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## LOCAL COUNCIL TAX SUPPORT SCHEME

### 1 SUMMARY

- 1.1 This report provides details of the proposed Local Council Tax Support (LCTS) scheme that will replace the current Council Tax Benefit (CTB) scheme and is seeking Members' approval to the proposed scheme for implementation by April 2013.

### 2 INTRODUCTION

- 2.1 Under this new system, billing Authorities will need to decide who is eligible for support and what level of support they should receive. However, the Government has stated that pension-age claimants should be no worse off under a new localised scheme. It has therefore prescribed a national scheme to support this age group. This means that the localised scheme will only apply to the working-age group.

Consequently, a pan-Essex project group was set up involving representatives from all the billing Authorities in Essex, together with officers from all the major precepting Authorities (County, Fire and Police). This group has been working together to jointly develop LCTS schemes across Essex, which are underpinned by the following objectives:-

- Deliver a workable scheme within the timescale prescribed.
- Simplify the administration procedures associated to a LCTS scheme.
- Design schemes that keep the financial impact on claimants to a minimum.

On 11 July 2012, the Executive received a report detailing the Government's decision to abolish Council Tax Benefit and replace it with a Local Council Tax Support (LCTS) scheme. A proposed LCTS scheme for Rochford was outlined in the Executive report. Approval was given at this meeting to instigate a formal consultation process over the proposals and the consultation was subsequently undertaken from 1 August 2012 to 12 September 2012.

### 3 LOCAL COUNCIL TAX SUPPORT SCHEME PRINCIPLES

As part of the development of LCTS schemes across Essex a number of common principles and approaches have been agreed by both billing and major precepting Authorities (Essex County Council, Police and Fire Authority). These principles are:-

### **Components Imposed on Scheme Designs by Government**

- All low income pensioners will be protected under a national framework, as defined by the Department of Communities and Local Government (DCLG).
- Consideration for the protection of vulnerable working age groups will be allowed for.
- Each Authority's scheme will maintain work incentives wherever possible. Central Government has stressed the importance of this principle, given the current economic climate and the Government's welfare reform agenda.

### **Locally Determined Components**

- Billing Authorities will adopt a support scheme based largely on the existing Council Tax Benefit Regulations 2006. Means testing will therefore continue. Given the very short timetable through to implementation this is the only realistic option.
- The schemes will be cost neutral, that is to say the costs of Council Tax support will be in line with the level of grant proposed by DCLG.
- The schemes will, as far as possible, allow for expected growth in demand.
- Where possible, each Authority will look to reduce the complex nature of the current benefit system and make support easy to claim and administer.

## **4 FINANCIAL IMPLICATIONS OF THE SCHEME**

- 4.1 The Department for Work and Pensions (DWP) currently provides funding to Local Authorities from its Annually Managed Expenditure (AME) as a reimbursement of their expenditure on CTB. However, from April 2013, the funding provided to Local Authorities to run a LCTS scheme will be transferred from AME to the Department Expenditure Limit (DEL) budget. This means that fluctuations in demand for support will have to be managed within fixed budgets and, as a result, either the number of people receiving support, or the amount of support provided, will be affected.
- 4.2 It is pertinent to note that the Council's LCTS scheme has been developed under an Essex-wide framework, which has an overarching principle to deliver a cost neutral replacement scheme for CTB. We have adopted this principle in our proposed LCTS scheme and it means that it has been designed taking into consideration the level of Government funding available. However, whilst a cost neutral scheme has no significant impact to the Council financially it

does present other challenges in terms of collection, especially in cases where people haven't had to previously pay Council Tax.

- 4.3 The estimated level of expenditure for CTB in 2012/13 is £4.915m. The grant for our LCTS scheme is estimated to be between £4.41m and £4.65m. If the scheme is not approved by 31 January 2013, the Council will have to award Council Tax support in accordance with the Government's default scheme. The default scheme is effectively the same as the existing CTB scheme and it will mean that, without an approved LCTS scheme in place, our expenditure will exceed the Government grant for our LCTS scheme and leave the Council with a budget deficit estimated to be £510,000.

## **5 PRESCRIBED COUNCIL TAX SUPPORT SCHEME FOR PENSIONERS**

- 5.1 The Government has committed to protecting pensioners from the impact of the changes. Instead of receiving CTB, eligible pensioners will receive a discount on their Council Tax bill. This will be for the same amount as they would have received under the CTB scheme.
- 5.2 Existing pensioner claimants will not need to make a new application for Council Tax support. They will automatically be transferred from receiving CTB to a Council Tax discount.

## **6 LOCAL COUNCIL TAX SUPPORT SCHEME FOR WORKING AGE**

- 6.1 Council Tax support for people of working age will be provided through a means-tested discount. It will be calculated using similar criteria to the current CTB scheme but, because pensioners are protected, the level of support we will be able to give working-age claimants needs to be less than we currently give them under CTB if we are to make our scheme cost neutral.
- 6.2 Consideration was given to a number of alternatives but the specific award criteria outlined below has been designed in such a way as to achieve cost neutrality and, where possible, minimise the overall impact on claimants.
- People living in properties whose Council Tax band is E, F, G or H will have their LCTS restricted to the maximum amount payable for a Band D property.
  - Regardless of their financial circumstances, every working-age claimant will pay the first 20% of their Council Tax liability. This means people who currently get full CTB will have to pay something towards their Council Tax from 1 April 2013.
  - Only working-age claimants who have less than £6,000 will be entitled to LCTS (the limit for CTB at present is £16,000).
  - Child maintenance is currently disregarded in full when we calculate CTB. Some people receive up to £1,000 per month, which doesn't get included in the CTB assessment. This disregard will stop and we will

take child maintenance into account as income when we calculate entitlement to LCTS.

- Currently we reduce CTB for working-age people if an adult friend or relative lives with them. These types of people are known as non-dependants. We want to try and ease some of the financial pressure as well as trying to reduce homelessness and under occupation of houses. Therefore we will stop making non-dependant deductions when we calculate entitlement to LCTS.

6.3 Existing working-age claimants will not need to make a new application for Council Tax support. They will automatically be transferred from receiving CTB to a Council Tax discount.

## **7 CONSULTATION**

7.1 Details of the consultation, the replies to the consultation and the Council's response are detailed in appendix B.

7.2 The consultation process did result in one major change being made to our proposed scheme. At present we currently disregard Child Benefit as income when calculating CTB. Our original proposal was to include Child Benefit as income under our proposed LCTS scheme but, it was highlighted by the Citizens Advice Bureau that this, together with the reduction in Council Tax liability proposed, would have a disproportionate impact on the level of support provided to families.

7.3 It is now recommended that the local scheme continues to disregard Child Benefit as income in the calculation of LCTS.

## **8 EXCEPTIONAL HARDSHIP POLICY**

8.1 There is a need for a fund to assist those claimants most at risk and considered the most vulnerable.

8.2 Similar to the current Discretionary Housing Payment (DHP) fund within the Council Tax Benefit scheme, the Exceptional Hardship Fund will allow limited ability to grant additional support. Customers facing exceptional hardship, as defined within our Exceptional Hardship Policy, will be able to make a claim against the fund.

8.3 The prime objective of the fund would be to:-

- Assist claimants to meet their Council Tax liability in full (bearing in mind that the LCTS scheme is designed to provide support for the majority of the Council Tax liability, subject to income and circumstances.
- Prevent exceptional hardship.
- Reduce potential 'write-offs' of Council Tax.

- 8.4 It is proposed that the fund, would be built into the overall LCTS scheme but be limited to an agreed amount (similar in nature to the current DHP scheme run by the Department for Work and Pensions).
- 8.5 The level of funding anticipated for the fund is £9,989. This figure is 0.2% of the total expected LCTS expenditure for 2013/14. This formula is the same as the one the Department for Work and Pensions currently uses to calculate the Discretionary Housing Payment fund that Local Authorities administer to deal with cases of exceptional hardship for Housing Benefit and Council Tax Benefit. At the time of writing, discussions are underway with the major preceptors regarding sharing the cost pro rata based on current Council Tax levels.
- 8.6 Our Exceptional Hardship Policy is detailed in appendix A.

## **9 RISK IMPLICATIONS**

### **Funding**

- 9.1 The DCLG has announced provisional grant allocations for the funding of LCTS schemes. However, the announcement of the final grant allocations, together with the Local Government Finance Settlement, may not be announced until mid/late December. The level of funding the Council receives could change so there is a need to be mindful of the potential risk this creates. The LCTS grant will be shown as a separate line in Local Authorities' funding for 2013/14, but in future years DCLG has indicated that it will not be shown separately. Our funding will include a proportion for the Parish and Town Councils; the arrangements for calculating and transferring this funding are considered in the Setting the Council Tax Base item on this evening's Agenda,

### **Demand for Council Tax Support**

- 9.2 The LCTS scheme will become a discount rather than a benefit. This could increase demand for support amongst certain groups, e.g., pensioners, and this in itself poses a financial risk in terms of a demand led service being financed by a fixed grant allocation.

### **Collection**

- 9.3 Working-age claimants will receive less support towards their Council Tax under the proposed LCTS scheme. Some will be required to pay an amount of Council Tax for the first time.

Given all the other welfare reforms, it is anticipated that pressure on household budgets will be significant. The Council Tax collection rate will undoubtedly see a reduction but, in order to mitigate this risk, extra resources will be employed to try and reduce the potential losses. At the time of writing, discussions are underway with the major preceptors regarding sharing the cost pro rata based on current Council Tax levels.

### **LCTS Scheme Design**

- 9.4 The proposed LCTS scheme is for 2013/14 only. There is considerable uncertainty over the funding of schemes beyond next year so it's important to highlight this risk and alert Members to the fact that our scheme will need to be reviewed year-on-year.

### **Independent Review of All LCTS Schemes**

- 9.5 The Local Government Finance Act provides for an independent review of all LCTS schemes within three years to consider their effectiveness, efficiency, fairness and transparency and their impact on the localism agenda. This review will also look to make recommendations as to whether such schemes should be brought within Universal Credit.

## **10 RESOURCE IMPLICATIONS**

- 10.1 As discussed above, there are a number of risks that will affect the financial cost of the LCTS, including demand, accuracy of forecasting, difficulty in collecting and change in behaviour and additional costs to provide a hardship fund and additional resources, for which a provision of £100,000 will be included in the 2013/14 budget.
- 10.2 The impact on collection rates for Council Tax is difficult to forecast but it is expected that overall collection rates may fall from the current level of 98.6% to around 97.5%. As the LCTS is a discount rather than a benefit, this impacts on the Council Tax Base and this is discussed in the separate item on this evening's Agenda.

## **11 LEGAL IMPLICATIONS**

- 11.1 A billing Authority must make a Council Tax reduction scheme (LCTS scheme) in accordance with section 13A(2) of the Local Government Act 1992, as amended by the Local Government Finance Bill 2011.
- 11.2 The Council has developed a section 13A policy to comply with this requirement . As this policy in full runs to in excess of 150 pages, and as mentioned in section 6.1 of this report, the LCTS is based on similar criteria to the current Council Tax Benefit scheme, rather than attaching it as an appendix to this report, a full copy has been placed in the Members Library as well as being available to be viewed on the Council's website. The criteria detailed in section 6.2 provides a summary of the new key elements of the LCTS scheme.

## **12 EQUALITY AND DIVERSITY IMPLICATIONS**

- 12.1 A full equality impact assessment covering the implications of introducing a LCTS scheme compared to the existing Council Tax Benefit scheme is detailed in appendix C.

**13 RECOMMENDATION**

13.1 It is proposed that Council **RESOLVES**

- (1) That the Local Council Tax Support scheme be approved to come into effect from 1 April 2013, as detailed in the Section 13A Policy.
- (2) That the Exceptional Hardship Policy set out in appendix A be agreed.
- (3) That the provision of £100,000 in the 2013/14 Budget be agreed to cover the financial risks associated with the LCTS.

Jeremy Bourne

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**Background Papers:-**

None.

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If you would like this report in large print, Braille or another language please contact 01702 318111.

# **Localised Support for Council Tax Exceptional Hardship Policy**

DRAFT EXCEPTIONAL HARDSHIP POLICY



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## 1.0 Background

1.1 An Exceptional Hardship Fund (EHF) has been set up by the Council to assist applicants for Council Tax Support who are facing 'exceptional hardship'. The fund has been created to provide further assistance where an applicant is in receipt of Council Tax Support but the level of support being paid by the Council does not meet their full Council Tax liability.

1.2 The EHF will be available to any applicant (whether pension or working age) where their daily award of Council Tax Support does not meet 100% of their Council Tax liability (less any appropriate discounts and non dependant deductions).

1.3 The main features of the fund are as follows:

- The Exceptional Hardship Fund will be cash limited;
- The operation of the Fund will be at the total discretion of the Council;
- The Fund will be operated by the Revenues and Benefits section on behalf of the Council;
- There is no statutory right to payments from the fund although the Council will consider all applications received;
- Exceptional Hardship Fund payments are not payments of Council Tax Support (as defined within S13a of the Local Government Finance Act 1992);
- Exceptional Hardship Fund payments will only be available from 1<sup>st</sup> April 2013 and **will not be available for any other debt other than outstanding Council Tax**;
- A pre-requisite to receive a payment from the Fund is that an amount of Council Tax Support **must be in payment** for any day that an EHF payment is requested;
- Where an Exceptional Hardship Payment is requested for a previous period, Exceptional Hardship must have been proven to have existed throughout the whole of the period requested;

- Exceptional Hardship Payments are designed as a short-term help to the applicant only and it is expected that payments will be made for a short term only; and
- All applicants will be expected to engage with the Council and undertake the full application process. Failure to do so will inevitably mean that no payment will be made.

## **2.0 Exceptional Hardship Fund and Equalities**

2.1 The creation of an Exceptional Hardship Fund facility meets the Council's obligations under the Equality Act 2010.

2.2 The Council recognises the importance of protecting our most vulnerable customers and also the impact the changes imposed by the removal of Council Tax Benefit by Central Government. This policy has been created to ensure that a level of protection and support is available to those applicants most in need. It should be noted that the Exceptional Hardship Fund is intended to help in cases of **extreme** financial hardship and not support a lifestyle or lifestyle choice. Whilst the definition 'Exception Hardship' is not exactly defined by this policy, it is accepted that changes to the level of support generally will cause financial hardship and any payment made will be at the total discretion of the Council. Exceptional Hardship should be considered as 'hardship beyond that which would normally be suffered'

## **3.0 Purpose of this policy**

3.1 The purpose of this policy is to specify how the Council will operate the scheme, to detail the application process and indicate a number of factors, which will be considered when deciding if an Exceptional Hardship Fund payment can be made.

3.2 Each case will be treated on its own merits and all applicants will be treated fairly and equally in the accessibility to the Fund and also the decisions made with applications.

#### **4.0 The Exceptional Hardship Fund Process**

4.1 As part of the process of applying for additional support from the Exceptional Hardship Fund, all applicants must be willing to undertake **all** of the following:

- a. Make a separate application for assistance;
- b. Provide full details of their income and expenditure;
- c. Accept assistance from either the Council or third parties such as the CAB or similar organisations to enable them to manage their finances more effectively including the termination of non essential expenditure;
- d. Identify potential changes in payment methods and arrangements to assist the applicant;
- e. Assist the Council to minimise liability by ensuring that all discounts, exemptions and reductions are properly granted; and
- f. Maximise their income through the application for other welfare benefits, cancellation of non-essential contracts and outgoings and identifying the most economical tariffs for the supply of utilities and services generally.

4.2 Through the operation of this policy the Council will look to

- Allow a short period of time for someone to adjust to unforeseen short-term circumstances and to enable them to “bridge the gap” during this time, whilst the applicant seeks alternative solutions;
- Enable long term support to households in managing their finances;
- Help applicants through personal crises and difficult events that affect their finances;
- Prevent exceptional hardship;
- Help those applicants who are trying to help themselves financially; and
- Encourage and support people to obtain and sustain employment.

4.3 It cannot be awarded for the following circumstances:

- Where full Council Tax liability is being met by Council Tax Support;
- For any other reason, other than to reduce Council Tax liability;

- Where the Council considers that there are unnecessary expenses/debts and that the applicant has not taken reasonable steps to reduce these;
- To pay for any overpayment of Council Tax Support caused through the failure of the applicant to notify changes in circumstances in a timely manner or where the applicant has failed to act correctly or honestly; or
- To cover previous years Council Tax arrears

## **5.0 Awarding an Exceptional Hardship Fund Payment**

5.1 The Council will decide whether or not to make an Exceptional Hardship Fund award, and how much any award might be.

5.2 When making this decision the Council will consider:

- The shortfall between Council Tax Support and Council Tax liability;
- Whether the applicant has engaged with the Exceptional Hardship Payment process;
- If a Discretionary Housing Payment has already been awarded to meet a shortfall in rent;
- The personal circumstances, age and medical circumstances (including ill health and disabilities) of the applicant, their partner any dependants and any other occupants of the applicant's home;
- The difficulty experienced by the applicant, which prohibits them from being able to meet their Council Tax liability, and the length of time this difficulty will exist;
- Shortfalls due to non-dependant deductions;
- The income and expenditure of the applicant, their partner and any dependants or other occupants of the applicant's home;
- How reasonable expenditure exceeds income;
- All income received by the applicant, their partner and any member of their household irrespective of whether the income may fall to be disregarded under the Council Tax Support scheme;

- Any savings or capital that might be held by the applicant, their partner and any member of their household irrespective of whether the capital may fall to be disregarded under the Council Tax Support scheme;
- Other debts outstanding for the applicant and their partner;
- The exceptional nature of the applicant and/or their family's circumstances that impact on finances;
- The length of time they have lived in the property; and
- The amount available in the Exceptional Hardship Fund at the time of the application

5.3 The above list is not exhaustive and other relevant factors and special circumstances will be considered.

5.4 An award from the Exceptional Hardship Fund does not guarantee that a further award will be made at a later date, even if the applicant's circumstances have not changed.

5.5 An Exceptional Hardship Fund payment may be less than the difference between the Council Tax liability and the amount of Council Tax Support paid. The level of payment may be nil if the authority feels that, in its opinion, the applicant is not suffering 'exceptional hardship' or where the applicant has failed to comply with the Exceptional Hardship process.

## **6.0 Publicity**

6.1 The Council will make a copy of this policy available for inspection and will be published on the Council's website.

## **7.0 Claiming an Exceptional Hardship Fund payment**

7.1 An applicant must make a claim for an Exceptional Hardship Fund award by submitting an application to the Council. The application form can be obtained by telephoning 01702 318197 or 318198. A form can also be obtained in person at

either:

The Council Offices  
South Street  
Rochford  
SS4 1BW

**OR**

The Civic Suite  
Hockley Road  
Rayleigh  
SS6 8EB

Or by emailing [revenues&benefits@rochford.gov.uk](mailto:revenues&benefits@rochford.gov.uk)

7.2 Applicants can get assistance with the completion of the form from the Revenues and Benefits Service at the same address.

7.3 The application form must be fully completed and supporting information or evidence provided, as reasonably requested by the Council.

7.4 In most cases the person who claims the Exceptional Hardship Fund award will be the person entitled to Council Tax Support. However, a claim can be accepted from someone acting on another's behalf, such as an appointee, if it is considered reasonable.

## **8.0 Changes in circumstances**

8.1 The Council may revise an award from the Exceptional Hardship Fund where the applicant's circumstances have changed which either increases or reduces their Council Tax support entitlement.

## **9.0 Duties of the applicant and the applicant's household**

9.1 A person claiming an Exceptional Hardship Fund payment is required to:

- Provide the Council with such information as it may require to make a decision;
- Tell the Council of any changes in circumstances that may be relevant to their on going claim; and
- Provide the Council with such other information as it may require in connection with their claim.

### **10.0 The award and duration of an Exceptional Hardship Payment**

10.1 Both the amount and the duration of the award are determined at the discretion of the Council, and will be done so on the basis of the evidence supplied and the circumstances of the claim.

10.2 The start date of such a payment and the duration of any payment will be determined by the Council. In any event, the maximum length of the award will not exceed the end of the financial year in which the award is given.

### **11.0 Award of the Exceptional Hardship Fund payment**

11.0 Any Exceptional Hardship Fund payment will be made direct onto the customer's Council Tax account, thereby reducing the amount of Council Tax payable.

### **12.0 Overpaid Exceptional Hardship Fund Payments**

12.1 Overpaid Exceptional Hardship Fund payments will generally be recovered directly from the applicant's council tax account, thus increasing the amount of council tax due and payable.

### **13.0 Notification of an award**

13.1 The Council will notify the outcome of each application for Exceptional Hardship Fund payments in writing. The notification will include the reason for the decision and advise the applicant of their appeal rights.

### **14.0 Appeals**

14.1 Exceptional Hardship Fund payments are not part of Council Tax Support, and are therefore not subject to the statutory appeal process.

14.2 If the applicant is not satisfied with the decision in respect of an application for an Exceptional Hardship Fund payment, a decision to reduce the amount of



Exceptional Hardship Fund payment, a decision not to backdate an Exceptional Hardship Fund payment or a decision that there has been an overpayment of an Exceptional Hardship Fund payment, the Council will look at the decision again.

14.3 An officer, other than the original decision maker, will consider the appeal by reviewing the original application and any other additional information and/or representation made, and will make a decision within 14 days of referral or as soon as practicable. This decision will be final.

14.4 Any request for an appeal must be made within one month of the date of the notification letter confirming the original decision.

14.5 The outcome of the appeal will be set out in writing, detailing the reasons for the decision or upholding the original decision.

## **15.0 Fraud**

15.1 The Council is committed to protect public funds and ensure funds are awarded to the people who are rightfully eligible to them.

15.2 An applicant who tries to fraudulently claim an Exceptional Hardship Fund payment by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under The Fraud Act 2006.

15.3 Where the Council suspects that such a fraud may have been committed, this matter will be investigated as appropriate and may lead to criminal proceedings being instigated.

**16.0 Complaints**

16.1 The Council's 'Comments, Compliments and Complaints Procedure' (available on the Council's website) will be applied in the event of any complaint received about this policy.

**17.0 Policy Review**

17.1 This policy will be reviewed at least every year and updated as appropriate to ensure it remains fit for purpose. However, the review may take place sooner should there be any significant changes in legislation.

### editorial

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- > how long did we consult for?
- > promotion and accessibility of our consultation
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Welcome to the October edition of our stakeholder engagement newsletter.

This month we are focusing on the outcome of our consultation exercises. Most of the Essex authorities have now completed their consultation process but there are a few who still have a bit longer to run.

The aim of this newsletter is to give you an overview of the responses we received from the consultation process, the comments that were made and what our reply has been to the responses and comments.

Despite all the publicity, the number of responses we received to the consultation exercise was disappointing. This was not unique to Rochford and all authorities across Essex have commented about the low level of responses.

I hope you find this newsletter useful. If you have any comments to make about the content, please feel free to get in touch.

The next issue of **inbrief** will be published in December

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## why did we consult?

In the Spending Review 2010, the Government announced that it would localise financial support for Council Tax from April 2013. This resulted in Council Tax Benefit, the current means of helping people on low incomes meet their Council Tax obligations, being abolished and having to be replaced with a locally designed financial support scheme.

The key points of this reform are:

- that the amount of funding provided to local authorities to run a localised scheme will be approximately 10% less than the current spend on Council Tax Benefit, and
- any support for pensioners would not be affected.

This meant that the burden of any expenditure savings, approximately £520,000 for Rochford District Council, would fall entirely on working-age claimants.

We have now designed a proposed Local Council Tax Support scheme to replace Council Tax Benefit. We have consulted on our proposals and this issue of InBrief sets out the outcome of our consultation and our response to the issues raised.

## how long did we consult for?

The consultation started on 1<sup>st</sup> August 2012 and closed on 12<sup>th</sup> September 2012.

Concern was raised by an organisation that the consultation period only lasted for 6 weeks. The point was raised that Government recommend a consultation period of at least 12 weeks and, where this is not achievable, a clear explanation should be given for a shorter time period.

Our consultation did highlight that the timetable for implementing the new scheme, imposed by the Government, was a strong driving factor for not having a longer consultation period. We highlighted this at the start of our online consultation process and we also drew attention to it in our August edition of InBrief.

It is important to stress that, prior to the official start of the consultation period, we did engage with a number of stakeholders. Despite this we only had one organisation respond to the consultation exercise.

We acknowledge that some authorities in the country have had a longer consultation period. However, with only one organisation raising a concern about the length of our consultation process, we are of the opinion that 6 weeks was a proportionate and reasonable timeframe to allow all stakeholders and residents to respond.

## **promotion and accessibility of our consultation**

Our consultation was primarily conducted via our website using an online survey. We also offered alternative options to complete the survey, the main one being the option to complete a paper-based survey.

We tried to make our consultation as accessible as possible and our documents easy to understand. We also offered alternative versions of any documents related to the consultation on request.

The promotion of the consultation was varied and wide ranging. Here are some of the things we did to promote it:

- We had a dedicated section on our website and used the landing page of Rochford's website to promote the consultation. In total we had 712 hits for the duration of the consultation exercise on the consultation page
- We sent letters and flyers to every claimant who currently receives Council Tax Benefit. In total we wrote to over 5,200 people
- We emailed over 1,000 people who currently have their email address registered on our Council Tax database
- We invited Rochford's 'Have Your Say' group to participate in the consultation. This invitation went out to 400 people registered with the group
- We circulated our August edition of InBrief to a number of stakeholders promoting the consultation exercise. This included various organisations such as Registered Housing Associations, Voluntary Organisations and Job Centre Plus
- We issued three press releases and used social media to promote the consultation through various communication channels. Articles were run in the Southend Echo and Yellow Advertiser and we tweeted on three separate occasions to 450 followers
- We issued posters and flyers to Housing Associations, Parish Clerks, local libraries and the Citizens Advice Bureau and asked them to promote the consultation
- We handed out paper copies of our consultation in Rayleigh High Street and invited people to respond

## **summary of respondents**

We received a total of 82 responses to the consultation.

<b>Respondent</b>	<b>Number of respondents</b>	<b>Percentage of respondents</b>
Individuals	81	98.78%
Voluntary organisation	1	1.22%

## summary of replies and the Council's response

**We asked:** Should all working-age people on benefit pay part of their council tax bill?

This question was answered by 82 respondents.

Response	Number of respondents	Percentage of respondents
Yes	50	60.97%
No	27	32.93%
Don't know	5	6.1%

The majority of respondents agreed that all working-age people on benefit should make a contribution to their council tax bill.

In support of the proposal, comments were made such as in hard times it is acceptable to expect those on benefits to have the same squeeze on finances as the rest of the community and, unfortunately we are living in difficult times and if RDC are receiving £520,000 less from central government, tough decisions have to be made to balance the books.

Comments against this proposal suggested this was unacceptable and would have potentially catastrophic repercussions for many people struggling to make ends meet and, this seems to really punish people on the lowest incomes, whether working or not.

**Rochford's response:** We acknowledge all the concerns, especially by those who will be directly affected by our proposed scheme. However, the cut in Government funding of £520,000 means that we do not have the financial resources to continue supporting people in the same way as we currently support them under the fully subsidised Council Tax Benefit scheme.

**We asked:** Should all working-age people on benefit pay at least 20% of their weekly council tax bill?

This question was answered by 53 respondents.

Response	Number of respondents	Percentage of respondents
Yes	33	62.27%
No	11	20.75%
Don't know	9	16.98%

The majority of respondents agreed that all working-age people on benefit should pay at least 20% of their council tax bill.

Against the proposal, we received comments stating that paying 20% Council Tax would substantially impact what people would be able to live on, that hitting all working-age claimants is not appropriate and, regardless of their financial situation, the requirement to pay 20% Council Tax is worrying, especially when this amounts to 2,114 people. One respondent said that a blanket increase set at 20% for the disabled is totally unfair and should be settled by means testing.

**Rochford’s response:** There are compelling cases not to impose the minimum contribution of 20% for various groups affected by our proposals. Unfortunately, due to the substantial reduction in funding, we can’t offer the same levels of protection as Council Tax Benefit currently provides. To do so would lead to a greater reduction in support for other groups which in turn will lead to much greater hardship. Because of this we think it’s right and fair to share the burden of the cut in funding across every working-age claimant.

Council Tax Support will continue to be means tested. The reduction in funding to support working-age people is a huge constraint but we want to continue supporting disabled people as much as possible. We are therefore not going to reduce any of the enhanced premiums we use in the calculation of support which people currently receive as a result of a disability.

**We asked:** Should the maximum amount of support given to working-age people on benefit be limited to a Band D property in our area?

This question was answered by 74 respondents.

Response	Number of respondents	Percentage of respondents
Yes	46	62.16%
No	23	31.08%
Don’t know	5	6.76%

The majority of respondents agreed that the maximum amount of support given to working-age people on benefit should be limited to a Band D property.

Concern was expressed about the disproportionate impact this would have on large families. A comment was also made that larger families may not be able to live comfortably in a smaller house and that this could discriminate against them.

**Rochford’s response:** The Council can’t afford the same level of financial support that Council

Tax Benefit currently gives people living in Council Tax Band E properties and above. This proposal will affect 5.9% of the total number of working-age people who currently claim Council Tax Benefit.

**We asked: Should Council Tax Support only be given to people whose savings are £6,000 or less?**

This question was answered by 74 respondents.

Response	Number of respondents	Percentage of respondents
Yes	49	66.22%
No	22	29.73%
Don't know	3	4.05%

The majority of respondents agreed that Council Tax Support should only be given to people whose savings are £6,000 or less.

Comments in relation to this proposal were that the savings limit should not kick in for a specified period of time. Concern was also expressed that the consultation did not make it clear how this will be assessed for all working-age claimants.

**Rochford's response:** We are proposing to assess the £6,000 capital limit in the same way as we currently assess people for the £16,000 capital limit for Council Tax Benefit. This means that anyone in receipt of Income Support, Jobseekers Allowance (Income Based) or Employment Support Allowance (Income Related) will not be affected by the proposed change.

**We asked: Should people who can't work be given more help than those who can work but are unemployed?**

This question was answered by 72 respondents.

Response	Number of respondents	Percentage of respondents
Yes	39	54.17%
No	30	41.67%
Don't know	3	4.16%

The majority of respondents agreed that people who can't work should be given more help than those who can work but are unemployed.



There were no specific comments made in relation to this question.

**Rochford’s response:** Council Tax Support will remain means tested for the scheme being proposed for 2013/14. As much as we can, we want to continue supporting people who can’t work so we will not be reducing any of the applicable amounts or premiums associated to family circumstances when we calculate Council Tax Support. We will also continue to disregard any income related to a disability in exactly the same way as we currently do under the Council Tax Benefit scheme.

**We asked:** Do you agree that the Council should encourage people to work by not including a small part of their wage when we calculate Council Tax Support?

This question was answered by 72 respondents.

Response	Number of respondents	Percentage of respondents
Yes	50	69.44%
No	11	15.28%
Don’t know	11	15.28%

The majority of respondents agreed the Council should encourage people to work by not including a small part of their wage when we calculate Council Tax Support.

There were no specific comments made in relation to this question.

**Rochford’s response:** The Council Tax Benefit scheme currently disregards an element of wages depending on circumstances. We are proposing to carry on with this in our proposed Council Tax Support scheme so that they continue to provide an incentive to work.

**We asked:** Should Child Benefit be taken into account when calculating Council Tax Support?

This question was answered by 71 respondents.

Response	Number of respondents	Percentage of respondents
Yes	41	57.74%
No	27	38.03%
Don’t know	3	4.23%

The majority of respondents agreed that Child Benefit should be taken into account as income

when calculating Council Tax Support.

We did receive a remark saying that we should not include child benefit in working out Council Tax Support as the whole point of child benefit is to benefit the children. In addition, the point was also made about what impact this proposal would have on families with children and the fact that, combined with some of the other proposed changes, how disproportionate the cut in support would be on these families.

**Rochford’s response:** Having considered the comments we received very carefully, we have concluded that the inclusion of child benefit as income will have a detrimental impact on our duties and responsibilities under the Child Poverty Act 2010 to reduce and mitigate the effects of child poverty in our area. We agree that, combined with some of the other scheme proposals, taking child benefit into account as income will also have a disproportionate impact on families in work, families looking for work and families who can’t work. We are also mindful of the impact other welfare reforms will have on families with children.

As a consequence, we are proposing to reverse our original proposal and completely disregard child benefit as income in the calculation of Council Tax Support.

**We asked: Should Child Maintenance be taken into account when calculating Council Tax Support?**

This question was answered by 71 respondents.

<b>Response</b>	<b>Number of respondents</b>	<b>Percentage of respondents</b>
Yes	50	70.42%
No	17	23.94%
Don’t know	4	5.64%

The majority of respondents agreed that Child Maintenance should be taken into account when calculating Council Tax Support.

There were no comments that disagreed with this proposal.

**Rochford’s response:** We will retain the proposal to include Child Maintenance as income in the proposed Council Tax Support scheme.

**We asked: Should Disability Living Allowance be taken into account when calculating Council Tax Support?**

This question was answered by 72 respondents.

<b>Response</b>	<b>Number of respondents</b>	<b>Percentage of respondents</b>
Yes	31	43.06%
No	38	52.77%
Don't know	3	4.17%

The majority of respondents did not agree that Disability Living Allowance should be taken into account as income when calculating Council Tax Support.

The only comment made in relation to this question was that those people on Disability Living Allowance should still be entitled to full benefit because it saves the Government money in the long run.

**Rochford's response:** Not everyone in receipt of Disability Living Allowance currently receives full Council Tax Benefit.

The significant cut in Government funding means that we can't fully protect disabled claimants from reductions in Council Tax Support - to do so would be to the severe detriment of non-disabled claimants.

We are committed to protecting disabled people as much as we can and will therefore not include Disability Living Allowance as income in our proposed Council Tax Support scheme. It will continue to be disregarded in full, as is currently the case under the Council Tax Benefit scheme.

**We asked:** Currently we reduce peoples benefit due to an adult friend or relative living in their home. To try and reduce homelessness and under occupation, should the council stop making these reductions?

This question was answered by 73 respondents.

<b>Response</b>	<b>Number of respondents</b>	<b>Percentage of respondents</b>
Yes	37	50.68%
No	28	38.36%
Don't know	8	10.96%

The majority of respondents agreed that we should stop making reductions in peoples benefit if they have an adult friend or relative living in their home.

The majority of comments received supported this proposal. One comment suggested deductions should remain if a relatives’ earnings were substantial but that there should not be a reduction for people who are under 25 years of age and who are unemployed, in low paid jobs or in education.

**Rochford’s response:** Our view is that non-dependant deductions can often cause hardship to either the claimant or the non-dependant. They can also act as a work disincentive, create poverty and in extreme cases lead to family breakdown and homelessness. In view of this, we will keep the proposal to stop making non-dependant deductions in our Council Tax Support scheme.

**We asked:** Currently some people are not entitled to help with their Council Tax due to their high income or savings. However, they can get a reduction in their Council Tax if they share their home with someone who has a low income. This is called Second Adult Rebate. Do you think this scheme should be stopped?

This question was answered by 72 respondents.

Response	Number of respondents	Percentage of respondents
Yes	54	75%
No	15	20.83%
Don’t know	3	4.17%

The majority of respondents agreed that we should stop the Second Adult Rebate scheme. This was reiterated by one respondent who said that Second Adult Rebate should definitely be stopped.

**Rochford’s response:** We believe it is right to propose this scheme be abolished for working-age claimants.

**We asked:** We normally pay benefit from when we receive the claim. If someone has a good reason and asks us to pay from an earlier date, should we?

This question was answered by 72 respondents.

Response	Number of respondents	Percentage of respondents
Yes	36	50%

No	28	38.89%
Don't know	8	11.11%

The majority of respondents agreed that if someone has a good reason and asks us to pay from an earlier date, we should.

No comments were made in relation to this question.

**Rochford's response:** We believe there are circumstances which justify an award starting from an earlier date than when the claim was actually made. We are proposing to retain this provision so that people can apply for their claim to start from an earlier date if they can provide good reason.

### next steps

Details of the responses will be presented to Councillors to help inform them before they make the final decision on the Local Council Tax Support scheme to be adopted from April 2013.

### useful links

#### Department for Communities and Local Government (DCLG)

<http://www.communities.gov.uk/localgovernment/localgovernmentfinance/counciltax/counciltaxsupport/>

Stakeholders can contact DCLG direct for more information on specific issues if they wish. Queries should be addressed to: [ctb-reform@communities.gsi.gov.uk](mailto:ctb-reform@communities.gsi.gov.uk)

If you contact DCLG please only include ONE query in each mail. This will ensure the query you raise is directed to the right person.

#### Keep up to date with the changes

[http://www.rochford.gov.uk/benefits/changes\\_to\\_benefit.asp](http://www.rochford.gov.uk/benefits/changes_to_benefit.asp)

**Rochford District 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 Act 2012.

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 district.
- 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.
- 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'<sup>1</sup> to:

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

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

---

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

<sup>2</sup> 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.

<sup>3</sup> 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.

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

## Appendix C

'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



## Appendix C

'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 <sup>5</sup>	White	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

<sup>5</sup> 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).

## Appendix C

'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) <sup>6</sup>	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 <sup>7</sup>	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

<sup>6</sup> For example, Buddhist, Christian, Hindu, Jewish, Muslim, Sikh or no religious belief.

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

## Appendix C

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

## Appendix C

'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 discriminate<sup>8</sup> against any 'protected characteristic', either directly or indirectly?

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

<sup>8</sup> 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.
<b>There is insufficient evidence to make a judgement.</b>	<b>Sign off screening and complete a full impact assessment – Section 2.</b>

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

Nick Scott

12. Date of completion:

6 July 2012

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 aim<sup>9</sup>? If yes, state how:

- 

*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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<sup>9</sup> 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.

## Appendix C

		Details of Planned Engagement	Date for Review	Summary of findings
Age	Older people (60+)	Essex-wide consultation will take 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:

- 

17. Date of completion:

-

18. Date for update or review of this screening:

- 

*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 – under the relevant service area heading.*

DRAFT