



# Scarborough Borough Council Equality Impact Assessment

<b>Service:</b>	<b>Benefits</b>	<b>Date:</b>	20 October 2015
-----------------	-----------------	--------------	-----------------

<b>Impact Assessment:</b>	<b>Local Support for Council Tax</b>
---------------------------	--------------------------------------

<b>Name and roles of officers completing the assessment:</b>	Guy Shrimpton, Benefits Manager Petra Jackson, Senior Performance and Governance Officer
--	---

<b>Background Information</b>	<p>Under the Equality Act 2010, Local Authorities have a duty to have regard to three aims</p> <ul style="list-style-type: none"> <li>• Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.</li> <li>• Advance equality of opportunity between people who share a protected characteristic and those who do not.</li> <li>• Foster good relations between people who share a protected characteristic and those who do not.</li> </ul> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>There are nine protected characteristics which <b>employees</b> might have:</p> <ul style="list-style-type: none"> <li>• Age</li> <li>• Disability</li> <li>• Gender Reassignment</li> <li>• Marriage or civil partnership</li> <li>• Pregnancy and maternity</li> <li>• Race</li> <li>• Religion and Belief</li> <li>• Sex (gender)</li> <li>• Sexual Orientation.</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>There are eight protected characteristics of <b>people who use services</b>, which are:</p> <ul style="list-style-type: none"> <li>• Age (over 18s only)</li> <li>• Disability</li> <li>• Gender Reassignment</li> <li>• Pregnancy and maternity</li> <li>• Race</li> <li>• Religion and Belief</li> <li>• Sex (gender)</li> <li>• Sexual Orientation.</li> </ul> </td> </tr> </table>	<p>There are nine protected characteristics which <b>employees</b> might have:</p> <ul style="list-style-type: none"> <li>• Age</li> <li>• Disability</li> <li>• Gender Reassignment</li> <li>• Marriage or civil partnership</li> <li>• Pregnancy and maternity</li> <li>• Race</li> <li>• Religion and Belief</li> <li>• Sex (gender)</li> <li>• Sexual Orientation.</li> </ul>	<p>There are eight protected characteristics of <b>people who use services</b>, which are:</p> <ul style="list-style-type: none"> <li>• Age (over 18s only)</li> <li>• Disability</li> <li>• Gender Reassignment</li> <li>• Pregnancy and maternity</li> <li>• Race</li> <li>• Religion and Belief</li> <li>• Sex (gender)</li> <li>• Sexual Orientation.</li> </ul>
<p>There are nine protected characteristics which <b>employees</b> might have:</p> <ul style="list-style-type: none"> <li>• Age</li> <li>• Disability</li> <li>• Gender Reassignment</li> <li>• Marriage or civil partnership</li> <li>• Pregnancy and maternity</li> <li>• Race</li> <li>• Religion and Belief</li> <li>• Sex (gender)</li> <li>• Sexual Orientation.</li> </ul>	<p>There are eight protected characteristics of <b>people who use services</b>, which are:</p> <ul style="list-style-type: none"> <li>• Age (over 18s only)</li> <li>• Disability</li> <li>• Gender Reassignment</li> <li>• Pregnancy and maternity</li> <li>• Race</li> <li>• Religion and Belief</li> <li>• Sex (gender)</li> <li>• Sexual Orientation.</li> </ul>		

## **PART 1: AIMS & OBJECTIVES**

### **What is the service / policy / function / project trying to achieve and for who?**

#### **Is this a new service / policy / function / project or a review of an existing one?**

Review of existing scheme

#### **What are the Aims, Objectives or Purpose of the service / policy / function / project?**

##### **What is the Council trying to achieve, and what outcomes are sought?**

Please give a brief description of the service / policy / function / project

If you are assessing a proposed change to the service or policy what is the aim of the change?

Local Support for Council Tax is how the Council helps people on a low income to pay their council tax bill.

The estimated cost of the Scarborough LSCT scheme for 2015/16 is approximately £9.5m. Scarborough Borough Council's share of the total cost is around 13.3%.

Scarborough Borough Council is facing a difficult financial situation with a budget shortfall of £8.7m over the next 3 years. We will therefore have to consider where we can make savings and increase our income. One of the options available to us is to reduce the amount of help provided to residents through LSCT.

The costs of the LSCT scheme impacts on North Yorkshire County Council, the Police Authority and the Fire and Rescue Service because they each receive an amount of the overall Council Tax collected in Scarborough. Because of this they have been included in the initial discussions about the design and preparation of proposed changes. They will also have the opportunity to make further comments in response to consultation on the scheme.

What happens at the moment?

**The scheme for Pension Age applicants is set by Government and is not affected by any of the options set out in this document.**

**The scheme for Working Age applicants is set by Scarborough Borough.**

The Council bases its scheme on the old rules for Council Tax Benefit which are very similar to the rules for Housing Benefit. This makes the scheme simpler and more efficient for the Council to run.

The maximum Council Tax liability we use in calculating working age customers' entitlement to Local Support for Council Tax is 90% so everyone of working age currently has to pay at least 10% towards their council tax in 2015/16.

Proposals

#### **CHANGE 1**

For 2016/17 we are proposing that all working age customers pay at least 12.5% or 15% of their council tax basing any entitlement to Local Support for Council Tax on a maximum of either 87.5% or 85% of Council Tax liability rather than 90% used in 2015/16.

#### **CHANGE 2**

Claims for Housing Benefit and LSCT from working age customers can currently be backdated as long as a customer has continuous good cause for not making a claim earlier. From April 2016 Housing Benefit regulations are changing so that claims can be backdated for a maximum of 4 weeks instead of 6 months. For ease of administration we propose to align our LSCT scheme with these regulations so that claims for LSCT can be backdated for a maximum of 4 weeks.

#### **CHANGE 3**

A family premium is an allowance awarded to people with children which increases the amount of LSCT a person receives. From April 2016 Housing Benefit regulations are changing meaning that the family premium will not be awarded to new Housing Benefit customers or existing customers who become responsible for a child for the first time after April 2016. For ease of administration we propose to align our LSCT scheme with the Housing Benefit regulations. By not including a family premium these customers would receive less LSCT than existing customers who do receive the premium.

**Who are the main stakeholders? What do the stakeholders want?**

E.g. Consider: Employees/potential employees, Members and Councillors, residents of the Borough, visitors & tourists, retailers, businesses, contractors & suppliers, service users etc.

The main stakeholders are working age benefits claimants who would be affected by the changes, but also all council tax payers, residents, members

**PART 2: EQUALITY DATA – Available data, research and information**

**What information is available about the service / policy / function / project?** E.g. usage data, satisfaction data, census data, national statistics, surveys, consultation, focus groups, complaints feedback and other quantitative or qualitative feedback

Potential savings to the total cost of the LSCT scheme from this change are shown below;

Description	87.5% maximum liability	85% maximum liability
Number of people affected (Total working age caseload)	6,007	6,007
Estimated saving to SBC	£16,900	£33,900
Estimated saving to NYCC, Police and Fire	£110,100	£221,100
Estimated total saving	£127,000	£255,000

**What do you need to know about this service / policy / function / project? What information is needed to ensure that all perspectives are taken into account?**

Numbers of claimants affected and by how much – details are available as above

**Are there identified gaps in the information needed?** (Actions to collect this data should be included within the action plan)

No gaps identified

## PART 3: ASSESSING NEEDS & IMPACTS

**Consider the particular characteristics of the groups and communities and assess whether there is likely to be a differential impact upon each of the groups because of the way the service / policy / function / project is designed or delivered.**

- How are the current needs of different equalities groups and communities met through the service / policy / function / project?
- Do people from different equalities groups have varying needs and/or expectations of the service / policy / function / project?
- Does it disadvantage or exclude groups?
- Is it likely to affect the relationship between different groups? E.g. Any issues of perceived bias, tension or other issues affecting community cohesion
- Is there any initial evidence that any part of it could discriminate unlawfully, directly or indirectly, against particular groups of people?
- Is there an opportunity to promote equality?
- Is there any evidence that information in relation to it is not accessible to particular groups of people? E.g. Publicity, knowledge, access to information (e.g. languages, large print)

	<b>Are there any impacts?</b>	<b>What evidence do you have?</b>	<b>Are any negative impacts mitigated? If not, actions to mitigate the effects should be include in the action plan</b>
<b>RACE/ ETHNICITY:</b>	None identified	<ul style="list-style-type: none"> <li>• Information from on-going Benefits Satisfaction Surveys</li> </ul>	
<b>GENDER</b>	No specific affects identified	<ul style="list-style-type: none"> <li>• Information from on-going Benefits Satisfaction Surveys</li> </ul>	
<b>GENDER IDENTITY:</b>	None identified	<ul style="list-style-type: none"> <li>• Information from on-going Benefits Satisfaction Surveys</li> </ul>	
<b>DISABILITY:</b>	High percentage of claimants have a disability in comparison to the population of the Borough	<ul style="list-style-type: none"> <li>• Information from on-going Benefits Satisfaction Surveys</li> </ul>	
<b>SEXUAL ORIENTATION:</b>	None identified	<ul style="list-style-type: none"> <li>• Information from on-going Benefits Satisfaction Surveys</li> </ul>	

	<b>Are there any impacts?</b>	<b>What evidence do you have?</b>	<b>Are any negative impacts mitigated? If not, actions to mitigate the effects should be include in the action plan</b>
<b>AGE:</b>	Affects working age claimants Those of pensionable age not affected	<ul style="list-style-type: none"> <li>• Scheme affects working age claimants only</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
<b>RELIGION / BELIEF:</b>	None identified	<ul style="list-style-type: none"> <li>• Information from on-going Benefits Satisfaction Surveys</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
<b>OTHER SOCIAL EXCLUDED GROUPS, INC ECONOMIC DEPRIVATION:</b>	Benefits claimants – economic deprivation	<ul style="list-style-type: none"> <li>• Affects benefits claimants</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
<b>ALL GROUPS</b>			<ul style="list-style-type: none"> <li>•</li> </ul>

## PART 4: MITIGATING ADVERSE IMPACTS

### **Adverse Impacts – “Discriminates or disadvantages one or more groups”**

Summarise any adverse impacts of the service / policy / function / project in the table below. If you have identified that the service / policy / function / project is having, or might be having and adverse impact, is it justifiable or legitimate?

- If the adverse impact **is** justifiable or legitimate, please provide reasons why. Detail what actions could be taken to mitigate the adverse impact on people?
- If the adverse impact **is not** justifiable or legitimate and is therefore illegal, please details what actions are been taken to remedy this immediately?

*(please include all actions within the action plan)*

By considering a ‘flat rate’ maximum Council Tax liability used in the calculation for the LSCT scheme (90% in 2015/16) for all working age claimants the Council is not favouring or disadvantaging any specific groups. The proposed LSCT scheme utilises existing allowances, premiums and disregards to provide some protection for those deemed vulnerable.

## PART 5: FORMAL CONSULTATION

**What gaps in knowledge or data have been identified and what further data / consultations are required? (*Actions to collect this data should also be included within the action plan*)**

Consultation across North Yorkshire Districts on LSCT will be in 2 separate phases which cannot overlap as below:

- Precepting authorities - North Yorkshire County Council , North Yorkshire Police and North Yorkshire Fire and Rescue – joint consultation, commencing August for 2 weeks
- Public consultation – each District to carry out independently, for Scarborough this is likely to commence September for 8 weeks

This will be an online consultation via the Council’s website as well as additionally seeking separate views from trusted local stakeholders – e.g. Yorkshire Coast Homes, Sanctuary Housing, Citizens Advice Bureau, Disablement Action Group, Sea Change, Age UK, Carers resource, Jobcentre plus and the Residents Panel.

Results from the consultation exercise will be collated and reported back to members of the LSCT/Welfare Reform joint- working group, Resources Scrutiny and Cabinet.

***Please note in line with the Council’s Community Engagement Strategy, all consultations should be coordinated through Policy & Performance***



## PART 6: DECISION MAKING

A decision will need to be made regarding the adoption of any new and any changes to existing policies, strategies or projects (*e.g. through the Council's Cabinet/Committee or relevant Partnership Board for any partnership and regional strategies and policies*) which should take account of all assessments and consultation. The decision will need to ensure that the strategy or policy complies with the equality legislation including the duty to promote equality.

Please provide details of how the decision to adopt the policy, strategy or project will be made, including who will make the decision, what information will inform the decision-making process and how the decision-making process be recorded

Draft for consultation approved - Cabinet 14 July 2015

Consultation period

Final scheme to be approved by Cabinet 15 December 2015 then Council 11 January 2016

***Please note in line with the Council's Policy Framework, drafts of all new/amended policies and strategies together with the Equality Impact Assessment must be reviewed by Policy & Performance***

## PART 7: EQUALITY MONITORING

**How will the impact of this service / policy / function / project continue to be monitored?**

*(Actions to collect this data should also be included within the action plan)*

## PART 8: AUDIT TRAIL & PUBLICATION

### Officer Completing the Form:

Signed:		Name:	Petra Jackson
		Date:	20 October 2015
		Job Title:	Senior Performance and Governance Officer

### Service Unit Manager

Signed:		Name:	
		Date:	
		Service:	

### Audit Trail: (To be completed by Performance and Governance)

Received by:	
Date:	
Published on Website?	Yes / No

## EQUALITY IMPACT ASSESSMENT ACTION PLAN

### PLEASE COMPLETE THE ATTACHED ACTION PLAN WITH:

- Actions to negate, mitigate or minimise adverse impact
- Actions to promote or improve the positive impact of the service / policy / function / project.
- Actions to monitor the impact on the equality groups.
- Actions to fill gaps in data or knowledge on the impact on the equality groups
- Actions to fulfil any unmet needs identified by the EqIA

Action Required	Lead Officer	Timescale	Resources
None required			