



## DBC Equality Impact Assessment Form

**Directorate:** Finance and Resources

**Service:** Revenues, Benefits and Fraud

**Policy / function / activity being reviewed:** Draft Local Council Tax Support Scheme

**Date completed and by whom:** V3 Nicola Ellis 12/09/12

**Review date:**

### Step 1 – Identifying the Purpose / Aims

1. What type of policy, service, activity or function is this?

**New**

2. What is the aim and purpose of the policy, activity, service or function?

To support customers on a low income with help towards paying their Council Tax. To replace Council Tax Benefit and to reduce expenditure in line with Government's reduction in funding of approximately 10%.

3. Outline any proposals being considered.

Under the Government's prescribed regulations people of pensionable age will be protected and so will have their benefit worked out in the same way as Council Tax Benefit.

Our draft scheme also protects customers who are disabled; families with a child under 5; and customers who receive a War Disablement or War Widow(er)'s Pension.

Our definitions are as follows:

**Disabled** - for claimant or partner means: receiving Disability Living Allowance (DLA); or has disability or severe disability element within working tax credit; or registered blind; or receiving mobility supplement, long-term Incapacity Benefit or Severe Disablement Allowance; or Incapable of work for more than 52 weeks (or 28 weeks if terminally ill). The customer also must not be receiving main phase Employment & Support Allowance with either a work-related activity or a support component.

For a dependent child it means: registered blind; or receiving Disability Living Allowance.

Our vulnerable groups do not include carers of disabled people, nor households where a disabled person is a non-dependant.

**Family** consists of an adult and partner if there is one, and dependent children living with them who are under the age of 20. Children who are not included within this definition of family are: those over 16 for whom Child Benefit is not received; those for whom custody is shared but spend the majority of their time with the other parent; those for whom custody is equally shared, but the other parent receives Child Benefit.

All other customers will only be able to get a maximum level of support of 75%.

In addition the scheme will incorporate the following changes:

- Limit on Council Tax Support to the amount paid for a Band D property.
- Non dependant deductions will be increased for working age to double the amount they are for pension age

4. Who is the policy, activity, service or function intended to help / benefit / serve?

The Council Tax support scheme is intended to help those people on a low income to pay their Council Tax. Therefore it ultimately helps the Council and Council taxpayers to collect amounts due to the Council and to finance Council services.

5. Does the policy, activity, service or function have any specific aims or objectives in relation to equality, social inclusion or community cohesion?

The Government's aims in introducing the support scheme are to enable an element of localism and also to make savings. Hence funding is reduced by approximately 10%. The Government has prescribed that pensioners will be protected but has also stated that Councils should encourage incentives to work and should have regard to preventing child poverty where possible.

## **Step 2 – Considering existing information and what this tells you**

6. Summarise any data / research or performance management information about the policy, function or activity that is available. This could include equalities monitoring information; surveys; complaints or grievances.

**Data / Information**

This is an initial EIA we are about to embark on consultation and this data will be considered as a result and in drafting the actual scheme.

7. Is there any evidence of negative differential impact on any of the Nine Protected Characteristics or any other cluster group? (Some equality categories may be more relevant than others)

**Race or Ethnicity**

Potential negative impact on some ethnic groups:

**Characteristics of some ethnic groups are large families.** This could mean that they are living in large properties which are then more likely to be above band D and so would be adversely affected by the band restriction.

**Multigenerational households are characteristics of some ethnic groups** – where adult sons, daughters or other family members are resident in the claimant's household, the customer could be negatively impacted by the doubling of non-dependant deductions and potentially the band D restriction.

**Sex (Gender)**

**Women Fleeing Domestic Violence** – Could be impacted by a loss in benefit if not included in a protected group and working age.

**Gender Reassignment and Transgender**

No negative impact identified

**Sexual Orientation**

No negative impact identified

**Age**

Potential negative impact on:

**Under 35's** – Government policy means that under 35s are restricted in properties that they can claim Housing Benefit for. Government has implied that they should remain in family household where possible. If this is the case our draft scheme will penalise the claimant if an adult non dependant is resident as they will receive double the deduction.

**Working age** – Obviously working age people are significantly impacted by this scheme as they will need to pay a minimum of 25% towards Council Tax. This is to allow full protection of those groups protected.

**People just below pensionable age** – Whilst customers of pensionable age are protected under the new scheme. There is potential that people who are close to pensionable age could be negatively impacted. For example people close to retirement could have taken early retirement or redundancy and so

are on a low income. They could be likely to be living in bigger properties and so affected by the band restriction.

**People with children over 5** – While families with children under 5 are protected those with children over 5 will be expected to pay a minimum of 25%. However this is potentially a work incentive. Need to consider Child Poverty Act.

### **Disability**

**Carers** – Carers of disabled adults where the adult is not the claimant or partner will be negatively impacted by the scheme as they are not covered by the disability protection.

**ESA** - no other qualifying benefit. Not protected although potentially long term sick and under incapacity benefit would have been classified as disabled.

**Disabled Children** - currently protected where a disabled child is present. Identified as in receipt of DLA.

**Disabled Band reduction** – if for a member of the household and not the claimant or partner no protection applies so negative impact. Claimant or partner would be in receipt of qualifying benefit and hence protected.

**Personal Independence Payments (PIP)** – we are still waiting for more information from Government about PIPs, and will need to consider how we deal with them within our scheme when this has been provided. At the moment the most likely course of action is to treat receipt of PIP in the same way as receipt of DLA and so award protection.

### **Religion or belief/ faith communities**

See race above.

### **Marriage and Civil Partnerships**

No negative impact identified

### **Pregnancy and Maternity**

Pregnant prior to giving birth

### **Socio Economic Duties (Socially excluded communities or groups)**

**Low income and working age** – As scheme is designed for those groups the negative impact is significant on them. Will have a particular impact in deprived communities where high numbers of Council Tax Benefit claimants live. Potential impact on local economy in deprived areas as less disposable income as having to pay Council Tax.

### Step 3 – Assessing the Impact

8. Is there any evidence of higher or lower take-up of the service, facility or opportunity by any group /community and if so, is there an explanation for this?

Not aware of any.

9. Could any of the associated rules, requirements or regulations of the function, activity or policy affect the accessibility of the service/ activity to any groups or communities?

Access will be the same as Council Tax benefit. Only eligibility will differ.

10. If the impact or effects are adverse for any community or group, can they be defended i.e. in order to provide equality for another community under legislation or policy?

Yes ▲

NO ▲

Please give details below.

Cuts to working age support can be defended as we have protected some vulnerable groups and these cuts are made to finance that protection.

Overall cut is part of deficit reduction from Government and if these cuts are not made services need to be cut elsewhere to fund the saving.

### Step 4 – Dealing with adverse or unlawful impact

11. What can be done to improve the policy, service, function or any proposals in order to reduce or remove any adverse impact or effects identified?

At present consultation plan. Including targeting persons potentially affected and using Mosaic etc. Liaison with Community and Vulnerable groups.

12. What would be needed to be able to do this? Are the resources available?

Yes in progress

## **Step 5 – Consultation and Feedback**

13. Outline your proposals to consult with those affected on proposed changes.

Consultation plan – includes web consultation, survey to sample of affected and non- affected groups. Attendance at Neighbourhood Action Groups, Focus Groups, Drop in sessions for Community and Faith Groups.

## **Step 6 – The decision**

14. What needs to be done?

Carry out consultation and then review and accept or modify draft scheme.

## **Step 7 – Monitoring, review and evaluation**

15. What monitoring and review mechanisms are in place or will be developed?

Legislation makes the scheme subject to annual review by full Council.

## **Step 8 – The service plan**

16. What needs to be included in the Service Development Plan?

Actions are included in service development plan to implement new Council Tax Support scheme.

17. Does an Action Plan need to be put together to ensure everything is actioned?

Consultation Plan in place. Implementation plan will be developed for implementing new scheme once approved.

## **Step 9 – Publishing the Results**

The EqIA will be published on the Council's website; therefore as the author of the document it is your responsibility to ensure that it is written in an understandable way, free from Council jargon.

In order for the EqIA form to be published it must be reviewed and signed off by the relevant Group Manager. It is the service manager's responsibility to ensure that this is done.

Once the form this has been completed an electronic copy should be sent to Anne Stunell – Human Resources, ext. 2089 or Elissa Rospigliosi - Corporate Graduate, ext. 2541.