

Equality and Fairness Analysis Scoping and findings report –

Officer responsible for equality and fairness analysis	Bill McCafferty Lead for Revenues, Benefits & Service Support	
Officer responsible for policy development	Bill McCafferty Lead for Revenues, Benefits & Service Support	
Policy area	Revenues and Benefits	
Service area responsible for implementing the policy	Customer First	
Originator (if not the Council)	Central Government	
Is the policy proposed (new) or existing?	New	
Is it an EBC policy or a partnership initiative?		Partnership (with East Sussex Councils and ESCC)
Key people involved in the policy development and its implementation	Ian Fitzpatrick, Senior Head of Community Bill McCafferty, Lead for Revenues, Benefits & Service Support Representatives from East Sussex Districts and Boroughs Representatives from East Sussex County Council	
Decision making bodies the	Cabinet – October 2015	

policy will be referred to	Council – November 2015
Snr/Head of Service	Ian Fitzpatrick
Date of Equality and Fairness Steering group	

Policy = the full range of our policies, practices, activities, projects, procurement and decisions, whether it is formally written down or whether it is informal custom and practice. This includes all existing policies and any new policies under development.

Title of policy	Local Council Reduction Scheme 2016/17
What is the purpose of the policy and why is it needed?	
<p>The Government abolished the national Council Tax Benefits scheme from 1 April 2013. Since then local authorities have had to implement their own local schemes.</p> <p>Council Tax Benefits was a national scheme for low income households. You could get Council Tax Benefit if you pay Council Tax and your income and capital (savings and investments) are below a certain level. You may apply whether you rent or own your home, or live rent-free. You could qualify if you are out of work, or in work and earning a wage. Individuals apply for Council Tax Benefits through a single application process for Housing & Council Tax Benefits. If you are eligible for council tax benefits you will receive a reduction in your council tax bill and the council receives grant to pay for this.</p> <p>The Government fully funded the national Council Tax Benefits scheme, but has reduced the funding to local authorities to meet the costs of local schemes. For 2013/14 the funding for local authorities was reduced by 10%, which in Eastbourne's case amounted to c£1m. Since then the government grant has been rolled up in the Revenues Support Grant and it is difficult to ascertain exactly how much central government funding is available to support the scheme.</p> <p>The government has stated that council tax support for older people will not be reduced as a result of the introduction of this reform. This is because the government wants to ensure that low income pensioners, who would struggle to pay council tax without additional support, and whom the government does not expect to work to increase their income, will continue to receive support for their council tax. Pensioner protection will be achieved by keeping in place national rules.</p> <p>The Council needs to give consideration to vulnerable groups in the design of any scheme. The Government's consultation response is less prescriptive about how this should be done. The government draws councils' attention to</p>	

existing responsibilities including 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.

The scheme will determine how much support people will receive to help them pay their council tax.

The current local scheme has followed, to large extent, the rules of the former Council Tax Benefit scheme. It has only reduced the support to a minority of claimants and then only by a small amount.

The proposals for the 2016/17 will, if adopted mean that all claimants will have to pay something towards their council tax. If the proposal to reduce the capital limit is adopted it will mean some current claimants, who currently get support, will receive no support at all.

In what context will it operate and who is it intended to benefit?

The scheme will operate as a means tested discount to be set against a person's council tax liability. The scheme is intended to give support to those people most in need of financial assistance towards paying their council tax and provide incentives to work.

Working age claimants will be able to apply for CTS, however they may get less support than they would have done under the current scheme.

The scheme will retain many of the elements that gave support to those suffering a disability. For example, Personal Independence Payments will be disregarded when assessing a claimant's income and the award of certain disability benefits will increase the amount of income a claimant can have before the amount of support they are entitled to is reduced.

What are the expected outcomes of the policy?

That people are able to meet their council tax liabilities.

That pensioners are protected.

That the scheme incentivises work.

That the vulnerable are protected.

That those suffering a disability continue to receive the protection they had under the national Council Tax Benefit scheme.

Which protected groups will it affect the most?

Age	M	L
Disability	M	L

Considering who the policy is intending to benefit and what the expected outcomes are, assess each characteristic and indicate whether the policy has 'M' more or 'L' less relevance and circle those that apply.	Gender reassignment	M	L
	Marriage and civil partnership	M	L
	Maternity and pregnancy	M	L
	Race	M	L
	Religion or beliefs	M	L
	Sex	M	L
	Sexual orientation	M	L
Which parts of the PSED¹ is it relevant to? Use the same assessment as for protected groups.	1. Eliminate discrimination, harassment and victimisation	M	L
	2. Advance equality of opportunity	M	L
	3. Foster good relations	M	L

Equality Information

List all the sources of information you have gathered and will use to evaluate the effectiveness, or potential effectiveness, of the policy. Include evidence gathered from engagement.

The proposals for the 2016/17 scheme are:

Options

1. To require all claimants to pay a minimum of either 10%, 15% or 20% towards their council tax
2. To reduce the capital limit from £16,000 to £6,000
3. To introduce a minimum income assumption for the self-employed.

Option 1 would affect 5,493 claimants. A 10% requirement would mean claimants living in a band A property having to pay a minimum of £2.12 per week, a 15% requirement £3.18 per week and a 20% requirement £4.24 per week.

A 10% requirement would mean claimants living in a band G property having to pay a minimum of £5.31 per week, a 15% requirement £7.96 per week and a 20% requirement £10.62 per week.

Option 2 would mean those affected having to pay the full council tax.

¹ Public Sector Equality Duty – for further information refer to the guide on same

Option 3 would depend on the exact circumstances of the individual claimant.

The options are not mutually exclusive and could be adopted in any combination.

Affected groups

Those affected, by age bands

Age	No. affected
60 to Pension Credit age	277
50 to 59	1,443
40 to 49	1,450
30 to 39	1,310
20 to 29	974
<20	39
	5,493

Those affected, by disability

Disability	Nos.
Yes	443

We can only identify those claimants that have a disability premium on their claim due to, for example, being in receipt of Disability Living Allowance.

For those claimants who are 'passported' claims e.g. as they are in receipt of Jobseeker's Allowance (Income based) or Income Support we are not able to identify if they are disabled or not. Approximately 60% of the 5,493 claims are passported.

We would estimate that c700 of the 'passported' claimants are disabled, making a total c1,133 disabled claimants who would be affected.

Those affected, by gender

By gender	No.
Female	3,504
Male	1,989
	5,493

It should be noted that the 'gender' refers only to the claimant and many of the claimants will have partners.

Those affected, by number of dependants

0 dependants	2,730
1 dependant	1,164
2 dependants	951
3 dependants	433
4+ dependants	215
	5,493

No data could be gathered for the other protected characteristics i.e. gender reassignment, religion or belief, sexual orientation or maternity & pregnancy.

Although not relevant from an Equalities point of view the breakdown by Council Tax Band is below.

Band	No.
A	1,998
B	2,037
C	988
D	340
E	113
F	13
G	4
H	0
	5,493

Are there gaps in this information and if so, what are these?

For instance, do you have information that is sufficient for the purpose of evaluating the effectiveness of the policy against all protected characteristics?

We are able to identify, from current data, those people of working age who

will be affected by the policy.

Current data does not hold information on:

- Gender Re-assignment
- Maternity and Pregnancy
- Religion or Beliefs
- Sexual Orientation

None of these characteristics have any relevance when it comes to determining a person's entitlement to Council Tax Support.

What steps did you take, or are you intending to take, to fill these gaps?

Depending on the purpose of the policy it may prove useful to engage with service users, employees, equality/involvement groups/organisations and other interested parties etc.

We have consulted widely on the scheme with public consultation running from 27 July to 18 September. The consultation survey was posted on the Council website:

- Background information and a brief description of the Council Tax Benefit scheme
- current and future central government 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 the possible scheme options
- An introduction and explanation to each question relating specifically to the proposed options
- Examples of how current claimants would be affected by the proposed scheme

In addition to the website, various interested parties were contacted directly to advise them of the consultation and encourage them to take part.

There were 114 responses to the consultation and several comments were made. The results from the consultation are attached as Appendix C to the Cabinet report of 21st October 2015 and the comments at Appendix D.

In summary the majority of respondents were in favour of all the principles and proposals, with a smaller majority being in favour of the doubling on non-dependant deductions and the reduction of the capital limit to £6,000.

What does all the information gathered tell you about the policy?

I.e. does the policy miss opportunities to advance equality and foster good relations?

The majority of respondents to the consultation were in agreement with the proposed changes. The policy attempts to fill part of the funding gap, whilst at the same time protecting the most vulnerable eg by retaining disability premiums within the scheme.

Based on your evidence and engagement is there a need to balance conflicting views and how will you do this?

You will need to find an appropriate balance for these groups and the policy in question.

Due to the government protecting pensioners (ie those who have attained the age whereby they can claim Pension Credit), any reduction in support has to fall

on those of working age.

If challenged, we will explain the government's position.

Is there a need to counter resentment or address inaccurate perceptions, if so what will you do?

This is more likely to arise in regard to policies that justifiably benefit certain groups over others and so give the impression of 'favourable treatment'.

There may be the feeling from working age claimants that they are being singled out for cuts in support. However, there is nothing the Council can do about this, as the government has prescribed that pensioners are to be protected from any cuts. To achieve this, the government has set the rules on how claims from pensioners are to be dealt with.

Findings of your analysis

Having gathered in all the evidence and considered the potential or actual effect of the policy on equality, you should now be in a position to make an informed judgement about what should be done with the policy. There are four main steps to take:

1. No major change – the policy is robust and evidence shows no potential for discrimination and all opportunities to advance equality and foster good relations between groups has been taken;
2. Adjust the policy - some steps need to be taken to remove barriers in the policy or to better advance equality;
3. Continue the policy – you will adopt the policy despite any adverse effects or missed opportunities because you are satisfied that it does not unlawfully discriminate – you will need to document what the justification is for continuing the policy, and how you reached this decision;
4. Stop and remove the policy – there are adverse effects that are not justified and cannot be reduced.

Irrespective of the step you recommend you are required to provide documentation in support of your decision and the reasons why you made it together with all supporting equality information used.

Please type 'recommended course of action' against the desired step below.

No major change	
Adjust the policy	Recommended course of action
Continue the policy	
Stop and remove the policy	

Proposed action plan in regard to policy implementation

<p>Quality checking: What was the outcome of the Corporate Equality and Fairness Planning Group?</p>	
<p>How will you implement any recommendations the group made?</p>	<p>The scheme has to be adopted by the Council by 31 January 2016. Any recommendations made after this date will be considered during the review stage.</p>
<p>How will the policy be monitored once implemented, and who will do this? Consider how you will determine whether or not the policy is having its desired effects i.e. what type of information is needed and how often will it be gathered?</p>	<p>The Council Tax collection rate (Although other economic factors will affect this). Numbers of reminders, final notices and summons issued (although other economic factors will affect this). Number of successful appeals. Spend against budget will be monitored monthly</p>
<p>Who will analyse the monitoring at its review stages?</p>	<p>Senior Head of Community Lead for Revenues, Benefits & Service Support</p>
<p>What could trigger an early revision?</p>	<p>The scheme cannot be changed mid-year.</p>
<p>How will you involve key service users/other parties in the review process?</p>	<p>Through liaison meetings with: CAB Housing Financial Inclusion Steering Group</p>
<p>How will you publish the results of any reviews?</p>	

For completion by the Equality and Fairness Steering Group:

<p>Results of group discussion and recommended course of action:</p>	
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