

## Equality Impact Assessment

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

**Baroness Thornton, March 2010**

**What are you completing the Impact Assessment on (which policy, service, MTFP reference etc)?**

Revisions to the Council Tax Reduction Scheme from April 2023

**Version**

1

**Date**

16.12.2022

### **Section 1 – Description** of what is being impact assessed

Section 13A (2) of the Local Government Finance Act 1992 requires the Council as the billing authority to make a localised Council Tax Reduction Scheme in accordance with Section 1A of the act.

In April 2013 Council Tax Benefit was replaced by a new Council Tax Reduction scheme.

Council Tax Benefit had been funded by the Department for Work and Pensions and supported people on low incomes by reducing the amount of Council Tax they have to pay.

The Council Tax Reduction scheme is determined locally by District Councils rather than the Department of Work and Pensions. Although the Government initially provided funding for the scheme, the funding has reduced each year in line with the reduction in Revenue Support Grant provided to councils. From 2020 no funding will be provided for the scheme.

Universal Credit is replacing legacy benefits such as Income Support, Tax Credits and Housing Benefit. Universal Credit has increased the workload for local authorities, revenues and benefits departments. Nationally local authorities have developed a new income banded scheme to make administering Council Tax Support easier for themselves and the customer.

A separate Central Government scheme is retained for people of pension age so the new changes will only affect working age residents.

Mid Devon District Council along with other Devon Billing Authorities introduced a scheme using Income Bands from 01 April 2020.

The following changes are being recommended effective 1<sup>st</sup> April 2023;

An increase to the maximum reduction from 85 to 100%

Disregard the housing element of Universal Credit

Increase the income bands by inflation (each year)

Any income from welfare provision be disregarded

**Section 2A** – People or communities that are **targeted or could be affected** (taking particular note of the Protected Characteristic listed in action table)

The scheme works across the community, however it does look at working age people who are on a low income with those most in need having a rebate of 100% of their Council Tax liability.

Pension age customers will not be affected by the change other than that increased pension payments will take some out of scope. This is a Government scheme as opposed to local.

**Section 2B** – People who are **delivering** the policy or service

The scheme will be delivered by the Revenues and Benefits Service.

**Section 3** – **Evidence and data** used for the assessment (Attach documents where appropriate)

**Proposal 1 – To increase the maximum reduction from 85% to 100% for applicants of working age in the lowest income band**

At present there are 1265 working age Council Tax Reduction claims which will be affected by the change to the income bands from 85 to 100%  
The proposal will also affect any new working age applications from April 2023 onwards.

**Proposal 2 – to disregard the housing element of Universal Credit**

We currently disregard housing benefit from the rebate calculation; disregarding the housing element of Universal Credit will ensure equality for our claimants.

**Proposal 3 – to increase income bands by inflation each year**

To ensure that rebate matches inflation year on year

**Proposal 4 – any income from welfare provision to be disregarded**

Will proof us against Central Government schemes for example the test and trace payments administered during the COVID pandemic and the cost of living payments currently being paid.

**Section 4 – Conclusions** drawn about the equalities impact (positive or negative) of the proposed change or new service/policy

The Revenues and Benefits Service constantly monitors the issues affecting customers in receipt of Council Tax Reduction (CTR). The proposed revisions to the banded scheme though increasing our costs to administer by approximately £56,000 (11% of the actual cost the majority of the cost will be borne by County) will have the following positive impact on the community;

Those least able to pay will now no longer have to from April 2023; unless they have historic arrears.

Expanded income bands will benefit every claimant in receipt of Council Tax Rebate

Disregarding the housing element of Universal Credit will align these claimants income disregard with those currently in receipt of housing benefit.

Streamlining enforcement with reduced Bill, Reminders Enforcement and prosecution.

Reduced bills for all those who qualify for Council Tax Rebate will increase propensity to pay as bill will be more manageable

Staff able to focus on collection of debt from those who are more able to pay.

681 pensioner claimants will lose Council Tax Rebate however this is a result of the Government run scheme rather than a local decision.

Changes will align us with our neighbouring Districts.

Identified issue drawn from your conclusions	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?
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**Age**

<p>Working age customers suffer disproportionately due to the requirement to protect pensioners from financial loss.</p> <p>This could drive working age people out of the area because of the increased burden arising from Devon having a higher number of pensioners than other parts of the UK.</p> <p>Working age customers in Devon are already disadvantaged by low wages and seasonal work, rurality and poor ICT connectivity.</p>	<p>The revised scheme is supplemented by a hardship relief policy. Those adversely affected by the changes can apply for additional help.</p>	<p>The revised scheme will be monitored and treated as work in progress. Managers will have regular discussions to make sure any issues are flagged and worked through.</p>	<p>The level of rebate paid, will be tracked and closely monitored by all officers and managers. Reactive corrections will take place as and when required.</p>
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**Disability**

<p>Schemes must have regard to their statutory duties under The Disabled Persons (Services, Consultation and Representation) Act 1986, and Chronically Sick and Disabled Persons Act 1970, which include a range of duties relating to the welfare needs of disabled people.</p> <p>The revised CTR scheme as part of our ongoing commitment to support disabled people will disregard Carer’s Allowance and the support element of Employment Support Allowance as well as continuing to disregard Disability Living Allowance,</p>			
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<p>Personal Independence Payments and War Disablement Payments.</p>	<p>The revised Banded Scheme is supplemented by a Hardship Relief policy.</p>	<p>The revised banding Scheme will be monitored and treated as work in progress. Managers will discuss on a regular basis to make sure all issues are flagged and worked through</p>	<p>Issues and resolutions will be tracked and closely monitored by all officers and managers. Reactive corrections will take place as and when or if required.</p>
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**Gender Reassignment**

<p>The Banded Scheme works on the basis of “working age” people not gender.</p> <p>There are no known equality issues within this group</p>	<p>The revised Banded Scheme is supplemented by a Hardship Relief policy. Should some see an adverse effect that cannot be managed they can apply for additional help.</p>	<p>The revised Band Scheme will be monitored and treated as work in progress. Managers will discuss on a regular basis to make sure all issues are flagged and worked through.</p>	<p>Issues and resolutions will be tracked and closely monitored by all officers and managers. Reactive corrections will take place as and when or if required.</p>
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**Marriage and Civil Partnership**

<p>No issues identified</p>	<p>The revised Banded Scheme is supplemented by a Hardship Relief policy. Should some see an adverse effect that cannot be managed they can apply for additional help.</p>	<p>The revised Band Scheme will be monitored and treated as work in progress. Managers will discuss on a regular basis to make sure all issues are flagged and worked through.</p>	<p>Issues and resolutions will be tracked and closely monitored by all officers and managers. Reactive corrections will take place as and when or if required.</p>
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<b>Pregnancy and Maternity</b>			
No issues identified.	The revised Banded Scheme is supplemented by a Hardship Relief policy. Should some see an adverse effect that cannot be managed they can apply for additional help.	The revised Band Scheme will be monitored and treated as work in progress. Managers will discuss on a regular basis to make sure all issues are flagged and worked through.	Issues and resolutions will be tracked and closely monitored by all officers and managers. Reactive corrections will take place as and when or if required.
<b>Race</b>			
Whilst information is held on 'race' the scheme looks at income only.  No issues identified	The revised scheme will be monitored and concerns are raised the policy will be corrected as required.	The revised Band Scheme will be monitored and treated as work in progress. Managers will discuss on a regular basis to make sure all issues are flagged and worked through.	Issues and resolutions will be tracked and closely monitored by all officers and managers. Reactive corrections will take place as and when or if required.
<b>Religion and Belief</b>			
We do not hold details of religion or belief. The scheme is an income/household based reduction and so will not treat people of different religion or belief differently.	The revised Banded Scheme is supplemented by a Hardship Relief policy. Should some see an adverse effect that cannot be managed they can apply for additional help.	The revised Band Scheme will be monitored and treated as work in progress. Managers will discuss on a regular basis to make sure all issues are flagged and worked through.	Issues and resolutions will be tracked and closely monitored by all officers and managers. Reactive corrections will take place as and when or if required.
<b>Sex</b>			

Same as race question?			
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**Sexual Orientation**

We do not hold details of sexual orientation. The scheme is an income/household based reduction.	The revised Banded Scheme is supplemented by a Hardship Relief policy. Should some see an adverse effect that cannot be managed they can apply for additional help.	The revised Band Scheme will be monitored and treated as work in progress. Managers will discuss on a regular basis to make sure all issues are flagged and worked through.	Issues and resolutions will be tracked and closely monitored by all officers and managers. Reactive corrections will take place as and when
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<b>Other</b> (including caring responsibilities, rurality, low income, Military Status etc)			
<p><b>Rurality</b></p> <p>The proposed changes will not have any impact on those customers living in rural areas in comparison with those living in towns.</p>	<p>The revised Banded Scheme is supplemented by a Hardship Relief policy. Should some see an adverse effect that cannot be managed they can apply for additional help.</p> <p>Issues with regards connectivity can be overcome by a home visit. Customers can also call Customer Services or Revenues and Benefits</p>	<p>The revised Band Scheme will be monitored and treated as work in progress. Managers will discuss on a regular basis to make sure all issues are flagged and worked through.</p> <p>Any issues raised will be reviewed and a way forward discussed on a case by case basis.</p>	<p>Issues and resolutions will be tracked and closely monitored by all officers and managers. Reactive corrections will take place as and when or if required.</p>

**Section 6** - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment?

General publicity via the website, social media channels, individual letters to those existing customers affected and face-to-face with customers on a case by case basis. We are also engaging with local agencies such as CHAT and Citizen's Advice.

<b>Completed by:</b>	Revenues & Benefits Leadership
<b>Date</b>	16/12/2022
<b>Signed off by:</b>	Fiona Keyes
<b>Date</b>	16/12/2022
<b>Compliance sign off Date</b>	
<b>To be reviewed by:</b> (officer name)	
<b>Review date:</b>	