

Appendix 5

EQUALITY IMPACT ASSESSMENT Part 1

Directorate	Corporate Services & Governance - Revenues & Benefits	Assessment carried out by	Jean Saxby
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Area being assessed	Proposed Council Tax Support (CTS) Scheme	Date of Assessment	October 2015	Is this a new or existing service/policy?	Amendment to existing Scheme
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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 CTS scheme by 31st January 2016 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>The existing CTS scheme has been in place since April 2013. No changes have been made since then and the original EIA has not required any updating.</p> <p>A revised scheme is being proposed from April 2016, hence the update to the EIA.</p> <p>This EIA has been produced ahead of the publication and adoption of the revised scheme, by full Council, in December 2015 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>The revised scheme proposes to introduce a minimum income floor for working age customers who are self-employed. This means that a minimum income, equivalent to the minimum wage x 35 hours, will be applied to the CTS calculation.</p> <p>There are around 670 customers currently in receipt of council tax support who are self-employed. The proposed change will reduce their entitlement to council tax support and in some cases will remove it totally.</p> <p>The results of the consultation showed that 55.88% of respondents agreed that there should be a minimum income floor; 26.47% disagreed and 17.65% said 'Don't know'.</p> <p>The government has said that all CTS schemes need to include consideration of vulnerable groups, but has not been prescriptive about how this should be done or specified who might be considered vulnerable. It is up to each council to decide, however the government draws councils' attention to existing responsibilities under the Child Poverty Act 2010, the Disabled Person Act 1986 and the Housing Act 1996, as well as the public sector duties in section 149 of the Equality Act 2010.</p>
<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>
<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>Information held on the database is limited to that needed to process a claim for either housing benefit, council tax support 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>The 2011 Census data is currently being published and provides an overview of the population of Hastings as a whole.</p> <p>There are 42,777 occupied dwellings in Hastings. The total number of benefit claimants is 11,056 of which 6,906 are of working age.</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)
- b)** How do you use this information?
- c)** Do you publish the results, and where?

The consultation started on 27 July 2015 and ended on 21 September 2015.

A summary of the results, including all comments made by those responding, is information to be considered as part of this policy decision.

The consultation survey (web based) gave:

- Background information and a brief description of the current Council Tax Support scheme and funding arrangements
- 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 respondents own preference if not shown, in relation to specific elements of the proposed scheme.

People could:

- 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

For the duration of the consultation, a flyer, promoting the consultation, was sent out with all council tax bills and all benefit notification letters.

All visitors to the Community Contact Centre were encouraged to take part.

<p>5. Could the area being assessed have a differential impact on racial groups?</p>		<p>NO</p>	<p>The CTS 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> <p>The table below shows the breakdown of Hastings residents according to race. This information has been taken from East Sussex in Figures dataset: Ethnic group experimental statistics, 2001-2009 - districts.</p> <table border="1" data-bbox="709 402 1879 711"> <thead> <tr> <th></th> <th colspan="2">Hastings 000s</th> <th>East Sussex</th> <th>England 000s</th> </tr> </thead> <tbody> <tr> <td>All persons</td> <td>85.2</td> <td>100%</td> <td>512.1</td> <td>51,809.7</td> </tr> <tr> <td>All white</td> <td>82.4</td> <td>97.02%</td> <td>479.2</td> <td>45,313.2</td> </tr> <tr> <td>All mixed</td> <td>1.0</td> <td>1.29%</td> <td>7.4</td> <td>956.7</td> </tr> <tr> <td>All Asian or Asian British</td> <td>0.6</td> <td>0.74%</td> <td>11.8</td> <td>3,166.8</td> </tr> <tr> <td>All Black or Black British</td> <td>0.41</td> <td>0.48%</td> <td>8.3</td> <td>1,521.4</td> </tr> <tr> <td>All Chinese or other ethnic group</td> <td>0.39</td> <td>0.47%</td> <td>5.4</td> <td>851.6</td> </tr> </tbody> </table>		Hastings 000s		East Sussex	England 000s	All persons	85.2	100%	512.1	51,809.7	All white	82.4	97.02%	479.2	45,313.2	All mixed	1.0	1.29%	7.4	956.7	All Asian or Asian British	0.6	0.74%	11.8	3,166.8	All Black or Black British	0.41	0.48%	8.3	1,521.4	All Chinese or other ethnic group	0.39	0.47%	5.4	851.6
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<p>6. Could the area being assessed have a differential impact on people due to their gender?</p>		<p>NO</p>																																				
<p>7. Could the area being assessed have a differential impact on people due to their disability?</p>	<p>YES</p>		<p>The council's CTS Scheme does not change the calculation of entitlement in respect of people claiming disability premiums.</p> <p>The nature of the claimant's disability is not relevant in order to calculate entitlement to CTS but an applicant with a disability related premium in the calculation of CTS <i>may</i> receive more CTS. In these cases, any impact in respect of premiums would be positive. This does not necessarily mean the applicant will 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>																																			
<p>8. Could the area being assessed have a differential impact on people due to their sexual orientation?</p>		<p>NO</p>	<p>Again the CTS scheme does not exclude applicants on the basis of their sexual orientation.</p>																																			

<p>9. Could the area being assessed have a differential impact on people due to their age?</p>	<p>YES</p>	<p>11,056 people claim Council Tax Support in Hastings. Of these, 6,906 (62.5%) are of working age. The local CTS scheme only applies to working age applicants.</p> <p>Pensioner applicants are protected under the Prescribed Regulations and pensioners will not receive any less CTS than they would have received under the previous national council tax benefit scheme.</p> <p>The majority of working age applicants will receive less CTS than they would have under the previous national council tax benefit scheme.</p>																																												
<p>10. Could the area being assessed have a differential impact on people due to their religious or other belief?</p>	<p>YES</p>	<p>The Council's CTS scheme 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.</p> <p>The table below provides a breakdown of religious beliefs by population:</p> <table border="1" data-bbox="709 667 1522 1084"> <thead> <tr> <th></th> <th>Hastings</th> <th>East Sussex</th> <th>England (000)</th> </tr> </thead> <tbody> <tr> <td>All people</td> <td>85,029</td> <td>492,324</td> <td>52,041</td> </tr> <tr> <td>Christian</td> <td>57,298</td> <td>362,420</td> <td>37,338</td> </tr> <tr> <td>Buddhist</td> <td>274</td> <td>1,289</td> <td>144</td> </tr> <tr> <td>Hindu</td> <td>226</td> <td>807</td> <td>552</td> </tr> <tr> <td>Jewish</td> <td>112</td> <td>1,021</td> <td>259</td> </tr> <tr> <td>Muslim</td> <td>635</td> <td>2,984</td> <td>1,546</td> </tr> <tr> <td>Seikh</td> <td>35</td> <td>149</td> <td>329</td> </tr> <tr> <td>Other</td> <td>399</td> <td>2,457</td> <td>150</td> </tr> <tr> <td>No religion</td> <td>18,159</td> <td>81,185</td> <td>7,709</td> </tr> <tr> <td>Not stated</td> <td>7,891</td> <td>40,012</td> <td>4,010</td> </tr> </tbody> </table> <p><i>Data taken from East Sussex in Figures (ESiF) Dataset: Religion in 2001 – parishes</i></p>		Hastings	East Sussex	England (000)	All people	85,029	492,324	52,041	Christian	57,298	362,420	37,338	Buddhist	274	1,289	144	Hindu	226	807	552	Jewish	112	1,021	259	Muslim	635	2,984	1,546	Seikh	35	149	329	Other	399	2,457	150	No religion	18,159	81,185	7,709	Not stated	7,891	40,012	4,010
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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 CTS 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. Premiums are included in the calculation for each child and if the applicant or their partner has caring responsibilities. The inclusion of a premium does not necessarily mean the applicant will receive more support than an applicant whose award does not include such premiums.</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 CTS scheme does not preclude transgendered or transsexual applicants from receiving help towards paying their council tax.</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 CTS scheme applies to two distinct groups: pensioners and those of working age. The scheme for pensioners will be prescribed in law and the Council must award CTS based on that legislation.</p> <p>The scheme for working age applicants is not prescribed in law and the Council devises its own support scheme. In effect, two different schemes operate. Although the calculation of entitlement will be the same, the proposed scheme will preclude some applicants from receiving support.</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 could feel they are being unfairly treated as pensioners are protected.</p> <p>The differentiation is not down to Hastings Borough Council; the protection for pensioners was a Government decision.</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 CTS scheme 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>Council will need to be aware that affected working age applicants, particularly self-employed customers, could feel unfairly treated compared to PAYE earners and pensioners.</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 council tax payers.</p> <p>The government is reducing the funding of the support scheme year on year, thus leaving the council with difficult decisions to make.</p> <p>The challenge for the council is to get the balance right between setting a fair affordable CTS scheme and managing an ever reducing budget.</p>	
<p>18. Have all your staff attended an equality awareness training session?</p>	<p>YES</p>		<p>It is Council policy that all staff attend this training.</p>	
<p>19. Have you set any equality performance indicators or objectives for your service?</p>		<p>NO</p>		
<p>20. Actions arising from Part 1 of the Initial Assessment</p>				
<p>21. Should this Initial Assessment proceed to Part 2?</p>		<p>NO</p>		
<p>22a. As a result of Part 1, is a Full Assessment necessary?</p>		<p>NO (please sign below)</p>	<p>22b. If Yes, on what evidence should this assessment proceed to a Full Assessment?</p>	

23a. Date on which Full Assessment to be started by		23b. Date on which Full Assessment to be completed by	
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Signed (Completing Officer):

Signed (Lead Officer): Jean Saxby

Date: 16 October 2015