

Equality Impact Assessment

Equality Impact Assessments will be carried out whenever you plan, change or remove a service, strategy, policy, project or function. Equality impact assessments can help to achieve the following:

- increased participation with customers
- more transparency in policy and service development
- a more proactive approach to the promotion of equality
- prioritise expenditure in an efficient and fair way
- make decisions that are justified, evidenced and relevant

Impact assessments should be carried out as soon as a relevant new strategy, policy, function, project, plan or procedure is considered. It should be an integral part of policy development.

The purpose of an EQIA is to assess and record the potential impact of a service, strategy, policy, project or function on residents and staff. It can help us to deliver excellent services by making sure that these reflect the needs of the community. The process involves anticipating the potential positive and negative consequences (impacts) and putting plans in place to make sure that any negative impacts are eliminated or minimised, and that any opportunities for promoting equality are maximised.

What do we mean by 'impact'?

The assessment looks at two possible impacts:

- a) **negative, adverse or unhelpful impact, effect or limitation** – this is where the impact could disadvantage one or more of the protected groups. The impact may be differential, i.e. the negative impact on one particular group is greater than on another. Negative impacts may be unintentional; they may also be unlawful.

- b) **positive or helpful impact or effect** – this is where the impact has a positive effect on one or more of the protected groups, and/or where the impact improves relations between groups or improves equal opportunities. The positive impact may also be differential, i.e. the effect on one particular group is greater than on another. Please bear in mind that we are always allowed to treat disabled people more favourably than other groups.

The '**protected characteristics**' are:

Age – a person belonging to a particular age (eg. 18 year olds) or a range of ages (e.g. 18 – 30 year olds).

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

Gender reassignment – the process of transitioning from one gender to another.

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'. 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 or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race – refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins.

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

Sex – 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.

Other characteristics important to Test Valley:

Socio-economic – overall the borough is not deprived, but there are areas where there are high levels of deprivation, economic inactivity and low education achievement.

Rural isolation – Test Valley is a rural area and this can affect access to services and some people's ability to take advantage of opportunities available.

Key points to remember:

- Don't do it on your own!
- EQIAs are supposed to be challenging but not over-complicated
- Use common sense and be proportionate
- Look at the strategy, policy, function, project, plan or procedure from the perspective of the person/people affected by it.
- Lack of data is not a reason to halt or not complete the process - find out if research or data already exists, or consult directly with representatives of relevant groups or specialist organisations.
- The process isn't a 'last minute check' - develop plans that include time to make changes to a project, strategy or policy as identified by the EQIA.
- Know your customers, their needs and the barriers they face
- Avoid focusing on one issue or protected groups; look at the demographics of your area and your service users
- Remember to look for the positive as well as the negative
- EQIA should be part of the development process – don't leave it until the Committee report deadline

Equality Impact Assessment

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| Service: | | Revenues |
| Officer(s) completing the assessment: | | Janice Broomfield |
| Date: | | 3 May 2018 |
| Name of service, strategy, policy, project or function being assessed: | | Discretionary Housing Payment Policy |
| 1. | What are the aims, objectives, outcomes, purpose of the service, strategy, policy, project or function that you are assessing? | To provide additional support of a discretionary payment where the customer has a shortfall between the Housing Benefit award (or the Housing Element of Universal Credit) and the rent they must pay. |
| 2. | Who implements or delivers the service, strategy, policy, project or function? State if this is delivered by more than one service or team, including any external partners. | The Revenues Service |
| 3. | Who will be affected by the service, strategy, policy, project or function? | People receiving Housing Benefit or the Housing element of Universal Credit |
| 4. | What are the likely positive impacts for the protected groups (see above)? Are any particular groups more affected and why? | |
| 5. | What are the likely negative impacts for the protected groups (see above)? Are any particular groups affected more and why? | Age – less awards were made to the under 25 group; this is mainly in respect of claimants not supplying the required evidence or not being entitled to receive any assistance. Disability – less awards were made to disabled people last year. This group is protected from some of the welfare reforms and receive additional disability benefits to assist with their increased living costs. |

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| 6. | What consultation and engagement has taken place (or is planned) with the affected groups and other interested parties? | The Discretionary Housing Payment Policy is widely published and presentations have been given to the Private Landlords Forum and at various Housing Association and Partnership Meetings. |
| 7. | What plans do you have in place, or are developing, to mitigate the likely negative impacts, i.e. how will you reduce the impact on the protected groups? | <p>The funding for Discretionary Housing Payments is limited and in 2017/18 the Council spent considerably more than the budget allocation. The number of awards reduced from 213 in 2016/17 to 205 in 2017/18, a reduction of less than 4%.</p> <p>The Council declined 94 awards (31%) in 2017/18; in the previous year 88 awards (29%) were declined.</p> <p>The Council is in line with many other Local Authorities in taking income such as Disability Living Allowance and Personal Independence Payment into account when assessing a customer's ability to meet their rent shortfall. There are no blanket policies for specific groups and each case is assessed and awarded depending on the individual circumstances.</p> <p>The existing policy will be reviewed in light of the new Homelessness Reduction Act.</p> <p>The Council will continue to monitor the level of claims and undertake a further impact assessment at the end of 2018/19.</p> |

8. Please summarise or provide links to the information, data, research used in this assessment

Funding for the Discretionary Housing Payment scheme is provided by the Department for Work and Pensions (DWP)

| Discretionary Housing Payments Funding vs Spend for Test Valley Residents | | |
|--|----------------|------------|
| Year | DWP Allocation | TVBC Spend |
| 2012/13 | £46,565 | £32,549 |
| 2013/14 | £114,626 | £119,098 |
| 2014/15 | £153,462 | £153,986 |
| 2015/16 | £127,431 | £95,840 |
| 2016/17 | £150,378 | £186,368 |
| 2017/18 | £210,577 | £237,377 |

The Council has significantly exceeded the allocated amount for the last two financial years.

For 2017/18 there were 205 awards of Discretionary Housing Payments and 94 claims were declined. These claims are split into the following groups:

| Characteristic | Group | Number Awarded | Number Declined | Percentage Awarded | Percentage Declined |
|----------------|----------|----------------|-----------------|--------------------|---------------------|
| Age | Under 25 | 20 | 15 | 10% | 16% |
| | 25 to 59 | 177 | 72 | 86% | 77% |
| | 60 plus | 8 | 7 | 4% | 7% |
| Marital Status | Single | 175 | 78 | 85% | 83% |
| | Married | 10 | 6 | 5% | 6% |
| | Couple | 20 | 10 | 10% | 11% |
| Nationality | British | 203 | 94 | 99% | 100% |
| | EU | 1 | 0 | 0.5% | |
| | Other | 1 | 0 | 0.5% | |
| Sex | Male | 49 | 22 | 24% | 23% |
| | Female | 156 | 72 | 76% | 77% |
| Disability | Yes | 17 | 18 | 8% | 19% |
| | No | 188 | 76 | 92% | 81% |

Summary of findings:

Age – When considering this characteristic the number of awards made compared to those refused is slightly less in the over 60 group but the percentage is not significant as the number of applications are very low.

The number of awards made compared to those refused is considerably less for the under 25 group. This was not the case for the previous year so a further analysis of the cases has been undertaken. The reasons for refusal are as follows:

| Reason | Number |
|---|---------------|
| Not eligible for an award | 5 |
| Information not provided to support application | 5 |
| Income exceeds expenditure and no rent arrears | 3 |
| Rent account in credit | 1 |
| Two previous lump sum awards | 1 |

This shows a very small number refused due to an income and expenditure assessment and I am satisfied that there has been no negative impact on this particular group.

Marital Status - When considering this characteristic the number of awards made compared to those refused show no positive or negative impact.

Nationality - When considering this characteristic the number of awards made compared to those refused show no positive or negative impact. The rules regarding claiming benefit means the number of claims from people coming from abroad is low and this is why very few claims for Discretionary Housing Payments are received from nationalities that are not British.

Sex – When considering this characteristic the number of awards made compared to those refused show no positive or negative impact.

Disability - When considering this characteristic the number of awards made to disabled people is 11% lower when compared to those refused. This does show a negative impact on this group and is similar to last year where a negative impact of 9.5% was recorded for this group. The negative impact can be attributed to the fact that disabled people protected from some of the welfare reforms and often have additional disability benefits to assist with their more complex needs.

All income and expenditure is taken into account when assessing entitlement for Discretionary Housing Payments and cases where it is felt they can afford to meet their rent shortfall will not qualify for an award.

No other protected characteristics are collected or recorded as these are not relevant to a claim for Housing Benefit.

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| What course of action does this EQIA suggest that you take? (tick one of the following options) | |
| Outcome 1: No major change required The EQIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken. | ✓ |
| Outcome 2: Adjust the policy to remove barriers identified by the EQIA or better promote equality. Are you satisfied that the policy adjustments will remove the barriers identified? | |
| Outcome 3: Continue the policy despite potential for adverse impact or missed opportunities to promote equality identified. You should ensure that the EQIA clearly sets out the justifications for continuing with the policy. You should consider whether there are sufficient plans to reduce negative impact and/or plans to monitor the actual impact | |
| Outcome 4: Stop and rethink the policy when the EQIA shows actual or potential unlawful discrimination | |
| Summary of your proposals – copy and paste into any report for Cabinet, Council or General Purposes Committee | |
| What are the key impacts – positive and negative? | |
| What course of action are you advising as a result of this EQIA? | |
| Are there any particular groups affected more than others? | |
| No major change to the policy is required, minor amendments will be made to bring this up to date with latest Legislation and guidance. The Council will continue to monitor the impact on particular groups. | |

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| Head of Service sign off (name): Janice Broomfield |  |
| Date: | 03/05/2018 |
| Comments or any action required: Ongoing monitoring is essential | |