

HDC Full Equality Impact Assessment Form

Part 1 – AIMS AND IMPLEMENTATION OF THE POLICY/SERVICE PROCEDURE/PRACTICE

1.1 What is being assessed? Name of the service, policy, procedure or practice:

Localisation of Council Tax Support

1.2 Officer(s) & Section/Service responsible for completing the assessment:

Bev Jolly, Director of Resources
Leigh Butler- Senior Partnership Manager

1.3 What is the main purpose or aims of the service, policy, procedure or practice?

Localisation of Council Tax Benefit is part of a programme of national policy change to the welfare system aimed at addressing the rising cost of welfare.

From 1st April 2013, all Councils will be required to establish a local scheme for Council Tax Support (CTLS) to replace the nationally designed Council Tax Benefit Scheme. These changes will reduce the level of funding received by Councils to deliver the scheme (by approximately 10%) and allow the Council to decide who to financially support, outside prescribed elements which includes protecting support received by pensioners.

The scheme itself must be approved and in place by 31st January 2013. The Local Government Finance Bill imposes a duty on billing authorities (Harborough DC) to consult with major precepting authorities and such other persons as it considers having an interest in the scheme. Major precepting authorities in Leicestershire are Leicestershire County Council, Leicestershire Police Authority and Leicestershire Combined Fire Authority.

This policy is intended to replace the current Council Tax Benefit Scheme. This must be in place by 1st April 2013 as Council Tax Benefit will be abolished from this date. It must be stressed that the Government is attempting the most significant changes to welfare that have been seen for at least 30 years.

The current system 'Council Tax Benefit' is a national means tested scheme. Claimants may get Council Tax Benefit if they are liable for council tax and their income and capital (savings and investments) are below certain level. The benefit is income-related (means tested) and anyone who is liable for council tax apply, irrespective of whether they are working, unemployed, living in rented accommodation or own their own home. Decision making is devolved to Billing Authorities with funding paid by the Department for Works and Pensions from their annually managed expenditure. In essence this means that Councils is re-imbursed for 100% of its spend.

In future funding for a localised scheme will be paid by the Department for Communities and Local Government (DCLG) from the Department Expenditure Limit budget. This means each Council will receive a fixed grant regardless of its spend.

Whilst the Government expect to reduce their expenditure by 10% (estimated £351,000 for Harborough District), they also require that Councils do not pass any of such savings required to those of Pension Age. That decision means that the burden falls disproportionately upon those of Working Age.

As mentioned DCLG proposals, a replacement scheme must be adopted by 31st January 2013 to commence from 1st April 2013. Council's who are not able to comply will be obliged to adopt the default scheme. In practice, the default scheme mirrors the existing Council Tax Benefit but with a

10% cut in funding to be met from other sources.

The Government has stated that it will protect low income pensioners as they have a fixed income and can't be expected to work to increase their income in the same way that a working age person can. Of the caseload for North West Leicestershire; approximately 56 % are pensioners and 44 % of working age; therefore the impact on working age claimants will be disproportionate. They will bear the burden of the savings applied to the scheme.

The Government has also instructed that vulnerable groups should be protected in the same way as pensioners. The Government has not defined, and does not intend to define, any particular groups. It is therefore up to each local authority, having regard to local needs and knowledge of their population, to identify the most vulnerable in their communities.

The Local Council Tax Support Scheme will deliver the replacement for Council Tax Benefit.

The Leicestershire and Rutland Council Tax Support Scheme - Discretionary Discount Scheme will provide additional support for vulnerable groups.

Council Tax empty property exemptions will be reviewed as these will be deemed as discounts from 1st April 2013.

1.4 Who is affected by the service/policy/procedure/practice? Who is it intended to benefit and how?

The main activity is to provide a Council Tax Support via a discount to those of working age on a low income. The discount will automatically be applied to the council tax demand notice and will reduce the amount to be paid. The support will be means tested in the same way as the present 'Council Tax Benefit' scheme.

Those on low incomes will benefit from the scheme in a similar way to the existing Council Tax Benefit; however it is likely that majority of work age claimants will have to pay some council tax, or more than they do now.

This is because work-age claimants will have to pay the funding shortfall of 10% which in real terms equates to nearer 20%-25% due to the protection of pensioners and vulnerable groups

Working age claimants will be able to claim CTLS however it is possible they will receive less help towards their council tax than if they claimed council tax benefit.

1.5 Has the service/policy/procedure/practice been promoted or explained to those it might affect directly or indirectly?

A full public consultation will take place for a period of eight weeks, responses will shape the scheme. Equality questions will form part of the questionnaire to enable analysis to take place.

Formal consultation will also be undertaken with precepting authorities, parish preceptors and various 3rd sector agencies that work closely with the Council. E.g. Citizen's Advice Bureau, Voluntary and Advocacy groups and community forums in Harborough.

The consultation will be jointly run with other Leicestershire authorities, this will enable us to identify any midland wide, wider issues and also report on local Harborough considerations.

The consultation will be open for a period of 8 weeks and be available to view; www.harborough.gov.uk. Letters will be sent to both working age and pensioner council tax benefit claimants to raise awareness of the consultation.

Paper copies will distributed at road show events being held during the period.

Customer Services staff at Harborough will also encourage customer to complete the consultation, and be available to guide those who require assistance through the online questionnaire form.

Copies of the consultation will also be made available upon request in alternative formats.

The consultation documentation incorporates Plain English standards, though we are legally obliged to provide some technical information that is not easily adapted to Plain English Standards.

Meetings are being held with 3rd sector organisations to discuss the options of the scheme and voice an opinion.

1.6 How does the service/policy/procedure/practice contribute to better Community Cohesion?

The existing and new scheme, entitlement is solely based on the claimants income, household composition and liability to pay Council Tax and therefore does not contribute to better Community Cohesion for this purpose.

1.7 How does the service/policy/procedure/practice fit in with the council's wider aims? Include corporate and partnership priorities.

The government reduction in funding means that the council has no choice but to implement a council tax reduction scheme in the district.

1.8 What is the relevance of the aims of the service/policy/procedure/practice to the equality target groups and the Council's duty to eliminate unlawful racial, disability and gender discrimination, and promote equality of opportunity?

Working age claimants on a low wage, None specific to other groups; however there may be feelings of social injustice for those affected in their communities, this may create tension within small hamlets and villages.

1.9 How is, or will the service/policy/procedure/practice be put into practice and who is, or will be, responsible for it?

Bev Jolly, Director of Resources
Leigh Butler- Senior Partnership Manager (Leicestershire Partnership – Revenues and Benefits)

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Part 2 – CONSIDERATION OF DATA AND RESEARCH

To conduct the assessment you will need information about service users and staff that provide the service. This section is to help you identify the sort of information that will be needed to help you assess whether there may be barriers to different equality groups who access your service, policy, procedure or practice.

2.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken (include information where appropriate from other directorates/units, Census 2001 etc. Please note that in some cases data may not exist or be available and you may therefore have to undertake additional research.)

This is a completely new area of work, and new responsibility. Billing Authorities have always delivered Council Tax support through the national Council Tax Benefit Scheme.

A third party provider has been engaged and is currently undertaking an exercise to forecast various options for the policy. The impact upon various groups will be considered when the data is available.

The results of the forecast will be used to create the new scheme and to model various scenarios for a particular set of circumstances. Scenarios will be presented as supplementary material as part of the online consultation package.

The current Council Tax benefit data is available to us for modeling and forecasting purposes. Equality and Diversity data is collated and will be used for comparison purposes.

Examples have been provided to Senior Management Team and Members. This will continue as the scheme is developed.

The current data held in the Council Tax Benefit data base is comprehensive and will help to shape the scheme via modelling along with the additional data provided the third party provider engaged

It is likely that we will need to work closely with council departments to understand how many people we have in the various identified vulnerable groups as the Discretionary Fund must be affordable. For example; the number of potential claimants who are care leavers up to the age of 22 per year; the number of foster carer households in Harborough

2.2 Equalities profile of users or beneficiaries. (Use the Council's approved diversity monitoring categories and provide data by target group of users or beneficiaries to determine whether the service user profile reflects the local population or relevant target group or if there is over or under representation of these groups.)

We do not hold any data analysis on this.

Data obtained (Office of National Statistics January 2012) indicates that 3.8% of working age are in receipt of welfare state benefits.

2.3 Evidence of complaints against the service/policy/procedure/practice on grounds of discrimination. (Is there any evidence of complaints either from customers or staff (grievance) as to the delivery of the service, or its operations, on the equality target groups?)

There is no evidence of complaints on grounds of discrimination as it is proposed to continue with the basis of the current scheme in determining eligibility for this means tested award.

2.4 What does the consultation/research/data indicate about the negative impact of the service, policy, procedure or practice?

Those on low incomes will benefit from the scheme in a similar way to the existing Council Tax benefit

Consultation results:

- 1) 30.53% of respondents did not want everyone paying a minimum of 20% to pay towards their Council Tax
- 2) 48.85% of respondents did not want to pay more by having a greater reduction on each £1 they have in income

In view of this we are not planning to introduce these proposals forward.

2.5 What does the consultation/research/data indicate about the positive impact of the service, policy, procedure or practice?

It is likely that majority of work age claimants will have to pay some council tax, or more than they do now.

This is because work-age claimants will have to pay the funding shortfall of 10% which in real terms equates to nearer 20%-25% due to the protection of pensioners and vulnerable groups

Consultation results:

- 1) 51.91% of respondents agreed that everyone should pay a minimum of 10% towards their Council Tax
- 2) 63.36% of respondents agreed that any other adults living in the household should be expected to contribute towards the Council Tax Bill.

In view of this we are planning to set the minimum Council Tax level at 85% (Not 100%) so in essence that means when the award is calculated it will be based on 85% of the eligible Council Tax charge for the property and then the shortfall which represents 15% will be added to amount payable.

In view of this we are planning to remove Second Adult Rebate arrangements.

Part 3 – ASSESSMENT OF IMPACT

Now that you have looked at the purpose, etc. of the **service/policy/procedure/practice** (part 10 and looked at the data and research you have (part 2), this section asks you to assess the impact, positive and negative of the service/policy/procedure/practice on each of the six strands of diversity covered in the Council's Equality and Diversity Policy. A copy of the policy can be found on the council's website

RACE – testing of disproportional, adverse, neutral or positive impact

a. Identify the effect of this policy on different RACE groups from information available.	
b. How is the target race group reflected in the take up of the service. *Low proportion of ethnic groups which is below the UK average * Data from Office of National Statistics	
c. From the evidence available does the policy affect, or have the potential to affect, racial groups differently? Yes <input type="checkbox"/> No X	
d. If yes, do any of the differences amount to:	
	Reason/evidence/comment
Barriers, negative impact or unlawful discrimination?	No impact on this group – race has no impact on the calculation of council tax benefit in the current scheme or in the proposed scheme
Neutral impact?	
Positive impact?	
e. If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for one racial group or for another legitimate reason?	

GENDER – testing of disproportionate, adverse, neutral or positive impact

<p>a. Identify the effect of this policy on different GENDER groups from information available.</p> <p>No impact on this group – a persons gender has no impact on the calculation of council tax benefit in the current scheme or in the proposed scheme</p>	
<p>b. How are men and women reflected in the take up of the service.</p>	
<p>c. From the evidence available does the policy affect, or have the potential to affect, men and women differently?</p> <p>Yes <input type="checkbox"/></p> <p>No X</p>	
<p>d. If yes, do any of the differences amount to:</p>	
	Reason/evidence/comment
Barriers, negative impact or unlawful discrimination?	
Neutral impact?	
Positive impact?	
<p>e. If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for one gender or for another legitimate reason?</p>	

DISABILITY – testing of disproportionate, adverse, neutral or positive impact

a. Identify the effect of this policy on Disabled people from information available.

The current Council Tax Benefit calculation allows more benefit to households where the claimant and /or partner is disabled (Receives DLA Rate) than those that do not therefore any reductions that are already included in the current council tax benefit scheme will continue in the new scheme albeit if entitled to council tax support and their benefit s will be reduced

b. How are disabled people reflected in the take up of the service?

c. From the evidence available does the policy affect, or have the potential to affect, disabled people differently?

Yes ☐

No ☒

d. If yes, do any of the differences amount to:

	Reason/evidence/comment
Barriers, negative impact or unlawful discrimination?	
Neutral impact?	
Positive impact?	
e. If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for disabled people or for another legitimate reason?	

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AGE – testing of disproportionate, adverse, neutral or positive impact

a. Identify the effect of this policy on different AGE groups from information available.

The proposed scheme will protect the benefits of low income pensioners in the district.

b. How are different age groups reflected in the take up of the service.

Pension age group are protected from changes, which may result in a negative impact on working age groups.

c. From the evidence available does the policy affect, or have the potential to affect, age groups differently?

Yes ☐

No ☒

d. If yes, do any of the differences amount to:

	Reason/evidence/comment
Barriers, negative impact or unlawful discrimination?	No- Pension groups are to be protected under legislation Policy will be designed to support working age claimants who are negatively impacted following consultation
Neutral impact?	
Positive impact?	

e. If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for one age group or for another legitimate reason?

LESBIAN, GAY, BISEXUAL and TRANSGENDER – testing of disproportional, adverse, neutral or positive impact

a. Identify the effect of this policy on LESBIAN, GAY, BISEXUAL and TRANSGENDER people from information available.

No impact on this group – gender has no impact on the calculation of council tax benefit in the current scheme or in the proposed scheme

b. How is this target group reflected in the take up of the service.

c. From the evidence available does the policy affect, or have the potential to affect, LESBIAN, GAY, BISEXUAL and TRANSGENDER people differently?

Yes ☐

No ☒

d. If yes, do any of the differences amount to:

	Reason/evidence/comment
Barriers, negative impact or unlawful discrimination?	
Neutral impact?	
Positive impact?	

e. If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for LESBIAN, GAY, BISEXUAL and TRANSGENDER people or for another legitimate reason?

RELIGION/BELIEF – testing of disproportionate, adverse, neutral or positive impact

<p>a. Identify the effect of this policy on different RELIGIOUS/BELIEF groups from information available.</p> <p>No impact on this group – religion/belief has no impact on the calculation of council tax benefit in the current scheme or in the proposed scheme</p>	
<p>b. How are the target RELIGIOUS/BELIEF groups reflected in the take up of the service.</p>	
<p>c. From the evidence available does the policy affect, or have the potential to affect, RELIGIOUS/BELIEF groups differently?</p> <p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p>	
<p>d. If yes, do any of the differences amount to:</p>	
	Reason/evidence/comment
Barriers, negative impact or unlawful discrimination?	
Neutral impact?	
Positive impact?	
<p>e. If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for one RELIGIOUS/BELIEF group or for another legitimate reason?</p>	

OTHER – Additional groups that may experience impacts - testing of disproportional, adverse, neutral or positive impact

a. Identify the effect of this policy on OTHER GROUPS in the DISTRICT from information available. *(These other groups could include factors such as literacy, health, poverty, marital status etc.)*

No impact on this group – other groups has no impact on the calculation of council tax benefit in the current scheme or in the proposed scheme

b. How are the target OTHER groups reflected in the take up of the service.

c. From the evidence available does the policy affect, or have the potential to affect people with dependents / caring responsibilities differently?

Yes ☐

No ☐

d. If yes, do any of the differences amount to:

	Reason/evidence/comment
Barriers, negative impact or unlawful discrimination?	
Neutral impact?	
Positive impact?	

e. If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for one OTHER group or for another legitimate reason?

Part 4

MEASURES TO MITIGATE DISPROPORTIONATE OR ADVERSE IMPACT OR IMPROVE ON NEUTRAL OR POSITIVE IMPACTS

4.1 If there is any negative impact on any target equality group identified in Section 3, is the impact intended or legal?

The policy will treat all groups within the nine protected characteristics equally, with the exception of low income pensioners.

4.2 Specify measures that can be taken to remove or minimise the disproportionate or adverse effect identified in Section 3. If none were identified in Section 3, identify how disproportionate impact or adverse effect could be avoided in future.

This benefit is means tested and as mentioned there is no impact on any specific groups apart from pensioners on low incomes who are fully protected by the changes.

4.3 If there is no evidence that the service/policy/procedure/practice promotes equality, equal opportunities or improves relations within equality target groups, what amendments could be made to achieve this?

Additional information regarding equalities characteristics of the claimants would be useful to know but this information does not affect the eligibility of a claimant.

4.4 If A NEUTRAL OR POSITIVE IMPACT has been identified, can that impact be improved upon (continuous improvement)? What are the improvements that can be made? Can they be applied elsewhere in the Council?

- High affluence area, mainly detached housing, low deprivation and low unemployment
- Low number of flats and rented accommodation
- Low proportion of ethnic minority groups (Further information will be analysed on this resulting from the consultation exercise)
- Ranked 319th out of 326 in the 2010 deprivation index LA ranking
- 3.8% of population receiving welfare benefits, which is less than the national average (ONS DWP Data January 2012)

4.5 How will any amended service, policy, procedure or practice be implemented, including any necessary training. (Include actions, date for completion, officer(s) responsible and any budget requirements.)

All Billing Authorities have received a grant from DCLG of £84,000 to cover cost for the scheme implementation.

There is a time lined project plan to cover key deliverables.

There is a communication plan in place.

The intention is that the scheme is approved by members in January 2013.

Council Tax Class A and C exemptions arrangements will be changing as these are termed as discounts from 1st April 2013.

Class A (property requiring structural repairs) discount will be awarded for up to 12 months at a discount of 50% for the period granted.

Class C (empty and unfurnished properties) discount period will be one month only with the discount set at 100% will be granted. Properties empty for more than one month 'Full' Council Tax is payable.

A plan is being developed in readiness to ensure IT systems are in place to ensure CTLS recipients are informed of the amount payable for Council Tax. Software release will be available from 20/12/2012 to commence testing in readiness for annual billing and benefit up ratings and a detailed plan is in place to cover this.

Part 5 - CONCLUSIONS AND RECOMENDATIONS

5.1 Does the policy comply with equalities legislation, including the duty to promote race, disability and gender equality? *(Take into account your findings from the impact assessment and consultations and explain how the policy was decided upon its intended effects and its benefits.)*

YES

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NO

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5.2 What are the main areas requiring further attention?

5.3 Summary of recommendations for improvement.

5.4 What equality monitoring/evaluation/review systems have been set up to carry out regular checks on the effects of the service/policy/procedure/practice? *(Give details.)*

The results of the consultation survey is available on the Councils website.

Claimants who make application against Council Tax Support Scheme (Discretionary Discount Scheme) details of outcomes will be analysed once the scheme is operational from April 2013

5.5 When will the amended service/policy/procedure/practice be reviewed? *(Include dates for completion and officer(s) responsible.)*

The scheme has to be reviewed on annual basis so therefore this exercise may be repeated and adjusted accordingly based on the data analysed..

This will commence in May/June 2013

Date completed:

Signed by (Manager):

Part 6 - Equality Impact Assessment Improvement Plan

The table below should be completed using the information from the Equality Impact Assessment to produce an action plan for the implementation of proposals to:

1. Lower the negative impact? **And/Or**
2. Ensure that the negative impact is legal under anti-discriminatory law? **And/Or**
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups? i.e. increase the positive impact

Please ensure that you update your service/business plan with the equality objectives/targets and actions identified below.

Area of negative impact	Changes proposed	Lead Officer	Timescale	Resource implication	Comments
Opportunity to improve the service by improved understanding of the needs of specific groups	Additional action point in Strategy related to consideration of monitoring of service users and engagement with equality groups to seek equality information about present and future service and strategy for economic development.	????	Incorporation into first year action plan	Not known until viability of monitoring and research is undertaken	

Part 7 - Equality Impact Assessment: Summary Report

Date of Assessment:	
Completing Officer's Title/Position:	
Officer's Name:	
Service, Policy, Procedure, or Practice that was Impact Assessed:	
Summary of findings:	
Summary of Recommendations and Key Points of Action Plan:	
Groups that this policy will impact upon: ALL or:	
Race	
Gender	
Sexual Orientation	
Age	
Disability	
Religion or Belief	
Other	