

Southend on Sea Borough Council

Equality Impact Assessment Form - An Analysis of the Effects on Equality

Section 1: screening stage

Name of policy, service or strategy to be assessed:

- Localised Council Tax Support Policy 2013-14

1. What is the main purpose of the policy, service or strategy?

- To help people with low incomes to afford their Council Tax, in line with the Local Government Finance Bill.

2. What main areas or activities does it cover?

- Payment of Council Tax
- Discounting of Council Tax

3. Who are the main audience, users or customers who will be affected?

- Those liable for Council Tax within the borough.
- Adults on a low income with low savings
- Any authority that can levy a charge to contribute to Council Tax

4. What outcomes do you want to achieve from the policy, service or strategy?

- A fair and equitable scheme
- To maintain support for particularly vulnerable people within the constraints imposed by Government policy.

5. Are other service areas or partner agencies involved in delivery? If so, please give details below:

- All major precepting authorities in Essex, which are working together to devise the support scheme.
- CBC – Corporate Housing; Welfare Rights; Resource Management
- Department for Work and Pensions
- Department for Communities and Local Government

6. How does the policy, service or strategy help to further or facilitate to our `general duty'¹ to:

- (a) eliminate unlawful discrimination, harassment and victimisation?
- (b) advance equality of opportunity between people who share a `protected characteristic'² and those who do not?³
- (c) foster good relations between people who share a protected characteristic and those who do not?⁴

Please complete the following in order to identify how the policy, practice or strategy furthers the aim of the `general duty':

'Protected characteristic' group		How does it help to `eliminate unlawful discrimination, harassment and victimisation'?	How does it help to `advance equality of opportunity between people who share a protected characteristic and those who do not'?	How does it help to `foster good relations between those who share a protected characteristic and those who do not'?

¹ These 3 points summarise the `general duty' as it applies to public sector organisations in the Equality Act 2010

² The Equality Act's `protected characteristics' include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sex and sexual orientation. It also covers marriage and civil partnerships, but not for all aspects of the duty.

³ This involves having due regard, in particular, to the need to: (a) remove or minimise disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

⁴ This involves having due regard, in particular, to the need to (a) tackle prejudice, and (b) promote understanding.

'Protected characteristic' group		How does it help to 'eliminate unlawful discrimination, harassment and victimisation'?	How does it help to 'advance equality of opportunity between people who share a protected characteristic and those who do not'?	How does it help to 'foster good relations between those who share a protected characteristic and those who do not'?
Age	Older people (60+)	None identified	This group is protected in the policy, which follows specific Government Regulations. This helps to "advance equality of opportunity between people who share a protected characteristic and those who do not."	None identified
	Younger people (17-25) and children (0-16)	None identified	<p>Parents will continue to receive a child allowance and family premium as part of the calculation, which is consistent with the Council's duty to safeguard and promote the welfare of children. Working parents receive a higher disregard of their earnings to reflect their childcare costs.</p> <p>The above helps to "advance equality of opportunity between people who share a protected characteristic and those who do not."</p>	None identified

'Protected characteristic' group		How does it help to 'eliminate unlawful discrimination, harassment and victimisation'?	How does it help to 'advance equality of opportunity between people who share a protected characteristic and those who do not'?	How does it help to 'foster good relations between those who share a protected characteristic and those who do not'?
Disability	Physical	Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions who fall within this group. People with disabilities will continue to receive additional premiums as part of the calculation. Without these actions designed to protect this group the policy could potentially be discriminatory.	Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions who fall within this group. People with disabilities will continue to receive additional premiums as part of the calculation. The above helps to "advance equality of opportunity between people who share a protected characteristic and those who do not."	None identified
	Sensory	None identified	None identified	None identified
	Learning	None identified	None identified	None identified
	Mental health issues	None identified	None identified	None identified
	Other – <i>please specify</i>			
Ethnicity ⁵	White	None identified	None identified	None identified
	Black	None identified	None identified	None identified
	Chinese	None identified	None identified	None identified
	Mixed Ethnic Origin	None identified	None identified	None identified
	Gypsies/ Travellers	None identified	None identified	None identified
	Other – <i>please state</i>			
Language	English not first language	None identified	None identified	None identified

⁵ National Census 2011 categories are: Bangladeshi, Indian, Pakistani, Other Asian (Asian or Asian British), African, Caribbean, Other Black (Black or Black British), White and Black African, White and Asian, White and Black Caribbean (Mixed), British, Irish, Other White (White), Chinese, Other (Other Ethnic Group).

'Protected characteristic' group		How does it help to 'eliminate unlawful discrimination, harassment and victimisation'?	How does it help to 'advance equality of opportunity between people who share a protected characteristic and those who do not'?	How does it help to 'foster good relations between those who share a protected characteristic and those who do not'?
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	None identified	Parents will continue to receive a child allowance and family premium as part of the calculation, which is consistent with the Council's duty to safeguard and promote the welfare of children. Working parents receive a higher disregard of their earnings reflecting their childcare costs. The above helps to "advance equality of opportunity between people who share a protected characteristic and those who do not."	None identified
Religion or Belief	People with a religious belief (or none) ⁶	None identified	None identified	None identified
Sex	Men	None identified	None identified	None identified
	Women	None identified	None identified	None identified
	Transsexual / gender reassignment	None identified	None identified	None identified
Sexual Orientation	Lesbian, gay and bisexual	None identified	None identified	None identified
Marriage and Civil Partnership ⁷	People who are single, married or in a civil partnership	None identified	not applicable	not applicable

7. Are there any concerns that the policy, service or strategy could have a differential impact in terms of equality?

- Yes

⁶ For example, Buddhist, Christian, Hindu, Jewish, Muslim, Sikh or no religious belief.

⁷ Our legal duty in respect of 'marriage or civil partnership' extends only to the need to eliminate unlawful discrimination.

Please use the table below to indicate how the policy, service or strategy could have a positive or negative effect on any of the following equality groups (known under the Equality Act as 'protected characteristics'). Include reference to any consultation, data or information that you have used in making this assessment about positive or negative effects.

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
Age	Older people (60+)	X	This group is specifically protected under Government Regulations.		No impact specific to characteristic has been identified
	Younger people (17-25) and children (0-16)		No impact specific to characteristic has been identified	X	17 year olds may be disadvantaged indirectly if their parents have to pay more as a result of this policy. People over 18 of working age will be required to pay more.
Disability	Physical		No impact specific to characteristic has been identified	X	People with disabilities who are below pensionable age will need to pay more.
	Sensory		No impact specific to characteristic has been identified	X	People with disabilities who are below pensionable age will need to pay more
	Learning		No impact specific to characteristic has been identified	X	People with disabilities who are below pensionable age will need to pay more
	Mental health issues		No impact specific to characteristic has been identified	X	People with disabilities who are below pensionable age will need to pay more
	Other – <i>please specify</i>				
Ethnicity	White		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified
	Black		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified
	Chinese		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified
	Mixed Ethnic Origin		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
	Gypsies/ Travellers		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified
	Other – <i>please state</i>				
Language	English not first language		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified
Religion or Belief	People with a religious belief (or none)		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified
Sex	Men		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified
	Women		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified
	Transsexual / gender reassignment		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified
Sexual Orientation	Lesbian, gay and bisexual		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified
Marriage and Civil Partnership	People who are single, married or in a civil partnership		No impact specific to characteristic has been identified		No impact specific to characteristic has been identified

8. Could the policy, service or strategy unlawfully discriminate⁸ against any 'protected characteristic', either directly or indirectly?

Nothing has been identified at this stage to indicate unlawful discrimination.

⁸ The Council has a general duty to 'eliminate unlawful discrimination, harassment and victimisation'. Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their 'protected characteristic' whether on grounds of age, disability, pregnancy and maternity, ethnicity; religion or belief; sex (gender), sexual orientation, or marriage and civil partnership. Indirect discrimination occurs when an apparently neutral provision or practice would nevertheless disadvantage people on the grounds of their 'protected characteristic' unless the practice can be objectively justified by a legitimate aim.

9. If you have identified any negative impacts above, have you been able to minimise or remove them, and if so, how?

17 year olds may be disadvantaged indirectly if their parents have to pay more as a result of this policy.

Parents will continue to receive additional allowances, which is consistent with the Council's duty to safeguard and promote the welfare of children.

People over 18 of working age will be required to pay more.

The Council will continue to provide directly, or signpost to, information and advice on income maximisation.

People with disabilities who are below pensionable age will need to pay more.

Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions.

Additional comments:

- The policy has been specifically designed with safeguards for vulnerable people, particularly with regard to child poverty and disability. For example, parents will continue to receive additional allowances such as the earnings disregard in respect of childcare costs.
- The Council is considering additional ways in which to help and support people to pay their Council Tax.

Summary and findings of Initial Equality Impact Assessment – screening stage

10. Please indicate the relevant box to confirm your findings, and what the next step is:

Findings	Action required
No likely negative impacts have been identified and this has been justified with reference to consultation, data or information. <input type="checkbox"/>	Sign off screening and finish.
Likely negative impacts have been identified but have been minimised or removed. <input type="checkbox"/>	Sign off screening and finish.
Likely negative impacts were identified but have not been minimised or removed. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.
There is insufficient evidence to make a judgement.	Sign off screening and complete a full impact assessment – Section 2.

11. Name and job title of person completing this form:

Veronica Dewsbury

12. Date of completion:

29 November 2013

13. Date for update or review of this screening:

N/A

If you have identified any negative impact which and has not been minimised or removed, or if there is insufficient evidence - you must complete Section Two, Full Impact Assessment. The policy, service or strategy should not be implemented until the Full Impact Assessment has been completed and approved as it is potentially discriminatory.

Section 2: Full Equality Impact Assessment

Where there is a negative impact which has not been minimised or removed

14. If you have identified negative impact(s) on equality group(s) that have not been minimised or removed, can this be objectively justified by a legitimate aim⁹? If yes, state how:

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If a negative impact cannot be minimised or removed and cannot be objectively justified by a legitimate aim, the policy, service or strategy should not be implemented as it is potentially discriminatory.

Where there is insufficient evidence to make a judgement

If you identified that there was insufficient evidence to make a judgement on whether there was a negative impact on an equality group, please complete the first column of the Action Plan below.

Engagement and Consultation Action Plan

Note: Information about the policy will be communicated widely through: the Council's bi-monthly newsletter "In Brief"; regular updates to Council webpages; various briefings delivered to interested parties; and through a Communication Plan on publicity and engagement.

		Details of Planned Engagement	Date for Review	Summary of findings
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⁹ For example, a negative equality impacts may sometimes be 'objectively justified by a legitimate aim' where the policy is specifically designed to meet the aims of the 'general duty' for those people with a specific protected characteristic.

		Details of Planned Engagement	Date for Review	Summary of findings
Age	Older people (60+)	Essex-wide consultation has taken place with all groups during July, August and September 2012. The results will use equality analysis to help identify impacts on specific groups or 'protected characteristics'.	Sept 2012	
	Younger people (17-25) and children (0-16)	As above	Sept 2012	
Disability	Physical	As above	Sept 2012	
	Sensory	As above	Sept 2012	
	Learning	As above	Sept 2012	
	Mental health issues	As above	Sept 2012	
	Other – <i>please specify</i>			
Ethnicity	White	As above	Sept 2012	
	Black	As above	Sept 2012	
	Chinese	As above	Sept 2012	
	Mixed Ethnic Origin	As above	Sept 2012	
	Gypsies/ Travellers	As above	Sept 2012	
	Other – <i>please state</i>			
Language	English not first language	As above	Sept 2012	
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	As above	Sept 2012	
Religion or Belief	People with a religious belief (or none)	As above	Sept 2012	
Sex	Men	As above	Sept 2012	
	Women	As above		
	Transsexual / gender reassignment	As above	Sept 2012	
Sexual Orientation	Lesbian, gay and bisexual	As above	Sept 2012	

		Details of Planned Engagement	Date for Review	Summary of findings
Marriage and Civil Partnership	People who are single, married or in a civil partnership	As above	Sept 2012	

If you confirmed in question 8 above that this policy could be discriminatory against a 'protected characteristic', you should not implement the policy.

Otherwise, you may implement the policy, taking care to review its impact based on planned engagement. The Review should be carried out within 6 months from the date of this Full Impact Assessment, at which point a further Review may or may not be required depending on whether you have collected sufficient evidence.

Summary and findings of Full Equality Impact Assessment

15. Please put a tick in the relevant box to confirm your findings, and what the next step is:

Findings	Action required
Likely negative impacts have been identified but are considered to be objectively justified by a legitimate aim. <input type="checkbox"/>	Sign off and finish.
Planned engagement with equality target groups will take place in order to gain sufficient evidence to make a judgement on impact. <input type="checkbox"/>	Sign off and review within 6 months.
The policy could be discriminatory and will not be implemented. <input type="checkbox"/>	Finish without signing off.

16. Name and job title of person completing this form:

- Veronica Dewsbury

17. Date of completion:

- 29 November 2013

18. Date for update or review of this screening:

- January 2014

If you have now signed off this full assessment, please send a copy to the relevant Head of Service and the Equality and Diversity Officer. You also need to arrange for it to be published on the Council's website [here](#) – under the relevant service area heading.

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