

Equality Impact Assessment

This document contains a template for an Equality Impact Assessment (EqIA). An EqIA is a working document that will inform decision-makers and those who come up with solutions about the impacts of your proposal on equality groups. They provide evidence of how we as a council have reached a decision and how we have factored in equalities the decision about a proposal.

An EqIA should be done when:

- **introducing a new service, policy or scheme (whether or not the service is statutory);**
- **proposing to remove all or part of a service, policy or scheme;**
- **making a change to a the way a service is provided;**
- **making any decision that will affect people's life or the quality of it.**



Equality Impact Assessment

| | | | |
|---|--|-------------|------------|
| Title of report or proposal | Council Tax Support Scheme | | |
| Lead officer(s) | Andrea Griffiths – Revenues & Benefits Service Manager | Date | 03/11/2021 |
| Aims and desired outcomes of the proposal Are you trying to solve an existing problem? | | | |
| <p>In April 2013, the government abolished the nationally prescribed Council Tax Benefit (CTB) Scheme, which was a means tested benefit helping those on a low income to meet the cost of paying their Council Tax bill. This was regulated and the cost funded by the Department for Work and Pensions. Local Authorities in England were mandated to replace this with a localised Council Tax Support (CTS) Scheme. Over time, government funding has significantly reduced and therefore reductions have had to be reflected in the design.</p> <p>All Council Tax Support Schemes have to protect pensioners, they continue to receive support at the rate awarded under existing Council Tax Benefit rules which are legislated for within the Council Tax (Prescribed Requirement) (England) Regulations 2012. Therefore, the changes only impact on claimants of working age.</p> <p>The government stated that vulnerable groups should be protected as far as possible, however there is no definition of this in the legislation. It is for a Local Authority to decide which groups are protected from the effect of any cuts in the level of support under its own scheme.</p> <p>The Government published guidance for local authorities on administrative matters relating to localised CTS Schemes.</p> <p>The scheme for Stockport aims to limit the financial impact on the most vulnerable households and manage the transition from one scheme to another as simply as possible. Support is distributed as widely and equally as practicable amongst people eligible to claim, taking account of household size rather than just the Council Tax band. The scheme is designed on the following principles:</p> <ul style="list-style-type: none"> • Protection of pensioners • Entitlement based on the size of the household rather than simply the Council Tax band of the property the household occupies. • Supporting the people who are most in need/ most vulnerable. • Supporting people moving into work and those in low paid work. • The provision of a discretionary hardship fund to help the most vulnerable residents get extra support in exceptional circumstances. • The undertaking of an annual review of the scheme with urgent changes made, if required by legislation and / or local circumstances • Maximising the amount of Council Tax collectable. • A clear and accessible scheme. | | | |

Scope of the proposal

Include the teams or service areas from the Council and outward-facing services or initiatives

All existing CTB recipients and new CTS claimants from April 2013

All those involved in the administration of CTB/CTS

Council Tax billing & collection Team

Contact Centre

Advice and support groups eg Welfare Rights, Debt Advice, Citizens Advice

Finance

What are the possible solutions you have been / will be exploring?

You should refer to any business cases, issues papers or options appraisals

The Council Tax Support Scheme has to be easy to understand and not administratively burdensome. The existing Civica benefit system needed to be able to cope with the software changes required. Staff needed to be on board from the outset to understand and influence the changes and to quickly transition from one scheme to another with the appropriate tools and on-line guidance. A full consultation and communication plan was put in to place to engage with internal/external stakeholders and claimants, which informed decision making. Various options were modelled, costed and analysed to establish the impact on various cohorts of benefit claimants.

Features of the scheme design were consulted on and amended as appropriate on receipt of feedback, which resulted in the following scheme being approved at the Council Meeting in January 2013 and implemented from April 2013:

Stockport 's Council Tax Support (CTS) Scheme for working age claimants is predominately based on the government 's scheme for pension credit age customers - The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 with the following adaptations:

1. The Council Tax band used to calculate entitlement will be the equivalent of band A for all calculations unless the household is such that three or more bedrooms are required (using the national criteria defined for Local Housing Allowance payments) when a band B equivalent will be used unless the property is in band A in which case band A will be used.
2. Any claim where the person is receiving Disabled Persons Relief on their Council Tax will be exempt from point 1 and will have their entitlement calculated on their actual Council Tax liability.
3. Second Adult Rebate is not available.
4. The minimum amount of Council Tax Support is £1 per week. There will be no entitlement below this amount.
5. The savings and capital upper limit is £8,000.

6. All Council Tax Support calculation figures stated in the Stockport Scheme will be assessed in-line with the applicable amounts and premiums applied to the national pensioner scheme and Housing Benefit regulations where appropriate, with the exception of non-dependant deductions.
7. War Pensions and Bereavement Support will be fully disregarded as an income in the calculation of Council Tax Support.
8. Non dependant deductions will be made at either the higher rate of £10 per week where gross income exceeds £188 per week or the lower rate of £5 per week if the gross weekly income is less. If the non-dependant deduction would not be due under The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, then no deduction will be made.
9. New claims will not be backdated. Entitlement will be assessed from the Monday following the date the application is made.
10. The time limits for Universal Credit recipients to return a claim for Council Tax Support will be 6 weeks for entitlement to be assessed from the Monday following the first day of entitlement to Universal Credit.
11. DWP Universal Credit data sharing documents will be treated as a claim for Council Tax Support.
12. New Council Tax Support claims following a break in entitlement to Universal Credit or Council Tax Support of up to six months are treated as being made on the date on which entitlement to UC resumes (or falls to a level at which CTS is payable) or six months before the day on which the claim is received, whichever is the later.
13. Beneficial changes in circumstances will be treated in the same way as the Housing Benefit regulations.
14. Where payments of Universal Credit include housing costs, these will be treated as income. However, the housing element will not be included in the applicable amount for those in remunerative work.
15. The net earnings figure provided to the Council by the Department for Work and Pensions will be used in the calculation of Council Tax Support for Universal Credit recipients.
16. Earnings from gainful self-employment will be assessed based on the calculation defined in The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, for the first 12 months of self-employment. After this time earnings will be calculated based on the national minimum/living wage based on the hours declared to HMRC for the purpose of claiming working tax credits up to a maximum of a 37-hour week. Where tax credits are not claimed then a standard 37-hour week will be used.

The calculation of notional income from self-employed earners will be reduced by notional tax and national insurance contributions.

17. A discretionary fund is available to provide further financial assistance towards Council Tax costs in exceptional circumstances.

There have only been very minor changes to the scheme since, largely because of our learning with Universal Credit and how this would impact on CTS, which have been beneficial to working age customers.

Who has been involved in the solution exploration?

Please list any internal and external stakeholders

Revenues & Benefits Management/Senior Officers
Benefits Processing Team
Members
Greater Manchester Authorities
Civica Software Provider
GIS Data Mapping
Finance and Audit colleagues
Legal
Consultation Team

The draft CTS scheme was agreed at an executive meeting prior to consultation, later approved via CRMG, Cabinet and Council throughout 2012 which had been amended on receipt of feedback from the above stakeholders.

What evidence have you gathered as a part of this EqIA? Which groups have you consulted or engaged with as part of this EqIA?

Sources can include but are not limited to: Statistics, JSNAs, stakeholder feedback, equality monitoring data, existing briefings, comparative data from local, regional or national sources.

Groups could include but are not limited to: equality / disadvantaged groups, VCSFE organisations, user groups, GM Equality panels, employee networks, focus groups, consultations.

1. Data modelling and mapping of existing Council Tax Benefit recipients by equality characteristics where held.
2. Commissioning of a research company to carry out consultation with user/support groups to examine the impact of proposals which included focus groups, forums, workshops and on-line/paper questionnaires involving:
 - Recipients and non-recipients of Council Tax Benefit
 - Stockport Homes
 - Welfare Rights
 - Debt Advice
 - Citizens Advice
 - Department for Work and Pensions
 - Disability Stockport

- Age Concern
- Preceptors
- Greater Manchester benchmarking partners
- Landlords
- Welfare Advisory Groups

Are there any evidence gaps that make it difficult or impossible to form an opinion on how the proposed activity might affect different groups of people?

None identified

Step 1: Establishing and developing the baseline

- To assess the impacts of your proposal, you first need to understand how things are now. This will vary depending on your proposal, but consider who will be affected by the proposed changes: for example, who currently accesses a service or lives in an area? What works well for them? Are you aware of any issues? Are there any groups that are underrepresented?

| Characteristic | Demographic of residents / service users | What works well How does the current provision or service meet the needs of people in different protected characteristics? | Current problems / issues This could include low levels of access or participation from certain demographic groups in current service or scheme; or disadvantages or barriers for particular groups |
|-----------------------|---|---|---|
| Age | <p>Over 18 with a Council Tax liability and low income.</p> <p>Pension age claimants are protected from the changes and therefore outside of scope.</p> | <p>Council Tax Benefit is means tested. An assessment takes into account the circumstances of both claimant and partner:</p> <ul style="list-style-type: none"> • Income such as earnings, some benefits, Tax Credits and things like occupational pensions. • Savings • Household circumstances, such as age, children, non-dependants and any disabilities. <p>Some income is disregarded in the</p> | <p>Nationally Prescribed Scheme with no discretion</p> |

| Characteristic | Demographic of residents / service users | What works well How does the current provision or service meet the needs of people in different protected characteristics? | Current problems / issues This could include low levels of access or participation from certain demographic groups in current service or scheme; or disadvantages or barriers for particular groups |
|---------------------------------------|---|--|---|
| | | <p>calculation such as maintenance payments, child benefit and income such as disability living allowance.</p> <p>Some circumstances e.g disability, attract higher applicable amounts to which the household income is compared against. Where this is the case, a higher level of support will be awarded.</p> | |
| Disability | Over 18 with a Council Tax liability and low income | Most benefits relating to a disability are disregarded in the CTB calculation. A higher applicable amount is also given which results in a higher award. | Nationally Prescribed Scheme with no discretion |
| Gender reassignment | Over 18 with a Council Tax liability and low income | See 'Age' | Nationally Prescribed Scheme with no discretion |
| Maternity and pregnancy | Over 18 with a Council Tax liability and low income | Council Tax Benefit is means tested and therefore reductions in pay due to reduced hours in pregnancy, maternity or entitlement to Statutory Maternity Pay will result in a higher award. | Nationally Prescribed Scheme with no discretion |
| Marriage and Civil Partnership | Over 18 with a Council Tax liability and low income | See 'Age'. Circumstances of both claimant and partner are included in the assessment. | Nationally Prescribed Scheme with no discretion |
| Race | Over 18 with a Council Tax liability and low income | See 'Age'. | Nationally Prescribed Scheme with no discretion |
| Religion or Belief | Over 18 with a Council Tax liability and low income | See 'Age'. | Nationally Prescribed Scheme with no discretion |
| Sex | Over 18 with a Council Tax liability and low income | See 'Age'. | Nationally Prescribed Scheme with no discretion |
| Sexual orientation | Over 18 with a Council Tax liability and low income | See 'Age'. | Nationally Prescribed Scheme with no discretion |

| Characteristic | Demographic of residents / service users | What works well How does the current provision or service meet the needs of people in different protected characteristics? | Current problems / issues This could include low levels of access or participation from certain demographic groups in current service or scheme; or disadvantages or barriers for particular groups |
|--|---|---|---|
| Socioeconomic status | Over 18 with a Council Tax liability and low income | See 'Age'. Those claimants who are on a 'passport' income such as Income Support, Employment Support Allowance and Jobseekers Allowance are unlikely to have any costs towards Council Tax as entitled to 100% Benefit. | Nationally Prescribed Scheme with no discretion |
| Other Please add in here any additional relevant comments or feedback where the protected characteristic is not known | | | |
| You are encouraged to consider the below characteristics where you have relevant data, especially if your proposal is predicted to disproportionately impact one or more of these groups. | | | |
| Carers | Over 18 with a Council Tax liability and low income | See 'Age'. | Nationally Prescribed Scheme with no discretion |
| Those experiencing homelessness | Homeless people will not have a Council Tax liability and therefore are not within scope. | Not applicable | Not applicable |
| Veterans | Over 18 with a Council Tax liability and low income Where the veteran is of pension age, they are not within scope. | Where the veteran is of working age, most war/disablement pensions are disregarded in the assessment and therefore attract a higher award. | Nationally Prescribed Scheme with no discretion |
| Asylum seekers and refugees | As asylum seekers do not have access to the benefits system, they can't be held liable for Council Tax and therefore not within scope. If refugee status is granted - Over 18 with a Council Tax liability and low income. | Not applicable See 'Age' | Not applicable Nationally Prescribed Scheme with no discretion |

Step 2: Identifying impacts the proposal will have compared with the baseline

To explore the impacts of your proposal, you should use your baseline as a comparison with how things would be after your proposal. Think about how this would differ from the baseline for people with each protected characteristic. Include any sources of data you have used (including desktop research and engagement activity).

| Impact no. | Characteristic | Positive or negative impact | Impact source | Impact details and rationale | Additional information |
|-----------------------------------|--|--|---|--|---|
| <i>Add more rows where needed</i> | | <i>Is the impact positive or negative?</i> | <i>How have you become aware of an impact or inequality? Is it from research, have you been advised by another party, has a member of the public or a stakeholder made you aware, did someone from this or another characteristic make the claim?</i> | <i>What is the impact or inequality that has been identified? What is the frequency of claim for it? What is the rationale behind the issue, inequality or impact claimed?</i> | <i>Is there any evidence to support or deny the claim? Provide full details. Has the inequality or impact claimed been tested with people from the relevant characteristic? Have you researched the claimed issue? If yes, what has been learned and from what source(s)?</i> |
| 1 | Age – older people | No impact | Outside scope of scheme | Not applicable | |
| 2 | Age – younger people | N/A | Consultation/Data analysis | There is no evidence that the design of the CTS Scheme will have a disproportionate impact on this group. | |
| 3 | Disability Consider people with physical disabilities, sensory impairments, learning disabilities and mental health issues | Negative | Consultation | A number of concerns were raised by people in properties that had been adapted to meet a physical need, in that they would be unable to pay additional Council Tax as they have no means to increase their income, move in to work or to a smaller property and so their options were very limited. This is only relevant where a Band Cap has been applied in the CTS assessment. | This had not previously been identified from modelling data as this type of information is not held within the benefit system. We can identify those with Disabled Persons Relief as a result of property adaptations from Council Tax records – analysis carried out. |

| Impact no. | Characteristic | Positive or negative impact | Impact source | Impact details and rationale | Additional information |
|------------|---------------------------------------|-----------------------------|----------------------------|---|---|
| | | | | <p>Concerns were raised about the proposals to apply a non-dependant deduction where the claimant receives Disability Living Allowance and there is more than 1 non-dependant adult in the property:</p> <ul style="list-style-type: none"> ○ Which adult would be disregarded for the purposes of applying the NDD? ○ All adults tend to share the caring responsibilities ○ IT limitations, impractical to manage ○ Issues with collection of the NDD | This would not be cost effective to administer. |
| 4 | Gender reassignment | N/A | Consultation/Data analysis | There is no evidence that the design of the CTS Scheme will have a disproportionate impact on this group. A | |
| 5 | Maternity and pregnancy | N/A | Consultation/Data analysis | There is no evidence that the design of the CTS Scheme will have a disproportionate impact on this group. | |
| 6 | Marriage and Civil Partnership | N/A | Consultation/Data analysis | There is no evidence that the design of the CTS Scheme will have a disproportionate impact on this group. | |
| 7 | Race | N/A | Consultation/Data analysis | There is no evidence that the design of the CTS Scheme will have a disproportionate impact on this group. | |
| 8 | Religion or Belief | N/A | Consultation/Data analysis | There is no evidence that the design of the CTS Scheme will have a disproportionate impact on this group. | |
| 9 | Sex | N/A | Consultation/Data analysis | There is no evidence that the design of the CTS Scheme will have a disproportionate impact on this group. | |
| 10 | Sexual orientation | N/A | Consultation/Data analysis | There is no evidence that the design of the CTS Scheme will have a disproportionate impact on this group. | |

| Impact no. | Characteristic | Positive or negative impact | Impact source | Impact details and rationale | Additional information |
|------------|-----------------------------|-----------------------------|---------------|---|---|
| | Socioeconomic status | Negative | Consultation | Welfare Advisory Groups raised serious concerns about the proposal for deducting £5 per week in respect of non-dependants who do not currently work. They felt that they would be very unlikely to be in a position to pay and would be asked to leave the house. This in turn would lead to a breakdown of the family unit and create further demand for accommodation for single people who would then claim CTS and Housing Benefit. | There would be an administration burden of collecting small amounts in relation to NDD's. The government has made it clear that they do not want to see large rises in deductions. |

You are encouraged to consider the below characteristics where you have relevant data, especially if your proposal is predicted to disproportionately impact one or more of these groups.

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|----|--|-----------|----------------------------|---|--|
| 11 | Carers | N/A | Consultation/Data analysis | There is no evidence that the design of the CTS Scheme will have a disproportionate impact on this group. | |
| 12 | Those experiencing homelessness | No impact | Outside scope of scheme | Not applicable | |
| 13 | Veterans | No impact | Outside scope of scheme | Not applicable | |
| 14 | Asylum seekers and refugees | No impact | Outside scope of scheme | Not applicable | |

Step 3: Identifying mitigating factors to minimise negative impacts

Step 2 identified potential impacts your proposal may have on people with different protected characteristics. If there are negative impacts, then you must consider how you could mitigate against (lessen) these negative impacts.

| Impact no. | Impact summary | Suggested mitigation and rationale | Source of suggestion | Evidence for solution | Feasibility |
|------------|---|---|---|--|--|
| | <i>Give a brief summary of the issue/inequality /impact</i> | <i>What is being suggested to mitigate for this. What is the rationale behind the suggestion?</i> | <i>Where does this suggestion come from? Have you consulted the characteristic(s) affected for solutions?</i> | <i>What evidence is there that the suggestion would solve the problem? How have you learned this? Has this been done elsewhere?</i> | <i>Within the financial envelope, how feasible is this solution? What are the cost implications? Could it indirectly affect anyone else? Can any other body help with the solution? If yes, how?</i> |
| 1 | A reduction in entitlement under the new CTS scheme may result in a decrease in household income/Council Tax collection rates | <ul style="list-style-type: none"> ○ A Discretionary Support Scheme will be available to financially assist <u>any</u> claimant with their Council Tax costs if they have been detrimentally affected by CTS where hardship can be demonstrated. ○ Claimants will be signposted to Welfare Support Groups such as Debt Advice, Help with Benefit Appeals, Support Funds, Citizens Advice etc ○ Help and advice on how to maximise income via benefits ○ The NDD rate of £5 & £10 per week will remain at that level, however no deduction will be applied under the default scheme where the non-dependant is unemployed. | Consultation | Discretionary Support would clear any Council Tax arrears where such an award is considered appropriate. | |
| 2 | Those in higher banded properties will be most affected by the proposed changes. | Many customers have found themselves in properties that are now larger than their needs as circumstances have changed over the years. They may not have sufficient means to pay the increased Council Tax charges and would be forced out of the former family home. Mitigations in place: | | CTS entitlement will be based on the household size and needs rather than the property value, with help targeted at those in lower banded properties particularly in the Council's | |

| Impact no. | Impact summary | Suggested mitigation and rationale | Source of suggestion | Evidence for solution | Feasibility |
|------------|---|---|---|---|---|
| | | <ul style="list-style-type: none"> ○ As above ○ Access to short term discretionary funds will be available in exceptional circumstances to assist customers during the transitional period. ○ Support is available from the Council for those who require help in selling their property. ○ Advice around moving house and the help that is available with those costs and taking in a lodger | <p>Consultation, On-line application.</p> <p>Existing web content.</p> <p>As above.</p> | <p>priority areas and those deemed to be most vulnerable.</p> <p>No other DWP benefit takes in to account the size of the property occupied and the differences in household bills, a flat rate is applied based on household and eligibility criteria.</p> <p>Discretionary Support would clear any Council Tax arrears where such an award is considered appropriate.</p> | <p>Discretionary Support level to be agreed by members, offset by Collection Fund and built in to cost of scheme</p> |
| 3 | <p>Disabled people could be disadvantaged by the scheme as they do not have the same options available to them to mitigate the changes.</p> | <p>A CTS award will no longer be subject to a Band Cap where a property has been substantially adapted to meet the needs of the disabled, their CTB is already calculated on one Band lower than what their property is placed in. This will continue under the new scheme and claimants in these types of properties will be identified and protected from any changes to the new scheme.</p> <p>No Non-Dependant Deduction will be applied where the claimant is in receipt of Disability</p> | <p>Existing CTB regulations.</p> | <p>There limited means available to increase income, move in to work or to a smaller property to cover an increase in Council Tax charges.</p> | <p>System parameters will allow claims to be calculated in this way. Numbers affected will not have any significant financial impact on the cost of the scheme.</p> |

| Impact no. | Impact summary | Suggested mitigation and rationale | Source of suggestion | Evidence for solution | Feasibility |
|------------|----------------|---|----------------------|-----------------------|-------------|
| | | Living Allowance irrespective of the number of residents. | | | |

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| <p>Please state if there are any additional comments or suggestions that could promote equalities in the future.</p> |
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Step 4: Conclusions and outcome

It is strongly recommended to engage with people with protected characteristics to sense-check your conclusions before you indicate an outcome in this EqlA. Including feedback from this engagement activity will ensure your baseline assessment and your impacts are accurate, and that your mitigating actions are helpful and the best use of resources. It ensures that the proposal has been designed so that it is fair as possible to everybody.

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| <p>If you have <u>not</u> undertaken any community engagement for this EqlA, please indicate this and explain why.</p> |
| <p>Full consultation carried out with all internal and external parties, stakeholders and affected persons</p> |
| <p>If there are impacts identified that cannot be mitigated against, are there any justifications for not taking any action to improve the negative impacts that have been identified?</p> |
| <p>Not applicable</p> |
| <p>Are there any adverse impacts that can be justified on the grounds of promoting equality of opportunity for one group, or for any other reason? Please state why.</p> |

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| None identified |
| Are there any other proposals or policies that you are aware of that could create a cumulative impact? This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else. |
| None identified |

Based on your equality impact analysis, please indicate the outcome of this EqIA.

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| Please indicate the outcome of the EqIA and provide justification and / or changes planned as required. | | |
| A. | No major barriers identified, and there are no major changes required – proceed. | <input checked="" type="checkbox"/> |
| B. | Adjustments to remove barriers, promote equality and / or mitigate impact have been identified and are required – proceed. | <input type="checkbox"/> |
| C. | Positive impact for one or more of the groups justified on the grounds of equality – proceed. | <input type="checkbox"/> |
| D. | Barriers and impact identified, however having considered available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice – proceed with caution, knowing that this policy or practice may favour some people less than others. Strong justification for this decision is required. | <input type="checkbox"/> |
| E. | This policy identifies actual or potential unlawful discrimination – stop and rethink. | <input type="checkbox"/> |
| Please describe briefly how this EqIA will be monitored. When will this be reviewed? What mitigating actions need to be implemented and when? | | |
| The Council Tax Support Scheme will be reviewed on an annual basis with community engagement where appropriate. Whilst a number of claimants will be affected by the transition, they do not necessarily fall into an equality group. Following consultation feedback, a full mitigation log was completed which identified all risks and options were available to mitigate financial hardship. | | |