

## Equality Impact Assessment Template – Stage Two

Please complete this template if completion of the Stage One template has identified that a full Equality Impact Assessment is required.

Before proceeding with the Stage Two Equality Impact Assessment, you should discuss the scope of the analysis with service managers in your area. You will also need to refer to the [equality impact assessment guidance](#).

|  |  |
|--|--|
| <b>Name of item being assessed:</b>                      | Council Tax Support Scheme 2016/17– a scheme to provide assistance to people on low incomes to help them pay their council tax |
| <b>Version and release date of item (if applicable):</b> | Version 1 27 October 2015  |
| <b>Owner of item being assessed:</b>                     | Bill Blackett, Revenues and Benefits Manager   |
| <b>Name of assessor:</b>                                 | Bill Blackett  |
| <b>Date of assessment:</b>                               | 27 October 2015  |

### STEP 1 – Scoping the Equality Impact Assessment

| 1. What data, research and other evidence or information is available which will be relevant to this Equality Analysis? Please tick all that apply.   |   |                        |   |
|---|---|------------------------|---|
| Service Targets   |   | Performance Targets    |   |
| User Satisfaction   |   | Service Take-up        | x |
| Workforce Monitoring  |   | Press Coverage         | x |
| Complaints & Comments   | x | Census Data            |   |
| Information from Trade Union  |   | Community Intelligence | x |
| Previous Equality Impact Analysis   |   | Staff Survey           |   |
| Other (please specify) Consultation process undertaken by direct mailing to all existing recipients of Council Tax Reduction and, more generally by the Council's internet consultation process |   |                        |   |

| 2. Please provide details on how you have used the available evidence, information you have selected as part of your Impact Assessment?   |
|---|
| The information gathered from the consultation process has helped to inform the impacts of options for scheme change on specific groups either previously known or identified during the consultation process. In addition we have used available information from the press and internet to try to establish the bigger picture as to how the options fit with the impacts of the government's welfare reform agenda |

**3. If you have identified any gaps in relation to the above question, please detail what additional research or data is required to fill these gaps? Have you considered commissioning new data or research? If 'No' please proceed to Step 2.**

There are gaps because of the complexity of the changes in the welfare reform agenda. This has made it very difficult indeed to be able to fully establish the scale of the potential impact on individuals and groups of claimants. It is also a changing environment with government proposals being a developing process where some of the impacts will not be known until after the Council had made its policy decision – that decision being subject to statutory rules regarding timing.

## STEP 2 – Involvement and Consultation

**1. Please use the table below to outline any previous involvement or consultation with the appropriate target groups of people who are most likely to be affected or interested in this policy, strategy, function or service**

| Target Groups             | Describe what you did, with a brief summary of the responses gained and links to relevant documents, as well as any actions   |
|---------------------------|---|
| Age – relates to all ages | <p>The consultation process did not specifically include or exclude any age group because questionnaires were sent to all existing claimants.</p> <p>Pensioners are not affected by any of the proposed changes because there is a statutory requirement for them to be protected; in effect their entitlement to help remains at the level which existed under council tax benefit at 31<sup>st</sup> March 2013. The consultation documents did state, in a number of places, that pensioners were not affected but a number did still express concern about impacts on them.</p> <p>Below pension age the proposals can impact on all age groups whether working or otherwise. There were a range of responses, both positive and negative, all of which are given (in full) as an appendix to the report.</p> <p>The scale of individual impacts cannot be accurately assessed because of the interaction of other benefits which are included in the government's welfare reform agenda. The consultation response from CAB cites the example of York where there was an increase in council tax arrears following a reduction in the level of support. Our own experience following a smaller</p> |

|   |   |
|---|---|
|   | <p>reduction has been that arrears remained relatively constant and that the call on support from the exceptional hardship fund was very low. However the report does not minimise the potential for a negative impact and does recommend a decision which provides a balance between the need to provide assistance with a need to balance the council's budget where other services are provided to all groups.</p>   |
| <p><b>Disability</b> - applies to a range of people that have a condition (physical or mental) which has a significant and long-term adverse effect on their ability to carry out 'normal' day-to-day activities. This protection also applies to people that have been diagnosed with a progressive illness such as HIV or cancer.</p> | <p>If the proposals are approved, disabled persons who are of working age will also be negatively affected unless they are in the protected group defined by the types of welfare benefit they receive.</p> <p>Disabled people are less likely to have the same opportunities and access to work and employment that would improve their financial situation. They also face greater barriers when accessing information about services. Therefore, disabled households are considered to be more vulnerable than other households. In designing their schemes Councils are required to give protection to vulnerable groups along with that which has to be provided for pensioners. In West Berkshire's scheme the vulnerable group has been defined as those where certain benefits are being received :</p> <ul style="list-style-type: none"> <li>• in receipt of Disability Living Allowance or Personal Independence Payment</li> <li>• in receipt of Attendance Allowance</li> <li>• in receipt of a War Pension</li> <li>• in receipt of a disability element of Working Tax Credit</li> <li>• in receipt of Severe Disablement Allowance</li> <li>• in receipt of Incapacity Benefit at the long term rate or, if they are terminally ill, the short term higher rate</li> <li>• in receipt of Employment and Support Allowance (income or contribution based)</li> <li>• responsible for a child that lives with you and receives Disability Living Allowance</li> </ul> |

|   |  |
|---|--|
|   | <p>For those who fall outside this protection other support is in place through the Council Tax Discretionary policy for persons who suffer hardship as a result of these proposals in order to mitigate any negative impacts.</p>   |
| <p><b>Gender reassignment</b> - definition has been expanded to include people who chose to live in the opposite gender to the gender assigned to them at birth by removing the previously legal requirement for them to undergo medical supervision.</p> | <p>Not known</p> <p>There is no information available to make an assessment on the impact of the proposals on this protected characteristic. Details of gender reassignment are not collected as part of the application and assessment process. However the proposed changes do not specifically target this group and it is perceived that the adverse effects will be no different to those on other groups.</p>  |
| <p><b>Marriage and Civil partnership –</b><br/>         .protects employees who are married or in a civil partnership against discrimination. Single people are not protected.</p>  | <p>The proposals retain the majority of the assessment criteria used currently in the assessment of Council Tax Support which specifies that a 'couple' is:</p> <ul style="list-style-type: none"> <li>• A man and woman who are married to each other and are members of the same household</li> <li>• living together as husband and wife</li> <li>• Two people of the same sex who are civil partners of each other and are members of the same household</li> <li>• Two people of the same sex who are not civil partners of each other but are living together as if they were civil partners.</li> </ul> <p>Being married or in civil partnership is not currently a factor in determining the amount of Council Tax Support a couple receives and will not be a factor when assessing future Council Tax Support as it is not considered to be a characteristic which requires a higher applicable amount. For these reasons, it is expected that the proposed changes will not adversely affect people based on their marital or civil partnership status more than they do any other group.</p> |
| <p><b>Pregnancy and Maternity</b> - protects against discrimination. With regard to employment, the woman is protected</p>  | <p>The consultation process did not gather information to identify those falling within this group. Pregnancy and maternity should be considered as two separate characteristics</p>   |

|   |  |
|---|--|
| <p>during the period of her pregnancy and any statutory maternity leave to which she is entitled. It is also unlawful to discriminate against women breastfeeding in a public place</p> | <p>as while the claimant is pregnant, her applicable amounts and personal allowances are lower. Once a child is born, it becomes part of the household composition and increased allowances apply. Pregnancy alone is not a factor in the current assessment of Council Tax Benefit and will not be a factor in the assessment of Council Tax Support as it is not considered to be a characteristic which requires a higher applicable amount. It is therefore expected that pregnant women will not be more adversely affected by changes to Council Tax Support than any other group. However, based on the data that we hold currently, we do not have sufficient evidence to determine the relevance of this protected characteristic.</p> <p>In a non-work context such as this, The Equality Act 2010 provides for protection against maternity discrimination for 26 weeks after giving birth, including as a result of breastfeeding. Providing that the child (or children) forms part of the mother's household composition once it is born, the claim for Council Tax Support will then include the child (or children) as part of the household and the applicable amount will increase. This once other income changes have been taken into account may result in higher Council Tax Support awarded and reduced Council Tax payments.</p> |
| <p><b>Race</b> - includes colour, ethnic / national origin or nationality.</p>  | <p>Race is not a factor in the assessment of Council Tax Support as it is not considered to be a characteristic which requires a higher applicable amount. For these reasons, it is perceived that Council Tax Support does not adversely affect people based on their race. Legislation prescribes a 'class of persons' who are restricted from receiving Council Tax Support nationally and this includes 'persons from abroad'. The Government has applied the same restrictions as exist under the Council Tax Benefit system to exclude foreign nationals with limited immigration status and non-economically active EEA individuals who are not exercising EU treaty rights from receiving Council Tax Support. There may be disadvantage due to language barriers and the understanding of publicity relevant to</p>   |

|   |   |
|---|---|
|   | council tax support – this will be addressed in accordance with the Councils existing arrangements for such circumstances .   |
| <b>Religion and Belief</b> - covers any religion, religious or non-religious beliefs. Also includes philosophical belief or non-belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. | Not known There is no information available to make an assessment on the impact of the proposals on this protected characteristic.  |
| <b>Sex</b> - applies to male or female.   | Sex will not be a factor in any part of the assessment of Council Tax Support as it is not considered to be a characteristic which requires a higher applicable amount when assessing benefit. For these reasons, it is expected that changes to Council Tax Support will not adversely affect anyone based on their sex.                               |
| <b>Sexual Orientation</b> - protects lesbian, gay, bi-sexual and heterosexual people.   | Sexual orientation will not be a factor in any part of the assessment of Council Tax Support as it is not considered to be a characteristic which requires a higher applicable amount when assessing benefit. For these reasons, it is expected that changes to Council Tax Support will not adversely affect anyone based on their sexual orientation. |

## 2. Who are the main stakeholders and what are their requirements?

The main stakeholders are (a) Those in need of assistance to meet their council tax liability and (b) council taxpayers in general who fund a large part of the cost of the scheme. Within (b) there are a number of sub-sets of stakeholders- these being people who use specific council services and may be affected by other cost savings as the council sets its budget for 2016.

## 3. Amongst the identified groups in the previous question, what does your information tell you about the potential take-up of resulting services?

At the present time we see a reducing caseload of persons needing support to meet their council tax liabilities driven, in the main, by the economic well-being of the South Eastern region. However the changes to welfare benefits and high accommodation costs in the area, when taken together, may increase demand for assistance with council tax when a lower level of assistance is available under the report proposals. It

seems unlikely that take up of this service will reduce to any great extent.

### **STEP 3 – Assessing Impact and Strengthening the Policy**

**What will be done to improve access to and take-up of, or understanding of the policy, strategy, function or service?** (These are the measures you will take to mitigate against adverse impact)

1. Continuation of publicity on all council tax bills
2. Maintaining effective relationships with housing providers and with CAB to identify those in need of assistance.
3. Management information reports will identify any trend for increased council tax arrears.
4. Annual review of policy is a statutory requirement and impacts will need to be addressed in that process.
5. Signposting to the exceptional hardship fund where appropriate.
6. Updating of internal council tax recovery policy to include management of cases with financial hardship

### **STEP 4 – Procurement and Partnerships**

**Is this project due to be carried out wholly or partly by contractors?**

**NO**

If 'yes', have you done any work to include equality considerations into the contract already? Specifically you should set out how you will make sure that any partner you work with complies with equality legislation.

### **STEP 5 – Making a Decision**

**Summarise your findings and give an overview of whether the policy, strategy, function or service will meet the authority's responsibilities in relation to equality and support the Council's strategic outcomes?**

The report proposes changes to an existing policy which will inevitably have an adverse impact on those claimants who are not within the protected groups. However this needs to be viewed in the context of the council's challenging financial decisions where users of many other services may be affected. The proposals do have a disproportionate impact on part of the caseload because a large part of that case load remains protected from change by statutory rules. The consultation process has identified both positive and negative views but the negative views do not differ to any real extent from those of which we were aware as the report was in preparation. The disproportionate impact did not focus on any specific target group mentioned above but it is recognised that, by virtue of their own circumstances, some may be affected more than others. The report focuses on one part of the Council's operations and contributes to the strategic outcomes but it does need to be viewed as part of a much bigger

picture where services to the community as a whole are subject to difficult decisions in order to meet the financial challenges faced in future provision of those services.

## STEP 6 – Monitoring, Evaluating and Reviewing

Before finalising your action plan, you must identify how you will monitor the policy/function or the proposals following the Equality Impact Assessment and include any changes of proposals you are making.

### What structures are in place to monitor and review the impact and effectiveness of the new policy, strategy, function or service?

Management reports within the service will deal specifically with take up, identified difficulties and challenges

Member briefings

Liaison with CAB (although this needs to be more regular) as they have the ability to identify and advise on impacts.

Staff feedback

## STEP 7 – Action Plan

Any actions identified as an outcome of going through Steps 1-6 should be mapped against the headings within the Action Plan. You should also summarise actions taken to mitigate against adverse impact.

|                                       | <b>Actions</b>  | <b>Target Date</b>   | <b>Responsible postholder &amp; directorate</b>              |
|---------------------------------------|---|--|--|
| <b>Involvement &amp; consultation</b> | Consultation has already taken place with all claimants and will be revisited during 2016 if there is a requirement for scheme review | If it is to take place this will need to have been done in the period august to October 2016 | Head of Customer Services and line managers in Benefits team |
| <b>Data collection</b>                | This is an ongoing process as part of the service administration the provision of management information                              | In place   | Principal Benefits Officer, Customer Services                |
| <b>Assessing impact</b>               | This is an ongoing process as part of the service administration the provision of management  | In place   | Principal Benefits Officer, Customer Services                |



|   |  |          |  |
|---|--|----------|--|
|   | information  |          |  |
| <b>Procurement &amp; partnership</b>        | Not relevant   |          |  |
| <b>Monitoring, evaluation and reviewing</b> | This is an ongoing process as part of the service administration the provision of management information | In place | This is an ongoing process as part of the service administration the provision of management information |

### STEP 8 – Sign Off

The policy, strategy or function has been fully assessed in relation to its potential effects on equality and all relevant concerns have been addressed.

| <b>Assessor</b>   |                                      |                         |
|-------------------|--------------------------------------|-------------------------|
| <b>Name:</b>      | <b>Bill Blackett</b>                 |                         |
| <b>Job Title:</b> | <b>Revenues and Benefits Manager</b> | <b>Date:28 Oct 2015</b> |

| <b>Service Director or Senior Officer (sign off)</b> |  |              |
|--|--|--------------|
| <b>Name:</b>   |  |              |
| <b>Job Title:</b>                                    |  | <b>Date:</b> |