

Equality Impact Analysis

Assessment Proforma

EIA
Title:

Local Council Tax Reduction Scheme

- 1.0 The public sector equality duty (2011) covers the following eight **protected characteristics**:

Age, disability, ethnicity, religion or belief, sex, sexual orientation, gender reassignment, pregnancy and maternity.

The duty also covers marriage and civil partnership, but only relating to the elimination of unlawful discrimination (see below, 2.0).

- 1.1 SLDC includes “**rurality**” and “**socio-economic disadvantage**” as additional categories in its equality impact assessments. Although socio-economic status and rurality are not recognised protected characteristics under the Equality Act, people on low incomes or in rural isolation are highly likely to be affected by services that are intended to support vulnerable people.
- 2.0 **The General Equality Duty.**
SLDC, in the exercise of its functions, should:
- a. **Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.**
 - b. **Advance equality of opportunity between people who share a protected characteristic and those who do not.**
 - c. **Foster good relations between people who share a protected characteristic and those who do not.**



Step 1

Summarise the subject and expected outcomes of this EIA.

The government's Welfare Reform Act abolished Council Tax Benefit from 1st April 2013 when it was replaced by the local Council Tax Reduction Scheme. The Council introduced the government's default scheme in April 2013 which has remained largely unchanged since except for annual up-rating of allowances and discounts in accordance with Department of Work and Pensions circulars.

The cost of the local scheme was funded by reducing existing Council Tax discounts on second homes from 10% to 0%,

The council also reduced or remove some other Council Tax discounts:

- The Council Tax discount on dwellings that have been empty for more than 6 months was reduced from 50% to 0%.
- A Council Tax premium of 50% is applied to dwellings which have been empty for more than 2 years, subject to any statutory or local exemptions which may be applied.

South Lakeland District Council needs to annually review its Council Tax Reduction Scheme. Any proposed changes must be fully consulted on as well as alternative options to funding changes. If changes are made to the scheme it will be necessary to assess changes to evaluate the impact on people who are vulnerable. The DCLG have defined vulnerable households as those with a carer, children aged less than 5 years or those with a disability. Protections would need to be considered and a scheme with multiple protected groups also results in a scheme that is more complex to administer and for customers to understand.

It has been recommended that Council makes minor changes to Council Tax discounts to take effect from 1st April 2020 to reflect the annual uprating of allowances and discounts and to implement the Council Tax Reduction Scheme (Prescribed Requirements)(England)(Amendments) Regulations 2020. This requires Councils to disregard income from:

- certain charitable funds, such as Grenfell Tower Residents funds,
- parental bereavement leave and pay
- Windrush compensation scheme

The definition of couples has been extended to "as if they were a married couple or civil partners" and there is an update to terminology around shared parental leave. As this is a statutory change to introduce regulations passed on 13th January 2020 and for which the Government has not produced an impact assessment as no impact on the private or voluntary sectors is foreseen the Council has not consulted on these changes.

The local arrangements for fully disregarding War widow's pensions, war disablement pensions and Armed Forces Compensation payments remain in the calculation of income for the scheme.

The Council's scheme will still not reflect the changes announced in the Budgets of July 2015 or March 2016 which would adversely affected some of our resident's entitlements to support, namely:-

- o Removal of Family Premium for new claims
- o Reduction of backdating period from 6 months to 1 month
- o Freezing of Applicable amounts within Housing Benefit until 2020/21
- o Withdrawal of Council Tax Reduction where a person leaves the Great Britain for 4 weeks or more

- o Limiting the number of dependants additions to a maximum of 2 (This will apply to all Housing Benefit cases with effect from 1st April 2017)
- o Removal of the Employment & Support Allowance Work Related Activity Component
- o Phasing in of European migrants access to benefits

The council have identified vulnerable groups (other than pensioners) who will be protected i.e. their Council Tax liability will not increase. A vulnerable group could be working age claimants with a severe disability for example.

The default scheme broadly achieves the same impact on claimants under the current scheme as under Council Tax Benefit.

Who are your main stakeholders and list any engagement undertaken (include surveys, feedback forms, complaints, statistics etc.).

The below data is the most up-to-date available at District level. Data is not available to breakdown population statistics for all Protected Characteristics.

Population - In mid-2018 South Lakeland's total resident population was estimated to be 104,500. Over the last five years the population of the district has increased by 900 residents. In 2018 18.5 million visitors came to South Lakeland.

Age

In mid-2018 it was estimated that 13.7% of the population of South Lakeland are aged 0-14 years of age, 58.2 % are 15-64 years of age, and 28 % are aged over 65.

Children and young people

It is projected that numbers of 0-14 year olds in South Lakeland will decrease from 14,200 in 2018 to 12,500 in 2041, a fall of 12.0%.

Working age

In South Lakeland the number of 15-64 year olds are projected to decrease by 8,400 (-14%) between 2018 and 2041. South Lakeland has the lowest proportion of young and working age people in the county and both are in decline. Since mid-2007 the greatest percentage decrease occurred in the 30-44 age groups (-23.9%).

Older people

In South Lakeland numbers of residents aged 65+ are projected to increase by 8,300 persons (+28.4%) to 2041. Since mid-2007 the greatest percentage increase occurred in the 90+ age group (+140%).

Disability

18.8% of the population have a long-term health problem or disability, while 4.6% describe their general health as bad or very bad.

Race

95.6% of South Lakeland residents are White British, 2.8% are White Other, 0.6% are mixed race, 0.8% are Asian, 0.2% are Black, and 0.1% are from other ethnic groups.

Of Cumbria's six districts, South Lakeland has the second highest proportion of residents from BAME groups (4.4%).

Religion and Belief

68% of residents are Christian, 23% have no religion. 0.4% are Buddhist, 0.2% are Muslim, 0.1% are Hindu, 0.1% are Jewish and 0.4% are members of other religions.

Gender

49% of residents are male, 51% are female.

There is a gender pay imbalance in South Lakeland, the median gross weekly earnings of a male in full time employment is £579, whereas for a female in full time employment the figure is £479.

In 2011-12, 6,200 households in South Lakeland were in receipt of CTB: of these 3,500 were pensioner households. There are over 52,000 households in total in South Lakeland.

Consultation commenced on 22nd August 2012 and ended on 31st October 2012. Over 11,000 Council Taxpayers who potentially could be affected by a range of changes were contacted directly including all those on Council Tax Benefit, second home owners and owners of vacant properties.

In addition the council directly contacted those groups on its database who fall under the government's equality "protected characteristics" designation, including a one to one meeting with

AWAZ (a Cumbria wide black and minority ethnic organisation).

Total Number of Respondents – 3,483

Profile of respondents

Age

Under 16	0%
17-25	0.60%
26-35	2.53%
36-50	12.75%
51-65	33.42%
66-80	34.45%
Over 80	14.15%
Not Answered	2.10%

Male - 1793

Female - 1636

Long standing disability or infirmity – **970 (28.85% of the total)**

At the end of December 2019 there were 4,618 claimants of which 2,273 (49%) were of pension age and 2,345 (51%) were working age. The average amount of reduction awarded to pension age claimants is slightly higher at £1,146 per year compared to £1,082 per year for working age claimants.

Step 2

Equality Action Plan

<p>In providing this service, what are the impacts for the following people?</p> <ol style="list-style-type: none"> 1. Age (young and old) 2. Black and Minority Ethnic 3. Disabled 4. Faith/Belief 5. Sexual Orientation 6. Gender 7. Gender reassignment 8. Pregnancy and maternity 9. Marriage and Civil Partnership 10. Socio-economic disadvantage (including rural deprivation, 'rurality') <p>(See glossary below for definitions)</p>	<p>Positive impacts</p>	<p>Negative impacts</p>	<p>Mitigating actions (to avoid negative impact):</p>	<p>Lead Officer & When</p>	<p>Complete Y/N</p>
<p>1: Age</p>	<p>People of all ages will not be subject to change under the proposed changes</p>	<p>.</p>	<p>None: there is a Government requirement to protect pensioners – the Council has chosen to protect Council tax payers of all age by retaining the default scheme</p>		
<p>3. Disabled In this instance a person is defined as disabled if they are in receipt of Disability Living Allowance or a Personal Independence Payment</p>	<p>Disability benefit income is disregarded in full when calculating entitlement. Higher allowances are awarded when calculating support for those receiving disability benefits.</p>		<p>The Council tax banding system reduces the banding of qualifying properties. Persons defined as "Severely Mentally Impaired" are exempt from payment of Council Tax so the reduction scheme is not applicable. If they are the only resident at a property then the whole property is exempt.</p>		

<p>In providing this service, what are the impacts for the following people?</p> <ol style="list-style-type: none"> 1. Age (young and old) 2. Black and Minority Ethnic 3. Disabled 4. Faith/Belief 5. Sexual Orientation 6. Gender 7. Gender reassignment 8. Pregnancy and maternity 9. Marriage and Civil Partnership 10. Socio-economic disadvantage (including rural deprivation, 'rurality') <p>(See glossary below for definitions)</p>	<p>Positive impacts</p>	<p>Negative impacts</p>	<p>Mitigating actions (to avoid negative impact):</p>	<p>Lead Officer & When</p>	<p>Complete Y/N</p>
<p>8. Pregnancy and maternity</p>	<p>Higher allowances are awarded in the calculation of support for carers. The scheme builds in additional premiums for existing claims where there are children and has not implemented changes to reduce this to only 2 children</p>				
<p>Black and Minority Ethnic, Faith/Belief, Sexual Orientation, Gender, Gender reassignment, Marriage and Civil Partnership, Socio-economic disadvantage (including rural deprivation, 'rurality')</p>	<p>The scheme does not treat people of these characteristics any differently.</p>				

Step 3

Examples of good equality practice you have put in place (For example, all venues used are accessible for people with mobility, hearing and sight impairments)

The Council is under no legal obligation to offer a Council Tax Reduction Scheme for Working Age residents. Therefore in theory it could reduce the amount of support offered this group from 100% to any figure it chose including having a full charge irrespective of income. All Cumbrian Local Authorities continue have a zero charge for this group.

The Council's scheme does not reflect the changes announced in the Budgets of July 2015 or March 2016 which would adversely affected some of our resident's entitlements to support.

Namely:-

- o Removal of Family Premium for new claims
- o Reduction of backdating period from 6 months to 1 month
- o Freezing of Applicable amounts within Housing Benefit until 2020/21
- o Withdrawal of Council Tax Reduction where a person leaves the Great Britain for 4 weeks or more
- o Limiting the number of dependants additions to a maximum of 2 (This will apply to all Housing Benefit cases with effect from 1st April 2017)
- o Removal of the Employment & Support Allowance Work Related Activity Component
- o Phasing in of European migrants access to benefits

As it stands the implications and the impact of these changes continue to be limited in regard the overall cost of the Council's scheme, however they will be monitored going forward. These changes have been introduced elsewhere in Cumbria. Implementation of these national welfare proposals would result in a requirement to undertake a full consultation process as they would be classed as significant changes to the Council's existing scheme. This will be considered again as part of the review process for the 2021/22 scheme.

The council has a list of equality contacts who can be contacted for consultation or to ask advice. The list is on the intranet under Equality and Diversity. If you need any support when completing this Equality Impact Analysis, please contact the Partnerships and Funding Officer.

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Glossary

Age: This refers to a person having a particular age (for example, 32 year-olds) or being within an age group (for example, 18-30 year-olds).

Civil partnership: Legal recognition of a same-sex couple's relationship. Civil partners must be treated the same as married couples on a range of legal matters.

Disability: A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Includes: Physical/sensory disability, mental health or learning disability.

Gender reassignment: A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

Maternity: The period after giving birth. It 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, including as a result of breastfeeding.

Race: It refers to a group of people defined by their colour, nationality (including citizenship), ethnic or national origins. Includes, Asian, Black and White minority ethnic groups inc. Eastern Europeans, Irish people and Gypsy Travellers.

Religion or belief: "Religion" means any religion, including a reference to a lack of religion. "Belief" includes religious and philosophical beliefs including lack of belief (for example, Atheism). The category includes Christianity, Islam, Judaism, Hinduism, Buddhism, and non religious beliefs such as Humanism.

Sexual orientation: This is whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Socio-economic disadvantage: This includes people on low incomes, as well as issues around rural and urban deprivation, such as access to services and transport. Rurality should be specifically considered as South Lakeland is defined as 'Rural-80' – this means we have at least 80 percent of our population in rural settlements and larger market towns.