

Equality impact assessment form

Directorate: Corporate Resources

Service area: Revenues, Benefits and
Exchequer Services

**Name of policy, strategy, review or function being
assessed:** Council Tax Support

Date of assessment: Done by email Sept 2018

Signed off by: John Massey, Head of Revenues,
Benefits and Exchequer Services

Decision of Cabinet: 12 December 2018

Date published on website: TBD

October 2017



Derby City Council



Equality impact assessment – please read this section first before you do the assessment

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact you need to do an equality impact assessment whenever a decision is needed that affects people and **before** that decision is made.

So why do we need to do equality impact assessments? Although the law does not require us to do them now, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications, so yes we still need to do them.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have '**due regard**' to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a '**relevant protected characteristic**' and people who don't.

Having 'due regard' means:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

The protected characteristics are:

- age
- disability
- gender identity
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

This completed form should be attached to any Chief Officer Group, Cabinet or Personnel Committee report to help elected members make their decisions by taking the equality implications into account. Equality impact assessments **must be done before** decisions are made. Include the Cabinet or Personnel Committee's decision on the front sheet when you know it.

You'll find that doing these assessments will help you to:

- understand your customers' and communities needs
- develop service improvements
- improve service satisfaction
- demonstrate that you have been fair and open and considered equality when working on re-structuring
- make sure you pay due regard to the requirements of the Public Sector Equality Duty.

Don't do the form by yourself, get a small team together and make sure you include key people in the team such as representatives from our Diversity Forums and employee networks and you could invite trade union representatives too – the more knowledge around the table the better. You also need to decide how and who you will consult with to help inform the equality impact assessment. Our Lead on Equality and Diversity can help with useful contacts – we have a team of people who are used to doing these assessments and can help with information on barriers facing particular groups and remedies to overcome these barriers.

You'll need to pull together all the information you can about how what you are assessing affects different groups of people and then examine this information to check whether some people will be negatively or positively affected. Then you'll need to look at ways of lessening any negative effects or making the service more accessible – this is where your assessment team is very useful and you can also use the wider community. Against every negative impact you will need to complete the mitigation section to explain how you will lessen the impact.

Agree an equality action plan with your assessment team, setting targets for dealing with any negative effects or gaps in information you may have found. Set up a way of monitoring these actions to make sure they are done and include them in your service business plans.

When you have completed the assessment, get it signed by your Head of Service or Service Director and **send it to our Lead on Equality and Diversity for checking and to publish on our website**. It is a public document so must not contain any jargon and be easy to understand.

Remember, we need to do these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010.

Equality groups and protected characteristics

These are the equality groups of people we need to think about when we are doing equality impact assessments and these people can be our customers or our employees and job applicants...

- Age equality – the effects on younger and older people
- Disability equality – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties and people with physical impairments
- Gender identity – the effects on trans people
- Marriage and civil partnership equality
- Pregnancy and maternity equality - women who are pregnant or who have recently had a baby, including breast feeding mothers
- Race equality – the effects on minority ethnic communities, including newer communities, gypsies and travellers and the Roma community
- Religion and belief or non-belief equality – the effects on religious and cultural communities, customers and employees
- Sex equality – the effects on both men and women and boys and girls
- Sexual Orientation equality – the effects on lesbians, gay men and bisexual people

Contact for help

Ann Webster – Lead on Equality and Diversity

ann.webster@derby.gov.uk

Tel 01332 643722 Minicom 01332 640666 Mobile 07812301144

The form

We use the term ‘policy’ as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures
- Key decisions such as allocating funding to voluntary organisations, budget setting
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions, procurement methods, disabled facilities grants, on street parking bays

If in doubt – it’s better and safer to do an Equality Impact Assessment than not to bother! You never know when we may get a legal challenge and someone applies for Judicial Review.

What’s the name of the policy you are assessing?

Council Tax Support Scheme

The assessment team

Team leader’s name and job title – Dawn Hallsworth, Benefits Transition Manager

Other team members

Representatives from:	Job title	Organisation	Area of expertise
	Adults & Diverse Communities Participation Officer	Derby City Council	Equalities & Diversity
	Derby Advice Manager	Derby Homes Limited	Welfare Benefits Advice
		Disability Equality Hub	

Step 1 – setting the scene

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side tracked.

1 What are the main aims, objectives and purpose of the policy? How does it fit in with the wider aims of the Council and wider Derby Plan? Include here any links to the Council Plan, Derby Plan or your Directorate Service Plan.

The Council Tax Support (CTS) Scheme helps working age people who have a low income, or no income, to pay their Council Tax bills. Derby's local CTS Scheme began on 1 April 2013, when the Government abolished the national Council Tax Benefit (CTB) Scheme.

A proposal has been put forward to amend the CTS Scheme from 1 April 2019 so that from that date, the time limit that CTS claims can be backdated for is increased from one month to three months.

This is to make sure that those customers who do not claim CTS at the time they first need help – particularly those claiming Universal Credit Full Service – are able to receive more help, if they are entitled to it. To be entitled, claimants must be able to show good cause for not making their claim at the right time.

Pensioners are protected under separate legislation, and are not affected by our CTS Scheme, or the proposed change that is the subject of this consultation. Their backdating time limit is three months.

2 Who delivers/will deliver the policy, including any consultation on it and any outside organisations who deliver under procurement arrangements?

The Benefits Service, led by John Massey, Head of Service. It will also be delivered by an external organisation which assists with the processing of some benefits claims, under the terms of a contract made under the Council's procurement arrangements.

The consultation is being actioned by colleagues within Revenues, Benefits and Exchequer Services, and other internal Council teams as required for support purposes.

As our major preceptors, Derbyshire Police and Crime Commissioner and Derbyshire Fire and Rescue Service were informally consulted before the public consultation began.

3 Who are the main customers, users, partners, employees or groups affected by this proposal?

It is anticipated that the likely customers affected will be:

- (a) All Council Tax payers in the City will be affected indirectly, as they ultimately bear the cost of administering the CTS Scheme.
- (b) Any new CTS claimants who claim on or after 1 April 2019 who want their claims be backdated for more than a month and up to three months, and who have good cause for not claiming when they first needed help would be affected, because they would benefit from the proposed change. Based on 2017/18 figures, this would be around 365 households.
- (c) Advice and welfare organisations may also be affected by this proposal, in terms of changing advice that they provide to customers about the Council's CTS Scheme.
- (d) Our major preceptors (Derbyshire Police and Crime Commissioner and Derbyshire Fire and Rescue Service) are affected, because the changed proposed may reduce the amount of Council Tax income they receive.

Step 2 – collecting information and assessing impact

- 4 Who have you consulted and engaged with so far about this policy, and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents.**

- (a) As our major preceptors, Derbyshire Police and Crime Commissioner and Derbyshire Fire and Rescue Service were informally consulted before the public consultation began. They have also been invited to take part in the public consultation.
- (b) We will seek the views of the Diversity Equality Hub and Derby Advice during the Equalities Impact Assessment meeting.
- (c) A consultation plan has been written to ensure that the consultation is publicised to as wide a variety of customers and stakeholders as possible to encourage people to take part.
- (d) The consultation online is supported by a written form and an easy read form.

- 5 Using the skills and knowledge in your assessment team, and from any consultation you have done, what do you already know about the equality impact of the policy on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each protected characteristic group whether this is a negative or a positive impact. If it's negative, fill in the mitigation section as well to explain how you are going to lessen the impact.

Age

What do you already know?	Positive impact	Negative impact	Mitigation
Under 18s are not liable to pay Council Tax so cannot claim CTS			
Pensioners are excluded from these changes; the backdating time limit for pensioners under their own Scheme is three months			
CTS claimants at working age may be affected	X		

Disability

What do you already know?	Positive impact	Negative impact	Mitigation
Working age disabled claimants at working age may be affected	X		

Gender identity- trans – N/A

What do you already know?	Positive impact	Negative impact	Mitigation

Marriage and Civil Partnership – N/A

What do you already know?	Positive impact	Negative impact	Mitigation

Pregnancy and maternity

What do you already know?	Positive impact	Negative impact	Mitigation
Pregnant claimants at working age may be affected	X		

Race

What do you already know?	Positive impact	Negative impact	Mitigation
Working age customers who do not have English as their first language may be affected	X		

Religion or belief or none – N/A

What do you already know?	Positive impact	Negative impact	Mitigation

Sex – N/A

What do you already know?	Positive impact	Negative impact	Mitigation

Sexual orientation – N/A

What do you already know?	Positive impact	Negative impact	Mitigation

Important - For any of the equality groups you don't have any information about, then make it an equality action at the end of this assessment to find out. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. You can get lots of information on reports done from organisations' websites such as the Equality and Human Rights Commission, Stonewall, Press for Change, Joseph Rowntree Trust and so on. Please don't put down that the impact affects 'everyone the same' – it never does!

6 From the information you have collected, how are you going to lessen any negative impact on any of the equality groups? How are you going to fill any gaps in information you have discovered?

Not applicable – the proposed change will only have positive impacts on affected claimants.

Step 3 – deciding on the outcome

7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?

Outcome 1	X	No major change needed – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken
Outcome 2		Adjust the policy to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?
Outcome 3		Continue the policy despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are: <ul style="list-style-type: none"> • sufficient plans to stop or minimise the negative impact • mitigating actions for any remaining negative impacts • plans to monitor the actual impact.
Outcome 4		Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination

Our Assessment team has agreed Outcome number(s)

Outcome 1

Why did you come to this decision?

Feedback provided by EIA team members was as follows:

Derby Advice – “We obviously support the proposal to increase the backdating period for CTS from 1 to 3 months. We feel this will enable more vulnerable groups to claim CTS, and to seek support and advice in making a claim. It is a positive and proactive way that the council can assist those claiming UCFS and make sure they are not missing out on CTS.”

Equality Diversity Forum representative – “I have completed the online consultation and I am in favour of the proposed change. I can see no negative impact on any group, but a positive impact on all equality groups.”

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the policy. You also need to make sure that there are actions in the Equality Action Plan to lessen the effect of the negative impact. This is really important and may face a legal challenge in the future.

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is really important that the equality impact assessment is done thoroughly, as this is what the Judge will consider.

Step 4 – equality action plan – setting targets and monitoring

8 Fill in this table with the equality actions you have come up with during the assessment. Indicate how you plan to monitor the equality impact of the proposals, once they have been implemented.

Equality Action Plan –setting targets and monitoring

Age

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Monitor the impact of the change made to the Policy	Establish how well the change is being promoted and level of successful take up	During 2019/20 as part of considering any changes to Scheme for 2020/2021 Head of RBES	<ul style="list-style-type: none"> • Comparison of backdating position in 2019/20 with previous years – number of successful applications and value of awards. • Number of UC claimants who have requested and received backdating support

Disability

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Monitor the impact of the change made to the Policy	Establish how well the change is being promoted and level of successful take up	During 2019/20 as part of considering any changes to Scheme for 2020/2021 Head of RBES	<ul style="list-style-type: none"> • Comparison of backdating position in 2019/20 with previous years – number of successful applications and value of awards. • Number of UC claimants who have requested and received backdating support

Gender identity – trans – N/A

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements

Marriage and Civil Partnership – N/A

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements

Pregnancy and maternity

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Monitor the impact of the change made to the Policy	Establish how well the change is being promoted and level of successful take up	During 2019/20 as part of considering any changes to Scheme for 2020/2021 Head of RBES	<ul style="list-style-type: none"> • Comparison of backdating position in 2019/20 with previous years – number of successful applications and value of awards. • Number of UC claimants who have requested and received backdating support

Race

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Monitor the impact of the change made to the Policy	Establish how well the change is being promoted and level of successful take up	During 2019/20 as part of considering any changes to Scheme for 2020/2021 Head of RBES	<ul style="list-style-type: none"> • Comparison of backdating position in 2019/20 with previous years – number of successful applications and value of awards. • Number of UC claimants who have requested and received backdating support

Religion or belief or none – N/A

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements

Sex – N/A

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements

Sexual orientation – N/A

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements

We can give you this information in any other way, style or language that will help you access it. Please contact us on: 01332 643722
Minicom: 01332 640666

Polish

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku.

Prosimy o kontakt: **01332 643722** Tel. tekstowy: 01332 640666

Punjabi

ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਟੈਲੀਫੋਨ

01332 643722 ਮਿਨੀਕਮ 01332 640666 ਤੇ ਸੰਪਰਕ ਕਰੋ।

Slovakian

Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Skontaktujte nás prosím na tel.č: 01332 643722 Minicom 01332 640666

Urdu

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم
منی کام 01332 640666 پر ہم سے رابطہ کریں۔



Derby City Council