



Scarborough Borough Council Equality Impact Assessment

Service:	Benefits	Date:	11 October 2016
Impact Assessment:	Local Support for Council Tax 2017/18		
Name and roles of officers completing the assessment:	Guy Shrimpton, Benefits Manager Petra Jackson, Performance and Admin Manager		
Background Information	<p>Under the Equality Act 2010, Local Authorities have a duty to have regard to three aims</p> <ul style="list-style-type: none">• Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.• Advance equality of opportunity between people who share a protected characteristic and those who do not.• Foster good relations between people who share a protected characteristic and those who do not. <p>There are nine protected characteristics which employees might have:</p> <ul style="list-style-type: none">• Age• Disability• Gender Reassignment• Marriage or civil partnership• Pregnancy and maternity• Race• Religion and Belief• Sex (gender)• Sexual Orientation. <p>There are eight protected characteristics of people who use services, which are:</p> <ul style="list-style-type: none">• Age (over 18s only)• Disability• Gender Reassignment• Pregnancy and maternity• Race• Religion and Belief• Sex (gender)• Sexual Orientation.		

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?

Each year the Council has to decide whether to change the Local Support for Council Tax scheme for working age applicants in its area. This year the Council has decided that changes should be made to bring the Local Support for Council Tax scheme in line with the changes made by Central Government in Housing Benefit and Universal Credit.

Local Support for Council Tax is a discount for Council Tax. The level of discount is based on the income of the household. Currently the maximum discount is 87.5% of Council Tax for working age households and up to 100% for pension

Until April 2013 there was a national scheme called Council Tax Benefit. The Government made local Councils responsible for replacement schemes from 1 April 2013. As the Council is keen to keep Local Support for Council Tax aligned with major benefits such as Housing Benefit and Universal Credit to make it easier for customers to understand and for ease of administration, this means that, as those benefits change, similar changes need to be made to the Local Support for Council Tax scheme. Each of the changes may affect certain claimants and the changes to both Housing Benefit and Universal Credit are to encourage work and reduce the levels of benefit available in some cases. This will be reflected in Local Support for Council Tax if the changes are made.

Who will this affect?

Working age households in the Borough who currently receive or will apply for Local Support for Council Tax. Pension age households will **not** be affected as Central Government prescribe the scheme.

Proposals**CHANGE 1****Reducing the period for which a person can be absent from Great Britain and still receive Local Support for Council Tax to 4 weeks**

Within the current scheme, applicants can be temporarily absent from their homes for 13 weeks (or 52 weeks in certain cases) without it affecting Local Support for Council Tax. This replicated the rule within Housing Benefit. Housing Benefit has been changed so that if a person is absent from Great Britain for a period of more than 4 weeks, their benefit will cease. It is proposed that the Council's Local Support for Council Tax scheme is amended to reflect the changes in Housing Benefit. There will be exceptions for certain occupations such as mariners and the armed forces.

CHANGE 2**To remove the element of a Work Related Activity Component in the calculation of the current scheme for new Employment and Support Allowance applicants**

From April 2017, all new applicants of Employment and Support Allowance (ESA) who fall within the Work Related Activity Group will no longer receive the work related activity component in either their ESA or within the calculation of Housing Benefit. It is proposed that the Council's Local Support for Council Tax scheme is amended to reflect the changes.

CHANGE 3

To limit the number of dependent children within the calculation for Local Support for Council Tax to a maximum of two

Within the current scheme, claimants who have children are awarded a dependant's addition of £66.90 per child within the calculation of their needs (Applicable Amounts). There is no limit to the number of dependant's additions that can be awarded. From April 2017 Central Government will be limiting dependant's additions in Universal Credit, Housing Benefit and Tax Credits to a maximum of two. This will only affect households who have a third or subsequent child on or after 1st April 2017. It is proposed that the Council's Local Support for Council Tax scheme is amended to reflect the changes in Housing Benefit and Central Government Benefits. There will be exceptions where: there are multiple births after 1st April 2017 (and the household is not already at their maximum of two dependants within the calculation); adopted children or where households merge.

CHANGE 4

To remove entitlement to the Severe Disability Premium where another person is paid Universal Credit (Carers Element) to look after them

Currently when another person is paid Carers Allowance to look after a Local Support for Council Tax claimant, then the Severe Disability Premium is not included when working out their needs (Applicable Amounts). The reason for this is that it avoids paying for the same care twice. This proposed change will align the scheme with Housing Benefit by treating persons who receive the Universal Credit (Carers Element) in the same way as anyone receiving Carers Allowance

CHANGE 5

To introduce a scheme, in addition to Local Support for Council Tax, to help applicants suffering exceptional hardship

The option would introduce a scheme whereby; individual cases would be looked at on their own merit. This would:

- Provide greater flexibility to the Council to help those that need it most.
- Enable a safety net for those households suffering exceptional hardship

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

Statistical information about the service is available if required

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?

No specific requirements

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

None 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)

	Are there any impacts?	What evidence do you have?	Are any negative impacts mitigated? If not, actions to mitigate the effects should be include in the action plan
RACE/ ETHNICITY:	None identified	<ul style="list-style-type: none"> • Information from on-going Benefits Satisfaction Surveys 	
GENDER	Potentially has a greater effect on women as they are more likely to have dependent children	<ul style="list-style-type: none"> • by limiting the number of dependent children within the calculation for LSCT to a maximum of 2 	This will only affect households who have a third or subsequent child on or after 1 st April 2017. There will be exceptions where: there are multiple births after 1 st April 2017 (and the household is not already at their maximum of two dependants within the calculation); adopted children or where households merge

	Are there any impacts?	What evidence do you have?	Are any negative impacts mitigated? If not, actions to mitigate the effects should be include in the action plan
GENDER IDENTITY:	None identified	<ul style="list-style-type: none"> Information from on-going Benefits Satisfaction Surveys 	
DISABILITY:	High percentage of claimants have a disability in comparison to the population of the Borough	<ul style="list-style-type: none"> Information from on-going Benefits Satisfaction Surveys 	
SEXUAL ORIENTATION:	None identified	<ul style="list-style-type: none"> Information from on-going Benefits Satisfaction Surveys 	
AGE:	Affects working age claimants Those of pensionable age not affected	<ul style="list-style-type: none"> Scheme affects working age claimants only 	
RELIGION / BELIEF:	None identified	<ul style="list-style-type: none"> Information from on-going Benefits Satisfaction Surveys 	
OTHER SOCIAL EXCLUDED GROUPS, INC ECONOMIC DEPRIVATION:	Benefits claimants – economic deprivation	<ul style="list-style-type: none"> Affects benefits claimants 	<p>Introduction of a scheme, in addition to LSCT, to help applicants suffering exceptional hardship</p> <p>The option would introduce a scheme whereby; individual cases would be looked at on their own merit. This would:</p> <ul style="list-style-type: none"> Provide greater flexibility to the Council to help those that need it most. Enable a safety net for those households suffering exceptional hardship

	Are there any impacts?	What evidence do you have?	Are any negative impacts mitigated? If not, actions to mitigate the effects should be include in the action plan
ALL GROUPS	Families – by limiting the number of dependent children within the calculation for LSCT to a maximum of 2		<ul style="list-style-type: none"> This will only affect households who have a third or subsequent child on or after 1st April 2017. There will be exceptions where: there are multiple births after 1st April 2017 (and the household is not already at their maximum of two dependants within the calculation); adopted children or where households merge

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)

see above

Any adverse impacts can be mitigated through the introduction of a scheme, in addition to LSCT, to help applicants suffering exceptional hardship

The option would introduce a scheme whereby; individual cases would be looked at on their own merit. This would:

- Provide greater flexibility to the Council to help those that need it most.
- Enable a safety net for those households suffering exceptional hardship

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)*

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

Consultation period **Start:** 8th August 2016 , **End:** 2nd October 2016

Final scheme to be approved by Cabinet 13th December 2016 then Council 9th January 2017

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:	11 October 2016
		Job Title:	Performance and Admin Manager

Service Unit Manager

Signed:		Name:	Guy Shrimpton
		Date:	14 October 2016
		Service:	Benefits Manager

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			