were no objections raised to this principle which ensures a degree of fairness as it applies across all groups who are of working age. The scheme is devised to incentivise working age people to seek employment. For those who are in severe hardship or unable to increase their income, the Council manages a discretionary hardship fund to support them following a detailed review of the individual's and household's circumstances.</p>	
<p>Does any adverse impact amount to unlawful discrimination?</p>	<p>Y</p>	<p>N</p>	<p><u>Evidence</u></p>	
<p>What alternative actions could be taken to mitigate any adverse impact? <i>(add these to the action plan)</i></p>	<p>Continuation of the exceptional hardship fund to support those in financial need.</p>			
<p>Addressing the issues</p> <p><i>Measures to alleviate impact; alteration to policy; action plans</i></p> <p>ACTION PLAN</p>				
<p>Impact</p>	<p>Action required</p>	<p>Lead Officer</p>	<p>Timescale</p>	<p>Comments</p>
<p>Financial pressure applied to low income families</p>	<p>Ensure all staff promote applications for the exceptional hardship fund to provide support to those in financial need</p>	<p>Lucy Wright</p>	<p>Ongoing</p>	

	Continuously monitor the impact of the changes together with take up of the exceptional hardship fund.	Lucy Wright	Monthly	Monthly analysis of collection rates for CTRS caseload
	Report the number of applications/awards made against the exceptional hardship fund to Overview & Scrutiny Committee	Lucy Wright	September 2016	Report to include expenditure to date to ensure adequate financial provision is made
Action Plan to be reviewed:	Date November 2016			

Formal Consultation	
What formal consultation has been undertaken?	Public consultation held in 2012 and 2015 as detailed above
Making a Decision	
Explain decision & intended effects/benefits; Can the service/policy proceed?	The Council was required to replace council tax benefit with a local scheme with the requirement that pensioners are to be protected. It is inevitable that there will be negative equality impacts. As a result however this is mitigated by the creation and continued use of an exceptional hardship fund
How will the service/policy / actions be monitored and reviewed? <i>(please give timescale)</i>	Continuous and ongoing monitoring of council tax collection rates with specific reference to CTRS claimants, numbers of reminders & summonses issued and number of exceptional hardship applications
Publication of results	
Accessible & user friendly; add website & intranet; notify consultees	To be published following full Council decision after 9 th December 2015
Signed Lucy Wright – Revenues, Benefits & Customer Services Manager	Date 21 st October 2015
Agreed by Director of Service Ian Miller – Chief Executive	Date 23 rd October 2015

Prior to the Equality Act 2010, there were 3 separate public sector equality duties covering race, disability and gender. The Equality Act 2010 replaced these with a new single equality duty covering the following protected characteristics:

Protected characteristics: definitions

Age - where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability - a person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment - The process of transitioning from one gender to another.

Marriage and civil partnership - marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity - pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race - It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief - religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism).

Sex - a man or a woman.

Sexual orientation - whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes