

Equality Impact Assessment (EIA) Template: Service Reviews/Service Changes

Title of spending review/service change	Discretionary Housing Payments and Council Tax Discretionary Relief policy changes
Name of division/service	Finance, Revenues & Customer Support
Name of lead officer completing this assessment	James Rattenberry, Principal Policy Officer
Date EIA assessment completed	17/10/17
Decision maker	Alison Greenhill
Date decision taken	1/3/18

EIA sign off on completion:	Signature	Date
Lead officer	James Rattenberry	1/3/18
Equalities officer	Hannah Watkins	29/11/17
Divisional director	Alison Greenhill	29/11/17

Please ensure the following:

- (a) That the document is understandable to a reader who has not read any other documents, and explains (on its own) how the Public Sector Equality Duty is met. This does not need to be lengthy, but must be complete.
- (b) That available support information and data is identified and where it can be found. Also be clear about highlighting gaps in existing data or evidence that you hold, and how you have sought to address these knowledge gaps.
- (c) That the equality impacts are capable of aggregation with those of other EIAs to identify the cumulative impact of all service changes made by the council on different groups of people.

1. Setting the context

Describe the proposal, the reasons it is being made, and the intended change or outcome.

The Government allocates Leicester City Council ('the Council') a grant allocation to deliver Discretionary Housing Payments (DHPs) to those households who are in receipt of either Housing Benefit or Universal Credit with a Housing Costs element. This is a statutory duty to provide 'top up' rent payments and lump sums for applicant households who require further financial assistance with their housing costs. Case law establishes limitations on the amounts which can be paid, in which circumstances, and which groups are entitled to open-ended or unconditional support. Most significantly, this applies to treatment of disability-related income such as DLA or PIP which cannot be treated in the same way as other income, making time-limited or conditional awards for those who should not be obliged to seek alternative accommodation in the short-term (i.e. severely disabled claimants with property adaptations), and refusing claims which mitigate the indirect discrimination of welfare reforms (for example, allowing additional rooms relating to disability not expressly permitted by the relevant legislation).

The proposed changes are also to be applied to the Council's Discretionary Council Tax Relief (CTDR) policy. This is a non-statutory fund to mitigate the impact of Council Tax collection for vulnerable claimants, particularly those of working-age who are unable to pay the minimum 20% payment required under the current Council Tax Support (CTS) scheme.

There are no current changes proposed in relation to the Council's emergency Community Support Grant fund, which was established under Local Welfare Provision legislation but continues on a non-statutory, non-ring fenced basis.

The main service changes proposed for implementation are:

- Restricting initial awards of discretionary support to claimants affected by the Benefit Cap, and those who have previously received support at 100% of rent shortfall to a further award of thirteen weeks only, supplemented by intensive support by Citizens Advice LeicesterShire (CITAL). Claimants affected by the Benefit Cap are considered by the government to be fit to move into work and are not receiving any of a series of exclusionary benefits. As they are entitled to more than £20,000 a year in welfare benefits, this is reduced to the cap level via their Housing Benefit award. Repeat claimants will be considered on a case by case basis and may not be excluded if exceptional circumstances apply, such as severe disability/property adaptation. Further awards will, in most circumstances, only be considered where the claimant has engaged with CITAL or an equivalent provider and are assessed as requiring additional assistance with housing costs.
- Removing the initial 13 week allowance of discretionary support prior to applying to be placed on the Housing Register and actively seeking alternative accommodation, instead requiring this engagement from the outset of a claim, unless a legal exemption or exceptional circumstances apply. Awards were originally made on this initial basis to smooth the transition for newly affected claimants and allow engagement with support and relocation services during this period. However, the relevant welfare reform (under-occupancy) has now been in place for four years and all affected tenants have been directly approached on numerous occasions by Housing Services to outline their options.
- To ensure that households affected by welfare reforms are able to move to more appropriate properties and that we are meeting our new statutory homelessness obligations, by transferring a ring-fenced allocation of the DHP budget of approximately £50,000 to the administration of the Housing Department, to provide rent deposits and rent-in-advance supporting the LeicesterLet scheme. Where claimants are also eligible for ongoing DHP awards, these will be made for a minimum 52 week period to ensure certainty for private sector landlords participating in the scheme.

2. Equality implications/obligations

Which aims of the Public Sector Equality Duty (PSED) are likely be relevant to the proposal? In this question, consider both the

current service and the proposed changes.	
	Is this a relevant consideration? What issues could arise?
<p>Eliminate unlawful discrimination, harassment and victimisation</p> <p>How does the service ensure that there is no barrier to access for anyone with a particular protected characteristic (as set out in our PSED) with needs that could be addressed by that service?</p>	<p>Service has previously operated on a paper-based system, however this is now supplemented by an e-form and online application form. The continued provision of paper based forms for claimants who cannot complete the e-form will mean that those with poor literacy skills will not be disadvantaged by having to complete a form with others for support.</p>
<p>Advance equality of opportunity between different groups</p> <p>How does the proposal/service ensure that its intended outcomes promote equality of opportunity for users? Identify inequalities faced by those with specific protected characteristic(s).</p>	<p>The E form and online form will enable remote access and include a dedicated email evidence submission which support workers and agencies can assist with directly.</p> <p>Specialist telephony service will help meet equality obligations, particularly for those with literacy, numeracy and disability needs who may struggle with the online format. This additional support will promote equality of opportunity of those in need of financial support being able to more robustly report their personal circumstances as evidence of need and therefore improve the likelihood of receiving discretionary support based on their need.</p>
<p>Foster good relations between different groups</p> <p>Does the service contribute to good relations or to broader community cohesion objectives? How does it achieve this aim?</p>	<p>By being more transparent and accessible, the assessment process will likely be considered to be fairer and thus more equitable across the city's different communities/protected groups. The aim of a fair and accessible support grants system will aid in fostering good relations between different groups</p>

challenging potential perceptions of bias or exclusion of those who have not been successful in the past.

3. Who is affected?

Outline who could be affected, and how they could be affected by the proposal/service change. Include current service users and those who could benefit from but do not currently access the service.

Changes will be on offer to all existing service users. The outcome of this change in service provision will be a more responsive, personalised and easily understandable assessment procedure that treats all applicants fairly and in an equitable manner.

Identifiable existing client groups who will be positively affected by the changes include:

- Customers with both physical and mental disabilities;
- Customers with literacy, numeracy and IT difficulties;
- Customers with a history of homelessness;

4. Information used to inform the equality impact assessment

What **data, research, or trend analysis** have you used? Describe how you have got your information and what it tells you. Are there any gaps or limitations in the information you currently hold, and how you have sought to address this, e.g. proxy data, national trends, etc.

National data was used for comparative purposes, for example census data and national discretionary payment statistics.

5. Consultation

What **consultation** have you undertaken about the proposal with current service users, potential users and other stakeholders?

What did they say about:

- What is important to them regarding the current service?
- How does (or could) the service meet their needs?
- How will they be affected by the proposal? What potential impacts did they identify because of their protected characteristic(s)?
- Did they identify any potential barriers they may face in accessing services/other opportunities that meet their needs?

The Executive have considered welfare reform and Universal Credit update reports on local welfare reform impacts and future developments, and appendices detailing current benefit performance statistics and consultation responses on changes to Local Welfare Provision allocation. The Executive has regularly been provided with similar updates in the past and are aware of the challenges facing the service.

Feedback from the stakeholder group has regularly been encouraged and fed into the review process – annual discretionary award forums are held and promoted to obtain formal feedback, in addition to monthly input through the Social Welfare Advice Partnership forum and in relation to individual cases on an ad-hoc basis.

The service will continue to consult on the reform programme and seek to introduce further refinements to the process on an ongoing basis.

6. Potential equality Impact

Based on any evidence and findings, use the table below to identify if any individuals or community groups are likely to be affected by the proposal because of their protected characteristic(s). Describe what the impact is likely to be, how significant that impact is for individual or group well-being, and what mitigating actions can be taken to reduce or remove negative impacts?

This section also asks you to consider whether any particular vulnerable groups are likely to be affected by the proposal. List the relevant vulnerable groups that may be affected, along with likely impact, and mitigating actions to reduce or remove those negative impacts. These groups need not have protected characteristics.

Protected characteristics	Impact of proposal: Describe the likely impact of the proposal on people because of their protected characteristic. Will their needs continue to be met? What issues will affect their take up of services/other opportunities that meet their needs?	Risk of negative impact: How likely is it that people with this protected characteristic will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?	Mitigating actions: For negative impacts, what mitigating actions can be taken to reduce or remove this impact? These should be included in the action plan at the end of this EIA.
Age	Mixed model of appointments and online/phone discretionary applications should cater for all ages – only potential negative impact for older customers who may struggle to apply online and already statistically underrepresented.	Promotion of additional personal support available and other sources of support available (advice agencies) should ensure that people are aware of availability of support grant and their applicability to their personal circumstances.	Ensuring that telephony support continues to be available to support the primary online receipt route.
Disability	Changes to policy include disregard of DLA/PIP payments and additional allowances to disability needs and welfare reform impacts. Telephone support and online access are anticipated to help overcome access barriers.	The assessment will be based on personal circumstances.	N/A
Gender Reassignment	No impact identified from existing data/national trends.		N/A

Marriage and Civil Partnership	No impact identified from existing data/national trends.		N/A
Pregnancy and Maternity	No impact identified from existing data/national trends.	No impact identified from existing data/national trends.	
Race	Evidential requirements now relaxed, online form and process more easily understandable and improved engagement with community support groups will expand awareness among the city's different BME communities.	Risk of indirect discrimination, potentially as a result of language difficulties and/or community awareness of the schemes involved.	Increased engagement with community groups who offer direct translation. Simplified form, reviewed evidential requirements and understandable step-by-step electronic format also of assistance for those with poor literacy and numeracy.
Religion or Belief	No impact identified from existing data/national trends.		N/A
Sex	National research indicates the financial vulnerability of women in relation to economic and welfare trends.	The improved approach will promote both men and women in terms of awareness and accessing the scheme.	N/A
Sexual Orientation	No impact identified from existing data/national trends.		N/A

Vulnerable groups	<p>Impact of proposal: Describe the likely impact of the proposal on children in poverty or any other people who we consider to be vulnerable. List any vulnerable groups likely to be affected. Will their needs continue to be met? What issues will affect their take up of services/other opportunities that meet their</p>	<p>Risk of negative impact: How likely is it that this group of people will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?</p>	<p>Mitigating actions: For negative impacts, what mitigating actions can be taken to reduce or remove this impact for this vulnerable group of people? These should be included in the action plan at the end of this EIA.</p>
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	needs/address inequalities they face?		
Children in poverty	Face complex needs and dependant on adult income – also disproportionately affected by welfare reform changes. Additional allowances available in relation to THINK family engagement, care/care leavers, fostering, overcrowding and poor living environments.	New government welfare reforms will continue to reduce available benefits to support families, placing additional pressure on them to bridge any gaps.	Improved engagement with advice organisations.
Other vulnerable groups -	Include history of homelessness, domestic and sexual abuse, safeguarding issues, alcohol/substance abuse and other financially vulnerable groups.	New government 'savings' will continue to adversely affect the level of funding provided for services to meet the needs of these groups, placing additional pressures on their day to day living requirements.	Additional allowances available from other sources, improved stakeholder engagement and online/telephony service.

7. Monitoring Impact

You will need to ensure that monitoring systems are established to check for impact on the protected characteristics and human rights after the decision has been implemented. Describe the systems which are set up to:

- monitor impact (positive and negative, intended and unintended) for different groups

- monitor barriers for different groups
- enable open feedback and suggestions from different communities
- ensure that the EIA action plan (below) is delivered.

Significant improvements have been made to the monitoring data collated around discretionary awards. This will be improved by the online e-form whereby data is automatically uploaded onto a central database. This will ensure we are able to monitor both positive and negative impacts in greater detail and with a much higher degree of certainty regarding the inferences drawn.

Improvements have also been made in relation to spend monitoring and outstanding claim data, which will be reviewed by Senior Management on a weekly basis. The support grant scheme has been designed to be flexible so that amendments can be made with the weighting of awards following feedback and due regard to budgetary constraints.

The service will continue to monitor performance indicators, protected characteristics and demographic elements as part of an ongoing system of renewal and improvement.

8. EIA action plan

Please list all the equality objectives, actions and targets that result from this Assessment (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Outcome	Action	Officer Responsible	Completion date
Establish and augment monitoring data and corresponding analytical framework	To gather & monitor improved equalities data, adjusting the policy and promotion of the scheme to enable fair and consistent distribution of funds, as necessary and	James Hudson	31/3/18

	appropriate.		
Improved Communication Strategy with advice organisations stakeholders	To continue to develop core interaction with identified stakeholders, e.g. advice organisations and collective action/needs strategy.	Nilkesh Patel	31/3/18
Improved delivery mechanisms from first contact to assessment, all users benefitting from an accessible and easy to understand service	Fit for purpose systems developed to meet the needs of all customers, and making allowances to reflect need and vulnerability as appropriate.	James Rattenberry	31/3/18
Long-term sustainability – short- medium- and long-range planning and strategy reviews	To develop, monitor and update strategies and range plans in line with findings – annual reporting and at regular intervals where appropriate.	James Rattenberry	31/3/18