

Appendix 2 to CTR changes Report (For changes from April 2017)

Equality Analysis Evidence Document					
Title: What are you completing an Equality Analysis on?					
Proposed changes to the Council's Local Council Tax Reduction Scheme					
Why are you completing the Equality Analysis? (please tick any that apply)					
Proposed New Policy or Service	Change to Policy or Service X	MTFS (Medium Term Financial Strategy)		Service Review	
Version Control					
Version control number	V1	Date	10/11/2016	Reason for review (if appropriate)	Proposed changes could affect household groups who were formerly deemed protected groups
Risk Rating Score (use Equalities Risk Matrix and guidance)					
**If any of these are 3 or above, an Impact Assessment must be completed. Please check with equalities@wiltshire.gov.uk for advice					
Criteria		Inherent risk score on proposal		Residual risk score after mitigating actions have been identified	
Legal challenge		2		3	
Financial costs/implications		1		1	
People impacts		3*		2	
Reputational damage		1*		1	
Section 1 – Description of what is being analysed					
<p>Since 2013 the council has been obliged to deliver a council tax reduction scheme which is a means tested benefit to support working aged households meet some or all of their council tax liability. The Revenues and Benefits Team operate a number of welfare schemes. There are two council tax reduction schemes, one for pensioners known as the national schema and one for working ages people, known as the local scheme.</p> <p>The Team also operate the national housing benefit scheme for those on a low income which supports the costs of housing through a contribution toward rent.</p> <p>Housing benefit is a national scheme, operated by rules determined by Government. The national schemes are constantly amended by government whereas changes to local council tax reduction schemes require a series of steps that include consultation simply to keep up with the changes imposed by government.</p> <p>Through an assessment which involves supplying evidence of income and the make-up of the household, a reduction is made to the council tax due from the household.</p> <p>In other words any entitlement is deducted from the council tax due. The scheme for working age people is designed and implemented at a local level whilst the scheme for pensioners is a national scheme.</p> <p>The proposal are to modify the local scheme to both accommodate legislative changes and implement changes to the treatment of some household entitled to specific welfare benefits. This will ensure that all the schemes are synchronised and bring the schemes in line with those operated by neighbouring authorities.</p>					

Section 2A – People or communities that are currently **targeted or could be affected** by any change (please take note of the Protected Characteristics listed in the action table).

The council tax reduction is a countywide scheme, available to every community in Wiltshire. However entitlement to council tax reduction depends on a means test. The scheme has traditionally supported low income families, especially single parent households where the calculation incorporates an allowance for both the children and the family.

The government is withdrawing an allowance called the family premium which formerly recognized the cost of raising children. The proposal will only affect new claims which are made after 1st April 2017.

In addition the formula used to calculate council tax reduction formerly included an allowance for each child living in the household. From April 2017 an allowance for only two children will be incorporated within the claim, in order to bring the local scheme in line with national policy. The proposal will only affect new claims made after 1st April 2017.

It is thought that these changes will affect more women than men, as the majority of recipients of CTR are women. It is also thought that the changes will affect women pregnant with their third child which arrives after April 2017.

Currently those entitled to Employment Support Allowance (ESA) receive 100% council tax reduction however to bring the treatment of this national benefit in line with the treatment of Jobseekers Allowance and Income Support it is proposed that those on ESA formerly a protected group, should contribute 20% toward their council tax. This change will affect around 700 existing claims from 1st April 2017.

Section 2B – People who are **delivering** the policy or service that are targeted or could be affected (i.e. staff, commissioned organisations, contractors)

The proposals to amend the scheme will mean that the rules for housing benefit and council tax reduction are the same, reducing the complexity regarding some aspects of the assessment process.

Section 3 –The underpinning **evidence and data** used for the analysis (Attach documents where appropriate)

Prompts:

- What data do you collect about your customers/staff?
- What local, regional and national research is there that you could use?
- How do your Governance documents (Terms of Reference, operating procedures) reflect the need to consider the Public Sector Equality Duty?
- What are the issues that you or your partners or stakeholders already know about?
- What engagement, involvement and consultation work have you done? How was this carried out, with whom? Whose voices are missing? What does this tell you about potential take-up and satisfaction with existing services?
- Are there any gaps in your knowledge? If so, do you need to identify how you will collect data to fill the gap (feed this into the action table if necessary)

The application requires the applicant to provide information about them which is securely stored with the Revenues and Benefits Processing System. This includes household make-up and income into the household, including entitlement to any welfare benefit.

There is considerable information held both locally and nationally regarding the number of households entitled to council tax reduction and the data is held in such a way that it can interrogated and analysed.

There is also considerable media interest regarding welfare benefits and the impact of welfare reforms and scrutiny from the voluntary sector, to ensure any scheme is fair and balanced.

The proposed changes have been subject to public consultation which includes engagement with the major precepting authorities (Fire and Police, town and parish councils, MPs and the voluntary sector) The consultation has established general support for the proposed changes.

Council tax reduction scheme is a local scheme for working aged people. A national scheme is applied to people of pensionable age and so the challenge faced by the service is to keep the two schemes aligned.

***Section 4 – Conclusions** drawn about the impact of the proposed change or new service/policy

Prompts:

- What actions do you plan to take as a result of this equality analysis? Please state them and also feed these into the action table
- Be clear and specific about the impacts for each Protected Characteristic group (where relevant)
- Can you also identify positive actions which promote equality of opportunity and foster good relations between groups of people as well as adverse impacts?

- What are the implications for Procurement/Commissioning arrangements that may be happening as a result of your work?
- Do you plan to include equalities aspects into any service agreements and if so, how do you plan to manage these through the life of the service?
- If you have found that the policy or service change might have an adverse impact on a particular group of people and are **not** taking action to mitigate against this, you will need to fully justify your decision and evidence it in this section

There appear to be three main groups who will be affected by this change, families with more than two children, single parents with more than two children and those in receipt of Employment Support Allowance.

In order to mitigate against the proposed changes those subject to the most adverse issues will be invited to apply for Discretionary council Tax Reduction which may be awarded in conjunction with other discretionary benefits like discretionary housing payment.

However any application will require a means test to establish the extent of other debts, income and outgoing. The matter of council tax indebtedness cannot be looked at in isolation. The Team will look at the entirety of indebtedness owed by individuals and consider how best to support the individual, in terms of advice and direction to other benefits or agencies who may be able to help.

***Section 5 – How will the outcomes from this equality analysis be monitored, reviewed and communicated?**

Prompts:

- Do you need to design performance measures that identify the impact (outcomes) of your policy/strategy/change of service on different protected characteristic groups?
- What stakeholder groups and arrangements for monitoring do you have in place? Is equality a standing agenda item at meetings?
- Who will be the lead officer responsible for ensuring actions that have been identified are monitored and reviewed?
- How will you publish and communicate the outcomes from this equality analysis?
- How will you integrate the outcomes from this equality analysis in any relevant Strategies/Polices?

Record keeping and the analysis of income, specifically council tax is carefully monitored in terms number of reminder issued, number of cases forwarded to the bailiff each year and careful attention is paid to those households in receipt of council tax reduction.

Analysis of the discretionary awards made in 2015-16 show that of the £197,000 awarded, 73% was paid to women.

The majority of the awards to men were to those in receipt of a range of welfare benefits.

***Copy and paste sections 4 & 5 into any Committee, CLT or Briefing papers as a way of summarising the equality impacts where indicated**

Completed by:	Ian P Brown
Date	11 th November 2016
Signed off by:	Michael Hudson
Date	15 th November 2016
To be reviewed by:	Ian P Brown
Review date:	15 th November 2017

Equality Impact Issues and Action Table (for more information on protected characteristics, see page 7)					
Identified issue drawn from your conclusions (only use those characteristics that are relevant)	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions?	When will the action be completed?	How will it be monitored?	What is the expected outcome from the action?
Age					
	The proposed changes to the scheme will only affect people of working age, but the changes to the scheme will need publishing and promoting	Head of Revenues and Benefits	January 2017	Take up of the scheme and the impact will be monitored as will every award of discretionary council tax enabling comparison with the number of claims dealt with in previous years.	It is expected that the generosity of the overall scheme will fall, however by promoting the scheme we will still be offering working age families a significant reduction in their council tax bills.
Disability					
	The proposal to change to the treatment of ESA may mean that some working aged people with disabilities will be affected, however, those who receive Disabled Living Allowance (DLA) or Personal Independence Payments (PIP) will continue to receive full (100%) council tax reduction. If the proposal is accepted those affected will be contacted. Further exemptions from council tax can be applied to those suffering from severe mental impairment, based on a doctor's /GP's confirmation.	Head of Revenues and Benefits	February 2017	Take up of the scheme and the impact will be monitored as will every award of discretionary council tax.	It is expected that the generosity of the overall scheme will fall, however by promoting the scheme we will still be offering working age families a significant reduction in their council tax bills.
Gender Reassignment					
	N/A				
Marriage and Civil Partnership					
	The removal of the 'family premium' from the CTR calculation will only affect new claims received after 1 st April 2017 from couples with children. This will mean that the calculation is less generous.	Head of Revenues and Benefits	February 2017	Take up of the scheme and the impact will be monitored as will every award of discretionary council tax.	It is expected that the generosity of the overall scheme will fall, however by promoting the scheme we will still be offering working age families a significant

	Details of the proposals will need sharing with voluntary sector, staff trained and any information held on websites updated.				reduction in their council tax bills.
Pregnancy and Maternity					
	The proposed changes will only affect those whose third or subsequent child arrives after April 2017. Exemptions will be applied in the case of twins or where the pregnancy is the result of an attack or rape. Details of the proposals will need sharing with voluntary sector, staff trained and any information held on websites updated.		February 2017	Take up of the scheme and the impact will be monitored as will every award of discretionary council tax.	It is expected that the generosity of the overall scheme will fall, however by promoting the scheme we will still be offering working age families a significant reduction in their council tax bills.
Race (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)					
	N/A				
Religion and Belief					
	N/A				
Sex					
	The proposed changes are more likely to affect women with children, specifically the removal of the family premium. Details of the proposals will need sharing with voluntary sector, staff trained and any information held on websites updated.	Head of Revenues and Benefits	February 2017	Take up of the scheme and the impact will be monitored as will every award of discretionary council tax.	It is expected that the generosity of the overall scheme will fall, however by promoting the scheme we will still be offering working age families a significant reduction in their council tax bills.
Sexual Orientation					
	N/A				
Other (including caring responsibilities, rurality, low income, Military Status etc)					

Calculating the Equalities Risk Score

You will need to calculate a risk score twice:

1. On the inherent risk of the proposal itself (without taking into account any mitigating actions you may identify at the end of the Equality Analysis (EA) process)
2. On the risk that remains (the residual risk) after mitigating actions have been identified

This is necessary at both points to:

- Firstly, identify whether an EA needs to be completed for the proposal and;
- Secondly, to understand what risk would be left if the actions identified to mitigate against any adverse impact are implemented

Stage 1 - to get the inherent risk rating:

1. Use the [Equalities Risk Criteria Table](#) below and score each criterion on a scale of 1 - 4 for the impact and 1 – 4 on their likelihood of occurrence. Multiply these 2 scores together (Likelihood x Impact) to get a score for that criterion (this will range from 1 – 16).
2. Record each of these scores in the [table](#) at the beginning of this document
3. Assess whether you need to carry out an EA using the guidance box below (stage 2).

Stage 2 - to identify whether an EA needs to be carried out:

If your inherent risk score (for any criteria) is:

12 – 16 or Red = High Risk. **An Equality Analysis must be completed.** Significant risks which have to be actively managed; reduce the likelihood and/or impact through control measures.

6 – 9 or Amber = Medium Risk. **An Equality Analysis must be completed.** Manageable risks, controls to be put in place; managers should consider the cost of implementing controls against the benefit in the reduction of risk exposure.

3 – 4 or Green = Low Risk. **An Equality Analysis must be completed**

1 – 2 or Green = Low Risk. **An Equality Analysis does not have to be completed**

Stage 3 - to get the residual risk rating:

1. Repeat the process above when mitigating actions have been identified and evidenced in the [table](#) on page 3 to calculate the **residual risk**
2. Make a note of the residual risk score in the [table](#) on the first page of the EA template

Equalities Risk Criteria Table

<p align="center">Impact</p> <p>Criteria</p>	<p align="center">Low</p> <p align="center">1</p>	<p align="center">Moderate</p> <p align="center">2</p>	<p align="center">Substantial 3</p>	<p align="center">Critical</p> <p align="center">4</p>
<p>Legal challenge to the Authority under the Public Sector Equality Duty</p>	<p>Complaint/initial challenge may easily be resolved</p>	<p>Internal investigation following a number of complaints or challenges</p>	<p>Ombudsman complaint following unresolved complaints or challenges</p>	<p>Risk of high level challenge resulting in Judicial Review</p>
<p>Financial costs/implications</p>	<p>Little or no additional financial implication as a result of this decision or proposal</p>	<p>Medium level implication with internal legal costs and internal resources</p>	<p>High financial impact - External legal advice and internal resources</p>	<p>Severe financial impact - legal costs and internal resources</p>
<p>People impacts</p>	<p>No or Low or level of impact on isolation, quality of life, achievement, access to services. Unlikely to result in harm or injury. Mitigating actions are sufficient</p>	<p>Significant quality of life issues i.e. Achievement, access to services. Minor to significant levels of harm, injury, mistreatment or abuse OR, low level of impact that is possible or likely to occur with over 500 people potentially affected</p>	<p>Serious Quality of Life issues i.e. Where isolation increases or vulnerability is greatly affected as a result. Injury and/or serious mistreatment or abuse of an individual for whom the Council has a responsibility OR, a medium level of impact that is likely to occur with over 500 people potentially affected</p>	<p>Death of an individual for whom the Council has a responsibility or serious mistreatment or abuse resulting in criminal charges OR High level of impact that is likely to occur, with potentially over 500 people potentially affected</p>
<p>Reputational damage</p>	<p>Little or no impact outside of the Council</p>	<p>Some negative local media reporting</p>	<p>Significant to high levels of negative front page reports/editorial comment in</p>	<p>National attention and media coverage</p>

Equalities Risk Matrix

		Acceptable		Actively managed	
		Very unlikely (1)	Unlikely (2)	Likely (3)	Very likely (4)
Impact	Critical (4)	4	8	12 Significant risk	16 Significant risk
	Substantial (3)	3	6	9	12 Significant risk
	Moderate (2)	2	4	6	8
	Low (1)	1	2	3	4
		Very unlikely (1)	Unlikely (2)	Likely (3)	Very likely (4)
Likelihood of occurrence					

The protected characteristics:

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds). This includes all ages, including children and young people and older people.

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment - The process of transitioning from one gender to another.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Marriage and civil partnership - Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships' and from 29th March 2014, same-sex couples can also get married at certain religious venues. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity - Pregnancy is the condition of being pregnant. Maternity refers to the period of 26 weeks after the birth, which reflects the period of a woman's ordinary maternity leave entitlement in the employment context.

Sex (this was previously called 'gender') - A man or a woman.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

You are also protected if you are discriminated against because you are **perceived** to have, or are **associated** with someone who has, a protected characteristic. For example, the Equality Act will protect people who are caring for a disabled child or relative. They will be protected by virtue of their association to that person (e.g. if the Carer is refused a service because of the person they are caring for, this would amount to discrimination by association and they would be protected under the Equality Act)