

Equality Impact Assessment

Details of the assessment	
Name of Function/Policy/ Service being assessed	Localisation of Council Tax Support
Date of assessment	Commenced: 19 June 2012 Completed:
Name of officers carrying out assessment:	The assessment is being carried out by finance leads and equalities leads from the West Kent Equality Partnership authorities (Sevenoaks D.C., Tonbridge & Malling B.C., Tunbridge Wells B.C.).

Step 1	Initial Screening	
	Key Questions	Answers/Notes
1	What are you looking to achieve in this activity?	<p>Localisation of Council Tax Benefit is part of a programme of national policy change to the welfare system ensuring that it encourages people to work.</p> <p>From 1st April 2013, the Government will require all Councils to establish their own local schemes for council tax support to replace the nationally designed Council Tax Benefit scheme. These changes will reduce the level of funding received by Councils to deliver the scheme (by 10%) and allow the Council to decide who to financially support, outside of nationally prescribed elements which includes protecting support received by pensioners.</p> <p>It is the Councils intention is to develop a local scheme which takes the fairest overall course of action permitted by the nationally prescribed elements and the significant reduction in funding.</p>

Equality Impact Assessment

Step 1		Initial Screening	
	Key Questions	Answers/Notes	
2	Who in the main will be affected?	<ul style="list-style-type: none"> – Eligible claimants for council tax support. – Potentially all council tax payers (depending on the scheme adopted, any local variations and the outcome of consultation). <p>The Government have conducted their own EqIA on the nationally prescribed elements of the scheme which states the main benefits as: “Giving local authorities a significant degree of control over how a 10% reduction in expenditure on the current Council Tax Benefit bill is achieved, allowing councils to balance local priorities and their own financial circumstances.”</p> <p>Ref: http://www.communities.gov.uk/documents/localgovernment/pdf/2063707.pdf</p>	
3	Does the activity have the potential to cause adverse impact or discriminate against different groups in the community?	Yes <input checked="" type="checkbox"/>	Please explain: Various options for achieving a 10% reduction in expenditure based on the current caseload have been considered for our authorities and Kent wide. Whatever scheme is introduced it will entail money being collected from some of the more vulnerable residents in our boroughs and districts.
		No <input type="checkbox"/>	Please explain:
		Note: if the answer is 'yes' then a full equality impact assessment is required – see step 2.	
4	Does the activity make a positive contribution to equalities?	Yes <input checked="" type="checkbox"/>	Please explain: The Government has prescribed that pensioners will be protected from any reduction in support as a result of this reform.
		No <input type="checkbox"/>	Please explain:
		Note: if the answer is 'yes' then a full equality impact assessment is required – see step 2.	

Equality Impact Assessment

	Key Questions	Answers/Notes
Step 2	Scoping the assessment	
1.	What is the overall aim, or purpose of the function/ policy/service?	<p>The purpose of the proposed legislative changes are set out in the Department for Communities and Local Government guidance document: http://www.communities.gov.uk/documents/localgovernment/pdf/19510253.pdf</p> <p>It is the Council's intention to develop a local scheme, within the local discretion provided by Government, which takes the fairest overall course of action permitted by the nationally prescribed elements and the significant reduction in funding.</p>
2.	What outcomes do you want to achieve with this function/ policy/service and for whom?	<p>To develop a local scheme which:</p> <ul style="list-style-type: none"> – Provides support for the most vulnerable. – Assists with lifting the poorest off benefits and supporting them into work. – Minimises the risks of error and reduces financial risk to our authorities. – Takes account of the impact on non-claimants
3.	Who will be affected?	<ul style="list-style-type: none"> – Eligible claimants for council tax support. – Potentially, all council tax payers (depending on the scheme adopted, any local variations and the outcome of the consultation).
4.	Who defines or defined the function/service/policy?	The policy is defined nationally with an element of local discretion. A preferred scheme has been devised across Kent with the three major precepting authorities (Kent County Council, Kent Police Authority and Kent & Medway Fire & Rescue Authority) agreeing to support funding the scheme for three years. The scheme is based on a set of principles to which all Kent authorities propose to agree to.
5.	Who implements the function/service/policy?	The Mid Kent Improvement Partnership - Revenues & Benefits service (Tunbridge Wells) Dartford and Sevenoaks Revenues & Benefits Service (Sevenoaks) Tonbridge & Malling Revenues & Benefits Service.
6.	How do the outcomes of the function/service/policy meet or conflict with the authority's priorities?	<p>Sevenoaks: Effective Management of Council Resources</p> <p>Tonbridge & Malling: Continued delivery of priority services and a financially viable Council.</p> <p>Tunbridge Wells: Passionate about our customers; passionate about value.</p>

Equality Impact Assessment

	Key Questions	Answers/Notes
7.	What factors could contribute or detract from the outcomes identified earlier?	<p>Contribute:</p> <p>The preferred Kent-scheme would:</p> <ul style="list-style-type: none"> – Disregard some earned income. – Reduce benefit on a sliding scale as income increases. – Continue payment for four weeks after moving into work when there would otherwise be no entitlement. – Automatically transfer most people on council tax benefit to the new scheme. – Reduce confusion for claimants moving between authorities. – Allow one scheme for consulting across Kent. – Provide opportunities to standardise forms and processes. – Limit adverse financial affects for the lead authorities for three years as the precepting authorities have agreed to provide some support with additional collection costs. – Provide an element of stability during the current economic climate. – Be possible to implement within the timescales set by the Government. <p>Detract:</p> <ul style="list-style-type: none"> – The timescale for implementation is extremely tight and limits the options available for a new scheme. The software used to administer council tax benefit permits only limited changes to be made for any new scheme within these timescales. – An increase in council tax to cover the reduction in funding is not a realistic option as it would further increase the cost of the local council tax support scheme in excess of the grant payable by Government. In addition Government limits allowable tax increases before a costly local referendum would be required. – Legislative requirements and the amount of grant received by local authorities are yet to be fully clarified. – Failure to reach a local scheme and having to adopt the default scheme would result in a severe negative impact on Council finances and would reduce expenditure on other services.

Equality Impact Assessment

	Key Questions	Answers/Notes
		<ul style="list-style-type: none">- Demand for council tax benefit is rising.- The proportion of the local population that is of pension age is rising.- The preferred Kent-wide scheme would limit local flexibility and create potential for an increase in complaints and appeals as a result of the scheme adopted.- Additional Government proposals for welfare reform could also impact on those affected by the changes to council tax benefit.

Equality Impact Assessment

Step 3		Consideration of data and information	
8.	What do you already know about who uses this function/service/ policy?	<p>We have analysed available data for current council tax benefit recipients allowing us to consider the impact on people according to:</p> <ul style="list-style-type: none"> – Age – Disability – Those with caring responsibilities. – Gender – Those with families and young children <p>A summary of the data analysis for the proposal put forward for consultation by Sevenoaks District Council is attached at Annex 1. This is supported by comprehensive data sheets which are available as background information.</p>	
9.	What consultation with service users has taken place on the function/service/policy and what were the key findings?	<p>Sevenoaks District Council carried out a consultation exercise between 6 August and 30 September 2012. This set out the Council’s preferred option (based on the Kent-wide scheme) and provided an opportunity for respondents to comment on the scheme and offer suggestions that could assist with the final scheme design. The consultation provided the opportunity for stakeholders affected by each of the options to give their views before the Council takes further decisions.</p> <p>In total the Council had 82 responses to the consultation. Of these 57 were completed online and 25 were sent in by post. Analysis of those that responded showed that:</p> <ul style="list-style-type: none"> • 67% of responses came from current benefit claimants; • 72% of respondents were working age; • 50% of respondents were female; • 21% of respondents were carers; and • 48% responses were from people with a disability. 	

Equality Impact Assessment

Step 3	Consideration of data and information	
9. Cont.	What consultation with service users has taken place on the function/service/policy and what were the key findings?	<p>The results of the consultation exercise are summarised as:</p> <ul style="list-style-type: none"> • 71% of respondents agreed that pensioners should be protected from any changes to council tax benefit; • 61% of respondents agreed that the amount of local council tax support claimants receive should be based on the current council tax benefit calculation; • 62% of respondents disagree with the Council’s proposal for an 18.5% reduction in council tax support for all working age claimants; and • 71% of respondents providing comments to the open text question suggested that further protections should be put in place within the Council’s local support for council tax scheme rather than the reductions not occurring at all (21%).
10.	What, if any, additional information is needed to assess the impact of the function/service/policy?	<p>The impact of the Council’s final decision on the local council tax support scheme for Sevenoaks District Council will be evaluated during 2013/14 once it has been in operation for a significant period of time.</p> <p>Following completion of the consultation, the Government have announced further proposals for the localisation of council tax benefit, offering a transition grant if certain criteria are adopted within local schemes. At this stage, it is unclear how this proposal will affect the preferred Kent-wide scheme and further details are awaited from the Department for Communities and Local Government and the County Council. Should the new proposals be adopted by the Council, the impacts set out in this assessment will need to be reviewed.</p>
11.	How do you propose to gather the additional information?	<p>Data in the council tax and housing benefit systems will be regularly reviewed to evaluate levels of council tax collected. Data from these systems will also be used to determine whether particular groups may have been affected by the change to council tax support, through a review of this Impact Assessment. Data from the Housing Service may also prove useful in evaluating any impacts as a result of the scheme.</p>

Equality Impact Assessment

	Key Questions	Answers/Notes
Step 4	Assessing the Impact	
12.	Based on what information you already know, in relation to each of the following consider whether a) there is anything in the function/service/policy that could discriminate or put anyone at a disadvantage b) for an existing function/service/policy, how it is actually working in practice	
a.	Age	<p>Impact: The Government have prescribed that low income pensioners should be protected from any reduction in support. We therefore have no discretion in implementing this aspect of the scheme.</p> <p>As pensioners are protected, the option being considered by Sevenoaks District Council will result in a degree of negative impact on some non-pensioner age groups. Our preferred option would see people of working age paying £3.60 more per week towards their council tax bill than people of pension age.</p> <p>The consultation showed that:</p> <ul style="list-style-type: none"> – 71.2% of working age people disagree that working age people should receive an 18.5% reduction to their council tax benefit. – 38.1% of pension age people disagree that working age people should receive an 18.5% reduction to their council tax benefit. <p>Mitigation: The decision to protect pensioners was taken by Government who are therefore responsible for conducting their own EqIA on this aspect. This is available at: http://www.communities.gov.uk/documents/localgovernment/pdf/2063707.pdf</p>

Equality Impact Assessment

	Key Questions	Answers/Notes
b.	Disability	<p>Impact: Sevenoaks District Council’s proposal has potential to negatively impact on people with disabilities as a result of the relatively high proportion in protected pensioner households. People with a disability would pay £2.52 more per week towards their council tax bill whilst the average additional payment for all claimants would be £1.75 more per week. The consultation showed that 76.9% of people with a disability disagree that working age people should receive an 18.5% reduction to their council tax benefit. The most frequently made comments in the consultation related to protecting disabled people / families and their carers.</p> <p>Mitigation: This will be determined following Members review of this Impact Assessment and the response to the consultation on the Council’s proposed local council tax support scheme.</p> <p>The current council tax benefit calculation that will be adopted in the proposed scheme treats people with disabilities more favourably by disregarding some income. This raises their benefit entitlement when compared to some other groups and this will be continued.</p>
c.	Carers	<p>Impact: Sevenoaks District Council’s proposal has potential to negatively impact on carers as a result of the relatively high proportion in protected pensioner households, as they would pay £2.87 extra per week towards their council tax bill, whilst the average additional payment for all claimants would be £1.75 more per week. The consultation showed that 82.4% of carers disagree that working age people should receive an 18.5% reduction to their council tax benefit. The most frequently made comments in the consultation related to protecting disabled people / families and their carers.</p> <p>Mitigation: This will be determined following Members review of this Impact Assessment and the response to the consultation on the Council’s proposed local council tax support scheme.</p> <p>The current council tax benefit calculation that will be adopted in the proposed scheme treats carers more favourably by disregarding some income. This raises their benefit entitlement when compared to some other groups and this will be continued.</p>

Equality Impact Assessment

	Key Questions	Answers/Notes
d.	Gender	<p>Impact: Sevenoaks District Council's proposal has potential to negatively impact on females as they are more likely to be the primary applicant and / or have dependent children. Females would pay £1.85 extra per week toward their council tax bill whilst males would pay £1.60 extra per week. The consultation showed that:</p> <ul style="list-style-type: none"> – 58.5% of females disagree that working age people should receive an 18.5% reduction to their council tax benefit. – 72.2% of males disagree that working age people should receive an 18.5% reduction to their council tax benefit. <p>Mitigation: This will be determined following Members review of this Impact Assessment and the response to the consultation on the Council's proposed local council tax support scheme.</p> <p>The current council tax benefit scheme mitigates this to some extent by making allowances for childcare costs, raising benefit entitlement and this will be continued.</p>
e.	Race	<p>Impact: This information is not collected from claimants as it is not relevant to the calculation of council tax benefit. There may be a possible indirect impact for options affecting larger households.</p> <p>Mitigation: This will be determined following Members review of this Impact Assessment and the response to the consultation on the Council's proposed local council tax support scheme</p>
f.	Religion & Belief	<p>Impact: This information is not collected from claimants as it is not relevant to the calculation of council tax benefit.</p> <p>Mitigation: We are not aware of any impacts in need of mitigation at this stage.</p>
g.	Sexual Orientation	<p>Impact: This information is not collected from claimants as it is not relevant to the calculation of council tax benefit.</p> <p>Mitigation: We are not aware of any impacts in need of mitigation at this stage.</p>
g.	Marital or Civil Partnership Status	<p>Impact: This information is not collected from claimants as it is not relevant to the calculation of council tax benefit.</p> <p>Mitigation: We are not aware of any impacts in need of mitigation at this stage.</p>

Equality Impact Assessment

	Key Questions	Answers/Notes
h.	Pregnancy & maternity	<p>Impact: This information is not collected from claimants as it is not relevant to the calculation of council tax benefit.</p> <p>Mitigation: We are not aware of any impacts in need of mitigation at this stage.</p>
i.	Gender reassignment	<p>Impact: This information is not collected from claimants as it is not relevant to the calculation of council tax benefit.</p> <p>Mitigation: We are not aware of any impacts in need of mitigation at this stage.</p>
j.	General (<i>i.e. affecting all of the above</i>) /other (<i>i.e. socio economic</i>)	<p>Impact: As pensioners are protected, the reduction in the level of support falls to working age claimants. The actual average cut for any given group will depend on how many of that group are in protected pensioner households.</p> <p>Mitigation: Sevenoaks District Council could consider the following measures to mitigate any further affects of the funding deficit on non-pensioner households:</p> <ul style="list-style-type: none"> – Under separate legislation reducing the council tax discount on empty homes from six months to three months. – Under separate legislation remove the council tax discount on second homes. – Make savings or cuts in other Council services in order to do more to protect some negatively affected groups. – Reviewing the scheme after three years to implement any longer-term measures needed to mitigate any ongoing impacts. <p>This will be determined following Members review of this Impact Assessment and the response to the consultation on the Council’s proposed local council tax support scheme.</p>

Equality Impact Assessment

Step 5 Reviewing and Scrutinising the Impact		
13.	What conclusions can you draw about any differential impact and how people are adversely or positively affected?	<p>Sevenoaks District Council’s proposed local council tax support scheme suggests that the shortfall in funding as a result of the Governments decision to reduce money available for council tax support by 10% will be met from paying less council tax support. As the Government has said that pensioners must be fully protected from the changes, working age claimants will be affected by a reduction in council tax support. This will enable the Council to minimise the impact for all residents as council tax increases can be minimised and priority essential services safeguarded from savings and/or cuts.</p> <p>Although the Council is proposing that all working age claimants will be impacted to the same extent (18.5%), the Council have identified that its proposed scheme has the potential to have a negative impact on people with disabilities, carers, women and younger age groups. This is because the extent of the impact on people with protected characteristics is directly determined by the proportion of pensioners that fall within each protected characteristic group. For example if one group has no protected pension age claimants then the impact on the working age group is negative to the effect of 18.5%. If another group has 50% of claimants of pension age then the impact of the working age group is halved and the negative effect reduced to 9.25%.</p>
14.	What actions can you take to address any impacts identified?	<p>Sevenoaks District Council’s proposed scheme continues to adopt the calculation methods of the current council tax benefit scheme. As a result it already provides more support to some groups than others (households with young families, people with disabilities) which would be retained under the preferred scheme. The Council will consider whether further measures for mitigating the impact are needed once the results of the consultation are evaluated and considered by Members.</p>
15.	If no changes can be made, what reasons are there to justify this?	<p>No decision has been made on whether further changes are possible. This will be determined following Members review of this Impact Assessment and the response to the consultation on the Council’s proposed local council tax support scheme.</p> <p>Whilst the Council’s preferred option has potential to result in a degree of negative impact on some non-pensioner age groups, this is as a result of the protection of pensioners being prescribed by Government. We therefore have no discretion in implementing this aspect of the scheme.</p>

Equality Impact Assessment

Step 5	Reviewing and Scrutinising the Impact	
16.	How might any of the changes, in relation to the adverse impact, have a further adverse affect on any other group?	Annex 1 to this Impact Assessment summarises the impact of each of the options on people in Sevenoaks District with protected characteristics based on current data, with additional data available as background information.

Equality Impact Assessment

Step 5 continued...		Actions to address any differential impact		
Action	Outcome/monitoring information and targets	WK Equality Aims & Commitments	Date for Completion	Responsible Officer
We will put any necessary actions in place, once the response to the consultation has been considered and evaluated by Members.				

Step 6	Decision making and future monitoring	
17.	Which decision making process do these changes need to go through i.e. do they need to be approved by a committee/Council?	<p>Sevenoaks District Council reported its proposed local council tax support scheme to both Cabinet and Council. It was resolved that the scheme would be put to public consultation.</p> <p>An update will be provided to Services Select Committee and the Cabinet and the full Council will consider the results of the consultation and formally adopt its local scheme for Council Tax support before 31 January 2013.</p>
18.	How will you continue to monitor the impact of the function/service/policy on diverse groups?	Measures for monitoring the impact will be considered once the final scheme has been developed and the impacts are known.
19.	When will you review this equality impact assessment?	Following the recommendations of Cabinet, prior to the Council decision being taken.

Localisation of Council Tax Support – Equality Impact Assessment

Annex 1 – Summary of impacts from data analysis of Sevenoaks District claimants

This information provides a summary of the impacts of the proposed changes to Council Tax Benefit, based on data analysis of current Sevenoaks District claimants. The summary below is based on a comparison between the current average council tax benefit paid and the amounts that are proposed to be paid under the Sevenoaks District Council consultation proposal.

Average amount of council tax benefit

Sevenoaks District Council currently pays out £6,647,993 in council tax benefit. It is expected that Government will reduce funding to pay for council tax benefit by 10% from April 2013, leaving an estimated shortfall in the council tax benefit bill of £665,000.

The average actual reduction in weekly council tax benefit, following a blanket 18.5% reduction whereby pensioner households are protected from any cut, would be **9.1%** for an average household.

Profile of claimants (based on the current caseload of 6,662 households):

- 63.5% of primary applicants are female
- 36.5% of primary applicants are male
- 51.4% of claimant households are of pension age
- 27.4% of claimant households have children (of those 9.6% have a child under 5 years of age)
- 16.4% of claimants are categorised as having a disability or having a person with a disability in their household
- 3.7% of claimants receive a carer premium

Consultation Proposal: Protect pensioners so that they see no reduction in their current council tax benefit levels. All other (working age) claimants will receive a reduction of 18.5% on their current benefit entitlement.

Impact: Looking at the impact on all claimants, both working age and pension age:

- People with disabilities are affected more (their amount of award would fall by an average of 12.6%) than those without a disability (8.4% reduction).
- Households with carers would also be affected more (their amount of award would fall by an average of 12.6%) than those with no carers (9.0% reduction).
- Female applicants would be affected more (their amount of award would fall by an average of 9.8%) than male applicants (8.0% reduction).
- Applicants aged under 54 would face larger reductions (between 17.9 and 18.5%) than those aged 55-64 (9.3% reduction). For a pensioner household, there will be no change in the amount of benefit they receive.
- People from Minority Ethnic groups (66.7%) are more likely to be of working age (16-64) than White residents (57.7%) and less likely to be of pension age (6.9%) compared with White residents (23.3%)¹. As ethnicity data is not relevant to the calculation of council tax benefit it is not collected from claimants. The impact on ethnic groups is unclear at this stage.

¹ Source of data: Mid-Year Population Estimates 2009.