

Appendix 4

EQUALITY IMPACT ASSESSMENT Part 1 & 2 – pro-forma

Directorate	Corporate Resources - Revenues & Benefits Service	Assessment carried out by	Jean Saxby
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Area being assessed	Proposed Amended Council Tax Reduction Scheme 2019/20	Date of Assessment	November 2018	Is this a new or existing service/policy?	Amendments to existing
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PART 1 – INITIAL ASSESSMENT

<p>1. What is the aim/objective of the area being assessed?</p>	<p>The Local Government Finance Bill ('the Bill') imposes a duty on council tax billing authorities (Hastings Borough Council) to formulate a Council Tax Reduction Scheme (CTRS) by 31st January 2019 and to consult with major precepting authorities and other such persons as it considers likely to have an interest in the scheme. Major precepting authorities in East Sussex are East Sussex County Council, Sussex Police Authority and East Sussex Fire Authority. Other interested parties, for example, are benefit claimants, special interest groups, voluntary organisations and support groups.</p> <p>The Bill specifies that before adopting a scheme, the billing authority must, in the following order:</p> <ol style="list-style-type: none"> a. consult any major precepting authority b. publish a draft scheme c. consult other persons as it considers are likely to have an interest in the operation of the scheme. <p>This EIA has been produced ahead of the publication and adoption of the scheme by full Council to ensure that the Council will meet its requirements under the Equality Act 2010.</p>
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<p>2. Who is intended to benefit from it and how?</p>	<p>Council tax reduction (CTR) for older people will not be impacted by the proposed new scheme as pensioners have their own prescribed scheme, set by Central Government.</p> <p>Working age claimants will still be able to apply for CTR, however, in some cases, they will receive less help towards their council tax bill than when they claimed during 2018/19. This is because the proposed scheme, whilst largely based on the existing scheme, will reduce the level at which CTR can be awarded.</p> <p>The proposed scheme still contains the following as introduced in April 2013:</p> <ul style="list-style-type: none"> • a minimum CTR award of £5 per week • the withdrawal of the Second Adult Rebate scheme <p>The proposed additions/amendments are:</p> <ul style="list-style-type: none"> • a taper increase from 20% to 25% • a flat-rate non-dependant deduction at £5.00 per week for those aged 18 years and over who are no longer classed as dependants • a council tax band cap at Band D • no tariff income on savings • to remove the Family Premium and bring the scheme in line with the Pensioner's Scheme and Housing Benefit • to introduce the 2-child limit, again to bring the scheme in line with the Pensioner's Scheme and Housing Benefit
<p>3. If your service uses contractors, do you ensure that they comply with the Council's equal opportunities policy and relevant legislation?</p>	<p>The service uses temporary staff and they are bound by their agencies and the Council's policies and legislation.</p>

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<p>4. Do you know who your service users are by age/race/disability/gender etc? (This could be obtained from results of recent consultation or surveys, equality monitoring data, demographic and other statistics).</p>	<p>Information is available from a number of sources - East Sussex in Figures (ESIF), the Department for Work and Pensions (DWP), and from the benefits database.</p> <p>There are 43,443 occupied dwellings in Hastings .The total number of benefit claimants is 9,978 of which 6,339 are of working age.</p> <p>Information held on the database is limited to that needed to process a claim for either housing benefit, CTR or both. The age of claimants and their gender can be obtained, but not their race or details of their disability. For example, it is enough to know that a claimant qualifies for a disability premium in order to award benefit. (Premiums are used in the calculation of benefit).</p> <p>From the recent consultation undertaken, 187 of the 268 respondents completed the section on ethnicity, of which 93.6% were White British/Irish or White Other with the remaining 6.4% being made up of the various minority groups in the town. When you compare these percentages to the Census 2011 data, they match exactly. This would suggest that the results should be a fair representation of the views of the residents.</p>
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<p>4. a) How are service users' views gathered? (This could be through results of recent consultations or surveys, information from groups and agencies directly in touch with particular groups or analysis of complaints)</p> <p>b) How do you use this information?</p> <p>c) Do you publish the results, and where?</p>	<p>The consultation was over an 8 week period starting 3 September and ending on 28 October 2018.</p> <p>Collation of the results took place between 29 October and 2 November 2018.</p> <p>A summary of the results, including all comments made by those responding is information to be considered as part of this policy decision.</p> <p>The consultation survey (web based) gave:</p> <ul style="list-style-type: none"> • background information and a brief description of the current CTRS • a statement that pensioners are protected from the changes and that working age claimants are most likely to be affected • a summary of our draft scheme • an introduction and explanation to each question relating specifically to the proposed scheme • a range of choices including the respondent's own preference if not shown, in relation to specific elements of the proposed scheme. <p>Stakeholders were identified at the outset and were made aware of the consultation prior to the consultation starting. All current working age CTR claimants (those most likely to be affected) were contacted about the consultation.</p> <p>People could:</p> <ul style="list-style-type: none"> • complete an online survey on the Council's website • use the Public Access Points in the council's offices if they did not otherwise have access to a computer <p>Special interest groups were contacted directly ie Citizens Advice; HARC; BHT</p> <p>All current working age CTR claimants (6,339) were written to about the consultation and were encouraged to take part.</p> <p>Benefit award notices included details of the consultation.</p> <p>All e-mails sent to customers promoted the consultation.</p> <p>Hastings Contact Centre staff promoted the consultation when speaking to customers both on the telephone and face-to-face.</p>		
<p>5. Could the area being assessed have a differential impact on racial groups?</p>		<p>NO</p>	<p>The CTR scheme does not preclude people from receiving support based on their race. Under the scheme, entitlement is solely based on the applicant's income, household composition and liability to pay council tax.</p>

6. Could the area being assessed have a differential impact on people due to their gender?		NO	
7. Could the area being assessed have a differential impact on people due to their disability?	YES		<p>The council's CTRS includes additional premiums for people with disability benefits; therefore, CTR claimants will not be adversely affected.</p> <p>The nature of the claimant's disability is not relevant in order to calculate entitlement to CTR but an applicant with a disability related premium in the calculation of CTR <i>may</i> receive more CTR. In these cases, any impact in respect of premiums would be positive. This does not necessarily mean the applicant will always receive more support than an applicant whose award does not include a disability premium as the calculation could include deductions for non-dependant(s) which could reduce entitlement.</p>
8. Could the area being assessed have a differential impact on people due to their sexual orientation?		NO	Again the CTR scheme does not exclude applicants on the basis of their sexual orientation.
9. Could the area being assessed have a differential impact on people due to their age?	YES		<p>9,978 people currently claim CTR in Hastings. Of these, 6,339 (63.5%) are of working age and may receive less financial help towards paying their council tax under the proposed scheme than they do currently.</p> <p>Pensioners, who have their own Prescribed scheme set by the Government, are protected and are not impacted by the proposed changes.</p> <p>Therefore, age does make a difference, as the age of the customer determines the CTR scheme to be applied.</p>
10. Could the area being assessed have a differential impact on people due to their religious or other belief?		NO	The Council's CTRS does not preclude people from receiving support based on their religious belief. Under the scheme, entitlement is solely based on the applicant's income, household composition and liability to pay council tax.

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<p>11. Could the area being assessed have a differential impact on people due to them having dependants/ caring responsibilities?</p>	<p>YES</p>		<p>Awards of CTR are based on the income and composition of the applicant's household and the amount of council tax that the applicant is liable to pay. Allowances are currently included in the calculation for each child and a Family Premium is awarded. However the proposed amended scheme for 2019/20 will remove the Family Premium and limit the number of allowances for children to two. Whilst this will not impact on families who are in receipt of other welfare benefits which attracts 100% CTR, for working households, this will mean a reduction in CTR.</p> <p>These changes have already been introduced to the Pensioner Prescribed scheme and the Housing Benefit Regulations as per Government legislation.</p>
<p>12. Could the area being assessed have a differential impact on people due to them being transgendered or transsexual?</p>		<p>NO</p>	<p>The Council's CTRS does not preclude transgendered or transsexual applicants from receiving help towards paying their council tax.</p> <p>Data is not collected in respect of these groups</p>
<p>13. Is there any evidence that people from different groups may have different expectations of the areas being assessed?</p>	<p>YES</p>		<p>The Council's CTRS applies to two distinct groups: pensioners and those of working age.</p> <p>The scheme for pensioners is prescribed in law and the Council must award CTR based on that legislation.</p> <p>The scheme for working age applicants is not prescribed in law and the Council is required to devise its own support scheme. In effect, two different schemes operate.</p> <p>Due to continual reductions in funding, the Council has had to review its CTR scheme in order to make it more financially sustainable.</p>
<p>14. Is the policy likely to affect relations between certain groups, for example because it is seen as favouring a particular group or denying opportunities to another?</p>	<p>YES</p>		<p>For the reasons given above, working age applicants may feel they are being unfairly treated. Council tax liability for both pensioner and working age applicants is unaffected by the proposed changes, however the calculation is different and more generous to pensioners.</p>

<p>15. Is the policy likely to damage relations between any particular groups and the Council?</p>	<p>YES</p>		<p>The council's CTRS for working age applicants is discretionary and is decided by Full Council. The scheme can be reviewed and amended annually, however, once decided, it cannot be changed within that year.</p> <p>Working age applicants could feel unfairly treated (compared to pensioners), but the need to provide support has to be balanced against the council's requirement to make savings and as the council cannot make changes to the pensioners' scheme, unfortunately it is the working age scheme that bears the impact.</p> <p>It is therefore possible that relations between affected working age applicants and the Council could be damaged.</p>
<p>16. Could the differential impact identified in 5-12 amount to there being the potential for adverse impact in this strategy/ policy/service/ procedure?</p>	<p>YES</p>		<p>For the reasons given above.</p>
<p>17. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?</p>	<p>YES</p>		<p>As part of its Welfare Reform and Localism agendas, the government has prescribed the support scheme for pensioners and has given discretionary powers to billing authorities to provide financial support to other council tax payers. The government has gradually been reducing the funding of the support scheme for working age applicants; therefore billing authorities have a choice between reducing the amount of support provided or by funding any shortfall from already stretched existing budgets which could affect all residents of the district.</p>
<p>18. Have all your staff attended an equality awareness training session?</p>	<p>YES</p>		<p>Council policy</p>
<p>19. Have you set any equality performance indicators or objectives for your service?</p>		<p>NO</p>	<p>As described above, the CTR is available to all irrespective of colour, creed, sexuality, race, religion</p>
<p>20. Actions arising from Part 1 of the Initial Assessment</p>			

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21. Should this Initial Assessment proceed to Part 2?	YES (please go to question 24)		
22a. As a result of Part 1, is a Full Assessment necessary?	YES	NO (please sign below)	22b. If Yes, on what evidence should this assessment proceed to a Full Assessment?
23a. Date on which Full Assessment to be started by			23b. Date on which Full Assessment to be completed by

Signed : *U Sarsby*

PART 2 - INITIAL CONSULTATION AND RISK ASSESSMENT					
24. In what areas are there concerns that the strategy/policy/procedure could have a differential impact?	Race NO	Gender NO	Disability YES	Sexual Orientation NO	Age YES
	Religion or Belief NO	Dependants/ caring responsibility YES	Transgendered or Transsexual NO		

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<p>25. What concerns are there that the area being assessed could have a differential impact on relevant groups? Please explain (continue on a separate sheet if necessary).</p>	<p>As explained in Part 1.</p>		
<p>26. What are the risks associated with the area being assessed in relation to differential impact?</p>	<p>Economic – some households will be financially worse off.</p> <p>Social – a reduction in household income can lead to health issues occurring – for example if savings are made from household heating bills, illness can develop in periods of cold weather.</p> <p>Housing – with a reduction in income, there would be pressure on the payment of household bills including housing costs. Rent arrears could accrue, tenancy under threat, possible eviction, homelessness</p>		
<p>27. Are there any experts/relevant groups who you can approach to explore their views on the issues?</p>	<p>YES</p>	<p>28. Please list the relevant groups/ experts</p>	<p>Special interest groups as listed in Part 1, section 4</p>
<p>29. How will the views of these groups be obtained?</p>	<p>E-mails Y Telephone Y Questionnaires Y</p>		
<p>30. Please explain in detail the views of the relevant groups/experts on the issues involved (continue on a separate sheet if necessary).</p>	<p>Views expressed were as follows:</p> <ul style="list-style-type: none"> • Significant decreases in income will put some people in hardship • Proposals will put pressure on other local services such as food banks and charitable organisations • It is likely to lead to more people getting into arrears with their council tax • It will be less attractive for people to work a few hours more • It will put more children into poverty 		

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<p>31. Taking into account the views of the groups/experts and/or the available evidence, please clearly state the risks associated with the strategy/policy/procedure weighed against its benefits (continue on a separate sheet if necessary).</p>	<p>The government requires local authorities to have a local scheme to support working age people financially in paying their council tax.</p> <p>The proposed scheme meets the legal requirements as laid out by the government and will affect approximately 240 taxpayers who will lose all support with around 555 losing £5 or more per week based on current caseload.</p> <p>The consultation was carried out on a draft scheme that would have affected many more tax payers (401 would have lost all support with 765 losing £5 or more). The proposed scheme addresses the areas of concern as identified by the respondents of the consultation and considerably mitigates the risks.</p> <p>The proposed scheme meets both the council's financial and legal requirements.</p> <p>In order to mitigate the impact to customers affected by the changes, under Section 13(a) 1(c) of the Local Government Finance Act 1992, the council has a Discretionary Council Tax policy, which is there to provide limited financial help to council tax payers who are experiencing exceptional hardship.</p>				
<p>32. Actions arising from Part 2 of the Initial Assessment</p>	<p>The consultation results will be posted to the Council's website.</p> <p>Following approval at Full Council on 13 February 2019, the new scheme will be uploaded to the Council's website.</p> <p>Customers will be notified, as part of the annual billing process, of the revised new scheme.</p>				
<p>33. As a result of Part 2, is a Full Assessment necessary?</p>	<p>NO (please sign below)</p>	<p>33a. Date on which Full Assessment to be started</p>		<p>33b. Date on which Full Assessment to be completed</p>	

Signed : 

Signed (Lead Officer): Jean Saxby

Date: 30 November 2018

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