

Equality Impact Assessment

Summary of decision to be made:	Changes to income assessment under Universal Credit for the Council Tax Reduction Scheme		
Lead Officer (job title):	Head of Policy and Governance		
Date the final decision is due to be made:	06/12/2017	Date this assessment commenced:	26/10/2017
Is the decision relevant to the aims of the Public Sector Equality Duty to:			
Eliminate discrimination, harassment and victimisation			Yes
Advance equality of opportunity			Yes
Foster good relations			Yes
Background:			
<p>The Council has operated a Council Tax Reduction Scheme since 1st April 2013. The Council has the ability to determine the level of council tax reduction for working-age applicants only.</p> <p>In 2016 the Council proposed changes to the scheme, and following a period of consultation and amendment, these were introduced from 1st April 2017. The EqIA conducted at the time highlighted that the options had the potential to impact claimants with protected characteristics, in particular disability, carers, age and sex. Claimant data is not collected for race, religion or belief, sexual orientation, gender reassignment, marital or civil partnership status, or pregnancy or maternity, as it is not relevant to the calculation of council tax reductions, so the Council has no evidence to indicate that working age people with these protected characteristics would be affected differently to claimants overall.</p> <p>Mitigations were proposed following the findings of potential impacts in 2016, in particular the impacts on females and claimants with disabilities. The council will need to assess the affect these mitigations have had, in particular the application and use of the Exceptional Hardship Scheme, and will collect data on this during 2017/18.</p> <p>This year, the council is considering further changes to the Council Tax Reduction Scheme, to be implemented in April 2018 to take account of Universal Credit changes.</p> <p>The council anticipates that the number of 'change of circumstance' changes, which is linked to the level of council tax reduction claimants receive, could increase from 2-4 changes per year, to 11-34 changes. This level of change could create uncertainty and confusion for claimants.</p> <p>The Council has therefore considered three options to mitigate the impacts of the introduction of Universal Credit on claimants in the Borough. The three options are briefly summarised as:</p> <p>Option 1 – Apply a fixed income period after a notified change (6 months, except where exceptional changes have taken place) Option 2 – Apply a tolerance to each change (approx.. +/- £3 paid benefit per week) Option 3 – Apply changes only when notified by the claimant</p>			
Scope of this equality impact assessment:			
<p>This EqIA does not consider the impact of Universal Credit on claimants in the borough of Tunbridge Wells. Universal Credit is a central Government scheme which the council is required to implement. An EqIA on Universal Credit was completed by the Government in November 2011, and can be found at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/220152/eia-universal-credit-wr2011.pdf.</p>			

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This EqIA considers the potential impact on the recommended options available to mitigate the impacts of the current Universal Credit scheme on those in receipt of council tax reduction.

A public consultation was conducted which proposed three options, and asked preferences in terms of the options. Diversity information gathered through the consultation was on sex, age, race/ethnicity and disability. Data was not collected for claimants regarding religion or belief, sexual orientation, gender reassignment, marital or civil partnership status, or pregnancy or maternity, as it is not relevant to the calculation of council tax reductions.

The public consultation asked current claimants of council tax reduction, as well as other members of the public, what their preferred option was. Respondents were given the opportunity to select more than one option, and were able to state 'unsure' about the options.

Of the three options proposed, option 1 was the most popular overall, followed by option 2 and then option 3.

Data and information:

A public consultation has also been conducted, with the results of this available as an appendix to the report. As the move to a Full Digital Universal Credit programme has yet to take place, there is no meaningful data available at this time to assess any impact ahead of the go live date in August 2018 .

Relevance to the three aims of the Public Sector Equality Duty:

The need to ensure that the scheme is not unlawfully discriminatory is relevant to the first aim of the duty to eliminate discrimination, harassment and victimisation

The need to consider how we can take steps to meet the needs of people with protected characteristics and whether people with disabilities may need to be treated more favourably, in how the scheme is designed, is relevant to the second aim of the duty to advance equality of opportunity.

The proposed service changes could also be relevant to fostering good relations with regard to maintaining the confidence and trust in the local authority by people with protected characteristics who may use our services.

For each of the following characteristics:	Summarise available data, statistics or consultation findings.	State how the proposal will impact on people.	What action will be taken to reduce or mitigate any potential negative impacts
Disability	<p>48 respondents to the public consultation declared they had a disability.</p> <p>The consultation data shows that option 1 was the most popular option for those with a disability, and that they were much more likely to express uncertainty about options 2 and 3 than those without a disability.</p>	<p>Those with a disability expressed much more uncertainty about options 2 and 3 than those without a disability.</p> <p>We do not have any further data in this area, however we do know that those with a disability are more likely to be in receipt of other benefits not included in</p>	<p>Option 1 has the potential to reduce the number of minor changes that would need to be reported to the council, although more significant changes would still need to be reported.</p> <p>It is recommended that the council monitor the impact of</p>

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	<p>Option 1 31.3% (“unsure” with disability) 27.7% (“unsure” without disability)</p> <p>Option 2 42.6% (‘unsure’ with disability) 26.2% (‘unsure’ without disability)</p> <p>Option 3 39.1% (‘unsure’ with disability) 18.8% (‘unsure’ without disability)</p>	<p>Universal Credit payments.</p> <p>Those in receipt of benefits have no control over Government changes to this type of income, and so may find it harder to predict the number of changes required to be reported in future years.</p> <p>As options 2 and 3 require a higher level of reporting on income changes, they may be more difficult for those with a disability to assess in terms of preference.</p>	<p>Universal Credit changes on those with disabilities, in particular the number of changes being reported compared to claimants without disabilities, and the number of exceptional changes being reported.</p>
Carers	Data was not gathered for this characteristic.	We have no evidence to indicate that working age claimants with a carer in the household would be affected differently to claimants overall.	It is recommended that the council monitor the impact of Universal Credit changes on claimants with a carer in the household, in particular the number of changes being reported compared to those without carers in the household, and the number of exceptional changes being reported.
Race	<p>There were a small number (5) of BME respondents to the consultation.</p> <p>The consultation data shows that option 1 was the most popular option for BME groups.</p> <p>For the majority of responses there were no significant differences between the BME respondents and</p>	<p>BME respondents were significantly less likely to be in favour of option 3, although the data set for these respondents was particularly small (5 out of a total of 123 respondents).</p> <p>We do not have any further information to assess whether/why option 3 may adversely impact BME groups</p>	<p>Option 1 was the most preferred option for BME groups and is the recommended option.</p> <p>There were no significant differences in responses to this option compared with white groups, therefore no further action is recommended for this characteristic.</p>

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	<p>white respondents, except for option 3, where significantly more BME respondents were not in favour of this option compared with white respondents.</p> <p>Option 3 43.9% ('no' white groups) 60.0% ('no' BME groups)</p>	<p>compared with white groups.</p>	
Sex	<p>There were 41 male responses and 78 female responses to the consultation, which may reflect the fact that females are significantly more likely to be in receipt of council tax reduction.</p> <p>Again, option 1 was the most preferred option for both male and female respondents, although option 2 received a very similar level of favourable responses from male respondents.</p> <p>Female respondents were more likely to express uncertainty regarding options 1 and 2 than male respondents.</p> <p>There was no significant difference in responses for option 3.</p> <p>Option 1 24.4% ('unsure' male) 37.2% ('unsure' female)</p> <p>Option 2 25.0% ('unsure' male) 43.6% ('unsure' female)</p>	<p>Females were more likely to express uncertainty regarding options 1 and 2.</p> <p>We do not have any further statistical information to assess why females may be more uncertain about options 1 and 2 than males.</p> <p>However comments to the consultation made by female respondents have highlighted some issues with option 1, which may indicate why females were more uncertain about this option than males.</p> <p>Option 1 Comments made by female respondents expressed concern about how the fixed periods in option 1 would be applied. In particular that six months might be too long a period, with the potential for arrears to be built up which would be difficult to pay off following the next review.</p> <p>One comment noted that those</p>	<p>Option 1 has the potential to reduce the number of minor changes that would need to be reported to the council, although more significant changes would still need to be reported.</p> <p>The way in which option 1 is implemented may have more of an impact on those working zero hours contracts, in particular if arrears are built up as a result of changes occurring in between assessment periods.</p> <p>The length of the proposed assessment period for option 1 may detrimentally impact females more than males because they are more likely to work zero hours contracts and report changes under Universal Credit.</p> <p>Claimants are required to notify the council of any changes to their circumstances, regardless of</p>

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		<p>on zero hours contracts in particular would be more detrimentally impacted by fixed periods.</p> <p>We know that nationally, females are more likely to work in zero hours contracts, because of the prevalence of use in industries with more female employees, such as the care industry, leisure and tourism.</p> <p>Option 2 Comments raised by female respondents expressed concern that this was generally a more confusing option than option 1.</p>	<p>any notifications received from DWP.</p> <p>The proposed policy option includes the ability for the council to apply changes notified by claimants to their level of council tax reduction immediately (without reference to a corresponding DWP change notification or waiting for a review period), which will help claimants to prevent unmanageable arrears building up.</p> <p>It is recommended that the council monitors the impact of Universal Credit changes on females, in particular the number of changes being reported compared with males, the number of exceptional changes being reported, and the level of arrears incurred between males and females.</p>
Age (also consider dementia)	<p>All age groups, apart from those over 75, preferred option 1.</p> <p>Those over 75 were most in favour of option 3, and were more uncertain about options 1 and 2 than any other age group. Option 3 was the least favoured option for all other age groups however.</p> <p>Those 55 to 64 years of age were much more likely to favour option 1 than any other age group.</p>	<p>As with BME groups, there was only a very small data set available from the consultation for those over 75 years (4 respondents).</p> <p>Those over 75 years did not make any comments on the options proposed, and we have no other data available, so we are unable to assess why those over 75 were more uncertain about options 1 and 2 compared</p>	<p>Option 1 has the potential to reduce the number of minor changes that would need to be reported to the council, although more significant changes would still need to be reported.</p> <p>There is no further data available, and no comments were made in the consultation regarding why those over 75 might be uncertain about</p>

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		<p>to option 3.</p> <p>One comment was made regarding option 3 which relates to those suffering mental health issues (which is relevant to dementia). The comment raised a concern that those with mental health issues may struggle to remember and notify the council of any changes in circumstance, and may find option 3 more confusing due to the likelihood of a greater number of changes needing to be reported.</p>	<p>options 1 or 2. Furthermore, as the proposed options do not affect claimants of pension age, there is no further action recommended for this characteristic.</p>
Religion / Belief	Data was not gathered for this characteristic.	We have no evidence to indicate that working age claimants would be affected differently, based on their religion or belief, to claimants overall.	We have not identified any impacts that need mitigation.
Sexual Orientation	Data was not gathered for this characteristic.	We have no evidence to indicate that working age claimants would be affected differently, based on their sexual orientation, to claimants overall.	We have not identified any impacts that need mitigation.
Pregnancy / Maternity	Data was not gathered for this characteristic.	We have no evidence to indicate that working age claimants would be affected differently, based on pregnancy/maternity, to claimants overall.	We have not identified any impacts that need mitigation.
Marital or Civil Partnership Status	Data was not gathered for this characteristic.	We have no evidence to indicate that working age claimants would be affected differently, based on their marital or civil partnership status, to claimants overall.	We have not identified any impacts that need mitigation.
Gender reassignment	Data was not gathered for this characteristic.	We have no evidence to indicate that working age claimants would be affected differently,	We have not identified any impacts that need mitigation.

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		based on gender reassignment, to claimants overall.		
Armed Forces Community	This is considered as part of the commitments within the Community Covenant. We did not collection data for this characteristic in the consultation	Armed forces personnel deployed on operations overseas, who normally pay council tax, benefit from a tax-free payment on the cost of council tax paid directly by the Ministry of Defence. Serving personnel and their families may be entitled to Universal Credit when the serving member is temporarily posted overseas. However, we have no evidence to indicate that Armed forces personnel would be adversely affected by the introduction of Option 1.		We have not identified any impacts that need mitigation.
Please tick the outcome of this assessment:	No impact	Adjust the policy ✓	Continue the policy	Stop and remove the policy
How will you summarise the impacts in the committee report:	All options will have an impact on working age claimants, including those with protected characteristics. Pension age claimants, who also have protected characteristics, will not be affected as they are protected from any changes by central government. This equality impact assessment has considered the consultation findings against the protected characteristics, where possible, and provided recommendations for the Council's preferred option (option 1). These should be taken into account when deciding whether the Council's preferred option is taken forward.			
When will you review this assessment:	We will monitor the impact of any changes on claimants with protected characteristics. We will provide reports to indicate whether the impacts are in line with our predictions or whether any further action may need to be taken to mitigate any impacts.			