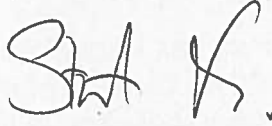


Haringey Council

Report for:	Cabinet – 16 April 2013	Item number	
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Title:	Revenues, Benefits and Customer Services: Policy for the award of Discretionary Council Tax Reductions
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Report authorised by :	Stuart Young Assistant Chief Executive 
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Lead Officer:	Paul Ellicott, Head of Revenues, Benefits and Customer Services
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Ward(s) affected:	Report for Key/Non Key Decision:
All	Key

1. Describe the issue under consideration

- 1.1 The report seeks Cabinet agreement in respect of the policy for the award of discretionary reductions for Council Tax under the Section 13A(1)(c) of the Local Government Finance Act 1992.
- 1.2 The Council Tax Reduction Scheme agreed by Full Council on 17th January 2013 included reference to the need to have in place a policy in respect of discretionary reductions.

2. Cabinet Member Introduction

- 2.1 This policy sets out guidance for the award of discretionary reductions for Council Tax, ensuring applications are considered properly on a case-by-case basis.
- 2.2 This is important in ensuring we provide support for residents in need, especially in the context of current welfare reforms.

3. Recommendations

- 3.1 That Cabinet approve the policy as set out at Appendix A and note the application as set out in Appendix B.

4. Other options considered

- 4.1 Section 13A(1)(c) of the Local Government Finance Act 1992 gives authorities a general discretion to reduce a person's council tax to such extent as the authority thinks fit. By virtue of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, all persons liable for council tax are entitled to apply for such a discretionary reduction. Therefore the Council needs to review its policy in this regard to determine how such applications are to be assessed.

5. Background information

- 5.1 The Council Tax Reduction Scheme was agreed by Full Council on 17th January 2013. Outside of this scheme, residents may claim for a discretionary reduction in the amount of council tax due. Section 13a(1)(c) of the Local Government Finance Act 1992 allows the Council to reduce the amount of council tax that a person is liable to pay to such an extent as it thinks fit, or if the amount has already been reduced under the Haringey Council Tax Reduction Scheme, by such further extent as it thinks fit. This includes the power to reduce the amount to nil.
- 5.2 This relief is discretionary. This power may be exercised in individual cases or by categorisation of cases. The Council has not specified any class of case in which liability is to be reduced. However it will consider claims on an individual basis.
- 5.3 Where the Council is exercising a discretionary power, the Council must not fetter that discretion by applying its policy in such a way as to limit the Council's consideration of an application or series of applications. The policy therefore acts as guide, with a set of criteria which should be met in full or part depending on the case concerned, notwithstanding that each application will be assessed on its own merits. Key to the decision is the evidence supplied by the resident which will be required to support their claim.
- 5.4 Officers will be responsible for assessing claims. There is no right of appeal, however officers will conduct a review if an applicant can provide further supporting evidence and has requested the review within 1 month of the decision.
- 5.5 As stated in Directions issued by the Department for Communities and Local Government in March 2013, the cost of meeting discretionary reductions under Section 13A(1)(c) is met in full by the council. Unlike Section 13A(1)(c), bad debt provision is apportioned between the council and the GLA as our preceptor, with an average of 20% being met by the GLA.
- 5.6 The anticipated level of demand and ultimately award is difficult to project.

6. Comments of the Chief Financial Officer and Financial Implications

- 6.1 The policy ensures that applications are considered on a case by case basis on their individual merits, against criteria set, and that they are assessed and awarded through a process of approval by senior managers. This should provide a sufficient framework to control the financial impact on the Council.
- 6.2 Since reductions in the amount of council tax due, arising from claims for a Section 13A(1)(c) discretionary reduction, will decrease the Council's collectible debit, it will be vital to ensure that reductions under Section 13A(1)(c) are monitored very closely in order to assess the impact on the Council. This will be reviewed on a regular basis as part of the Council's normal financial control processes.
- 6.3 Having due regard to the Council's finances and considerations around the Council's ability to meet the financial cost of the reductions, there remains a risk to the Council since the expected take-up is not known.

7. Head of Legal Services and Legal Implications

- 7.1 The Local Government Finance Act 2012 re-enacts an existing power in the Local Government Finance Act 1992 which gives authorities a general discretion under section 13A(1)(c) to reduce a person's council tax to such extent as the authority thinks fit or remit it entirely, whether or not the person already receives a reduction under Haringey's Council Tax Reduction Scheme.
- 7.2 By virtue of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, all persons liable for council tax are entitled to apply for such a discretionary reduction.
- 7.3 Where a local authority has discretion it can adopt a policy or guidelines to indicate how it proposes to exercise that discretion. This will assist the Council to demonstrate that it is acting fairly and properly. However, the Council must not act in a way which 'fetters' its duty to properly exercise its discretion. A policy which effectively eliminates the authority's consideration of an application or of a class of applicants will be liable to challenge in the courts. Case law has established that a policy must not be used as a rigidly applied constraint which prevents the proper consideration of any exceptional circumstances of a case. Each case must therefore be considered on its own merits, in the light of the policy but not so that the policy alone determines the outcome.

8. Equalities and Community Cohesion Comments

- 8.1 An equalities impact assessment was undertaken within the introduction of the Council Tax Reduction Scheme (CTRS). As the policy for Section 13A(1)(c) is primarily intended to support those experiencing financial hardship due to the impact of CTRS and offers a means of alleviation of hardship; it is considered that this sufficiently addresses equalities. The policy for Section 13A(1)(c) hereby acts as mitigation for the effects of CTRS.

8.2 The Equalities Impact Assessment is attached within Appendix C.

9. Head of Procurement Comments

9.1 Not required

10. Policy Implications

10.1 The recommended policy is set out in Appendix A. An application process will be required and may be varied in accordance with service need and customer feedback. An application form is set out in appendix B.

11. Appendices

Appendix A - Policy for the Award of Discretionary Reductions in Council Tax Liability under Section 13A(1)(c) Local Government Finance Act 1992

Appendix B – Application Form

Appendix C – Equalities Impact Assessment

Policy for the Award of Discretionary Reductions in Council Tax Liability under Section 13A(1)(c) Local Government Finance Act 1992

1. Introduction

- 1.1 Section 13a(1)(c) of the Local Government Finance Act 1992 allows the Council to reduce the amount of council tax that a person is liable to pay to such an extent as it thinks fit, or if the amount has already been reduced under the Haringey Council Tax Reduction Scheme, by such further extent as it thinks fit. This includes the power to reduce the amount to nil.
- 1.2 This relief is discretionary. The Council has not specified any class of case in which liability is to be reduced. However it will consider claims on an individual basis.

2. Scope and Definition

- 2.1 A reduction under section 13A(1)(c) may be awarded to council tax payers who are experiencing financial hardship due to extenuating circumstances. As a discretionary reduction each case will be assessed on its individual merits.
- 2.2 The cost of section 13A(1)(c) reductions is met in its entirety by Haringey Council and therefore Haringey council tax payers. The granting of such reductions must therefore be considered against their financial impact to residents and will only be granted in exceptional circumstances.

3. How to apply for a discretionary reduction

- 3.1 An application must be submitted in writing by the council tax payer(s) or his/her representative. Applications should be submitted to Revenues, Benefits and Customer Services Division and clearly marked **Council Tax Discretionary Reduction**.
- 3.2 Applications must be supported by evidence to support the claim. The maximum award that may be applied for is the council tax owed for one financial year. The Council can only assess an application on the basis of the evidence before it. Where evidence is weak or insufficient it is likely that an application will be refused.

4. How claims for a discretionary reduction will be assessed

- 4.1 The Council will consider each application for a discretionary reduction on its merits. However, some or all of the following criteria should be met in each case:
 - Evidence of financial hardship or exceptional personal circumstances.
 - Details of how the council tax payer(s) has attempted to meet council tax payments prior to application.
 - An application under the Haringey Council Tax Reduction Scheme has been made and assessed.
 - All other eligible reductions, discounts and relief in respect of council tax have been considered and where applicable awarded.

- The council tax payer(s) occupies rented accommodation, is not a homeowner and has no access to other assets that could be used to pay council tax.
- The Council can meet the financial cost of the award.
- The amount outstanding must not be the result of wilful refusal or culpable neglect.

4.2 Written applications will be assessed together with all supporting evidence. A reduction may be awarded in respect of council tax liability from 1st April 2013, and may only be applied in respect of the financial year in which it is made or to which it pertains. Any reduction awarded may meet part or all of the council tax liability for that financial year.

4.3 Applications will be considered by service managers within Revenues, Benefits and Customer Services and recommendations submitted to the Head of Service for authorisation within 21 days of receipt of all information. Once approved, the council tax payer(s) will be notified of the decision within 14 days. An application submitted is not an entitlement to withhold payment of council tax.

5. Review of Decision

5.1 Under the Local Government Finance Act 1992, there is no right of appeal against the Council's use of discretionary powers. However, the Council will accept a resident's written request for a further review of its decision if it is supported by further information or evidence and is made within one calendar month of the decision.

5.2 Any review will be carried out by a different person from the person who made the decision to which the review relates and shall normally be completed within 28 days from the date the review is received by the Council.

6. Ending or Cancelling the Reduction

6.1 In all cases the reduction will end either; at the end of the financial year or; on the same day as the closing of the council tax payer's account or; where information indicates the council tax payer's circumstances have changed; on the date of the change.

6.2 Where it transpires that a reduction has been awarded based on false information or evidence the decision will be revoked and the Council reserves the right to recover any council tax already remitted.

7. Decision Making

7.1 The levels of decision making are outlined in the table below. In addition the annual audit of council tax will encompass the application and award of reductions.

Service Manager	Assistant Head	Head of Service
To review and consider applications in accordance with guidelines recommending approved cases and level of award to Head of Service	To review and consider applications in accordance with guidelines recommending approved cases and level of award to Head of Service	To authorise or reject cases submitted.
To reject any case which	To reject any case which	

does not meet guidelines set.	does not meet guidelines set.	
	To review any re-applications.	
	To monitor and ensure compliance with policy.	
	To review and control expenditure.	

8. Equalities and Diversity

8.1 This policy is discretionary and therefore all council tax payers will be eligible to apply for reductions. The policy has been written with due regard for those council tax payers who are affected by the changes as a result of the introduction of the council tax reduction scheme.

9. Review of Policy

9.1 This policy will be monitored any revisions necessary will be brought back to Cabinet at a future date.

Council Tax Discretionary Reduction: Application Form

Your personal details

<p>Name of Council Tax Payer/s:</p> <p>Council Tax Account Number:</p> <p>Property Address:</p> <p>Telephone Number:</p> <p>Email Address:</p>

Your financial circumstances:

1. Do you own the above-mentioned property or any other property?	
2. Provide details of the circumstances causing hardship?	
3. What efforts have you made to improve your financial position?	
4. Are you receiving financial help from any other source? If yes, please provide details.	
5. Please complete the financial statement of income and expenditure.	
6. Please provide any	

additional information in support of your claim.	
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You must include evidence to support your claim. As a minimum the following is required:

- Completed Income & Expenditure Form
- Confirmation of all household income
- Confirmation of current expenditure
- Recent bank statement(s)

Your application will be considered in line with the evidence provided. Once a decision has been made you will be notified within 14 days.

Please note that any existing repayment plans remain in place and therefore you should continue to pay your council tax as set out in your bill or notification of repayment plan.

Appendix C – Equalities Impact Assessment

Service:	Revenues, Benefits and Customer Services
Directorate:	Corporate Resources
Title of proposal:	Council Tax Reduction Scheme
Lead Officer (author of the proposal):	Paul Ellicott
Names of other Officers involved:	Carla Segel, Inno Amadi

Statement of purpose

In making this proposal, we have been mindful of our public sector equality duty to have due regard to the need to:

- a) eliminate discrimination;
- b) advance equality of opportunity between different groups and;
- c) foster good relations between groups in Haringey.

In addition we are committed to ensuring that we promote social inclusion in all council services making sure that they address the needs of those vulnerable residents who rely most heavily on them. The most socially excluded residents predominantly have the protected characteristics defined in the Equality Act 2010.

The purpose of this assessment is to:

- a) Identify whether and to what extent this proposal: could produce disadvantage or enhance opportunity for any groups with the protected characteristic defined in the Equality Act 2010;
- b) Establish whether the potential disadvantage is significant enough to call for special measures to remove or reduce the disadvantage;
- c) Identify and set out the measures that will be taken to remove or reduce the disadvantage;
- d) Where mitigation measures are not possible, to set out and explain why;
- e) To ensure that Members are fully aware of the implications the proposal may have for the Council's public sector equality duty before they decide on the proposal.

Step One: Identify the aims of the proposal

1) Please state:

- What problems the proposal is intended to address
- What effects it is intended to achieve
- Which group(s) it is intended to benefit and how

The Government is transferring the support for Council Tax to local authorities from 2013-14 with a reduction in funding of 10% as an element of its deficit reduction programme. Council Tax Benefit will be abolished and local authorities will be developing their own systems for rebating Council Tax. However, entitlement rates for pensioners in England will still be set nationally and maintained at their existing level, this will have the impact of increasing the 10% reduction for other claimants as the reduction in benefit is passed on.

In its consultation with affected claimants, the Council proposed a draft scheme which has the following four elements:

- A flat reduction in entitlement to all working age claimants in line with the reduction in Government funding;
- A reduction from £16k to £10k in the amount of savings and investments a claimant is allowed and still qualify for Council Tax Support;
- Abolition of entitlement if less than £1 per week is awarded;
- Reduction in the maximum period of backdate of a claim (this has now removed from the proposals)

The Government guidelines protect pensioners whose entitlement will be maintained at their current rates, hence they are excluded from this EqIA.

Duty to vulnerable groups

In "Localising Support for Council Tax: Vulnerable People – key local authority duties" published in May 2012, the Government is clear that in addition to their public sector equality duty, there are additional duties which the Council will have to have regards to when developing its Council tax Support scheme. These are described in that document as "Vulnerable people – key local authority duties" and include:

- **Duty under the Child Poverty Act 2010**

In relation to the Council Tax Benefit Scheme, the child poverty duty involves the requirement to consider the impact the propose Council Tax Support scheme will have on Haringey's children living in poverty as described in Haringey's child poverty needs assessment and work with partner agencies named in the Act to address the effects of child poverty in Haringey.

- **Public sector equality duty – disability**

The Council will need to make sure additional challenges that disabled people face which may affect their income (and therefore their ability to pay council tax) are considered. This could for example involve, recognising the limited ability of disabled people to find and sustain employment or the likely additional disability-related cost of living.

- **Armed Forces Covenant - war pension and compensation payments**

Since 2006, the Council has been required by Regulations to disregard the first £10 per week of War Pension Scheme and Armed Forces Compensation Scheme payments when assessing council tax benefit entitlement. In addition, the Council has discretion to top-up this disregard to the full amount, and is encouraged to do under the Armed Forces Covenant principles. This discretion is still available to the Council under the council tax benefit reform.

- **Duty to prevent homelessness**

Part 7 of the Housing Act 1996 provides a safety net for households with dependent children and vulnerable people who become homeless through no fault of their own. In relation to the Council Tax Reduction scheme, the homelessness duty may lie in one or both of the following actions:

- The need to consider the impact of the scheme on the ability of homeless families' to pay their rent in temporary accommodation, or in their home once permanently housed, so as to avert the risk of eviction for non-payment of rent following any shortfall in income following the proposed changes.
- The need to consider how information about the changes is provided to homeless households either in temporary accommodation, or once permanently housed, so that they are fully aware of the financial implications for them and to enable them to take action to avert any risk to their housing that may arise following the implementation of the proposed changes.

Step Two: Consideration of available data, research and information

Instruction: You should gather all relevant quantitative and qualitative data that will help you assess whether at present, there are differential outcomes for the different equalities target groups – diverse ethnic groups, women, men, older people, young people, disabled people, gay men, lesbians and transgender people and faith groups, etc. Identify where there are gaps in data and say how you plug these gaps.

In order to establish whether a group is experiencing disproportionate effects, you should relate the data for each group to its population size. The Haringey Borough Profile of Protected Characteristics (can be found on the Website) will help you to make comparisons against Haringey's population size. The most up to date information can be found in the Joint Strategic Needs Assessment.

- 1) **Using data from equalities monitoring, recent surveys, research, consultation etc. are there group(s) in the community who:**
 - are significantly under/over represented in the use of the service, when compared to their population size?
 - have raised concerns about access to services or quality of services?

For this EqIA, we have used available equality data on claimants on the Council's Revenues and Benefits IT system: i-World. Our records shows that as at June 2012, excluding pensioners, a total of 25,362 council tax benefit (CTB) claimant households (70% of claimant households) will be affected by the Council's proposed scheme.

The following table shows the demographic breakdown of current claimants.

N.B.

Unrecorded protected characteristics

The protected characteristics of gender reassignment, sexual orientation, marriage and civil partnership, religion and belief and pregnancy and maternity are not currently recorded in the Revenues and Benefits IT system as they do not form part of the application criteria. Prior to the Equality Act 2010, these characteristics were not covered by public sector equality duty, hence there was no requirement to record them in the system and as a result, no historical data exist relating to them. Therefore the extent of the impact of the proposed scheme on individuals with these characteristics is **not** shown in this EqIA. Following this EqIA, data collection will be reviewed to ensure that data on these characteristics are collected.

Recorded unprotected characteristics

This EqIA also covers the impact on claimants with dependents, lone parents, economically inactive claimants and a comparison of impact between the east and the west of the borough.

Category	All Council Tax Benefit claimants*	Impacted by Scheme (excluding pensioners)	% All Council Tax Benefit claimants	% Impacted by Scheme (excluding pensioners)	Haringey borough
Households	36290	25362	100%	70%	101900
Claimant Age					Census 2011
18-24	1298	1298	3%	5%	10%
25-44	13799	13799	38%	50%	39%
45-59	10355	10355	29%	37%	16%
60-64	2200	2200	6%	8%	4%
65+	8634	0	24%	0%	9%
Dependents Age					Census 2011
0-16	24451	24207	30%	36%	21%
Count of all members of CTB h/hold	80432	67300			
Lone parents with dep. (estimated)	6869	6849	19%	27%	10% (Census 2001)
More than 3 dependents in household	2974	2964	8%	12%	N/A
Disability (based on modelling tool which counts claimants who had been awarded a disability premium as at June 2012)					Nomis (Feb 2012)
No	33313	23213	92%	92%	92%
Yes	1487	1108	3%	3%	8%
Gender					Census 2011
Male	14340	10578	40%	39%	50%
Female	21261	16612	60%	61%	50%
Unknown	689	466	excluded	excluded	
% Council Tax Benefit claimed					Proportion of working age who are economically active/ inactive (Nomis)
Receiving <100% CTB)/ Economically active	11298	8796	31%	32%	67%
Receiving 100% CTB) / Economically Inactive	24592	18502	69%	68%	33%
Unknown	400	358	excluded	excluded	
Borough impact					Mid Year Estimates 2010
East	29598	22910	82%	84%	67%
West	6374	4485	18%	16%	33%
Unknown	318	261	excluded	excluded	
Ethnicity	11194 claimant records had an ethnicity recorded				Mid Year Estimates 2009
White British	1595	1240	14%	14%	51%
Other White	3730	2766	33%	31%	15%
Non White	5869	4837	52%	55%	34%
Unknown	25096	18813	excluded	excluded	

* Source: i-World (Revenue and Benefits IT system) June 2012

Our analysis shows that of the claimants (excluding pensioners) most likely impacted by our scheme:

- 50% are in the 25-44 age group

- 37% are in the 45-59 age group
- 12% have 3 or more dependents
- 36% of claimants' dependents are children aged 0-16
- 27% are lone parents
- 3% have a disability
- 61% are women
- 68% are receiving 100% CTB or are economically inactive
- 84% live in the east of the borough
- 55% of those with ethnicity recorded are non white and 31% other white

2) What factors / barriers might account for this under/over representation?

As shown in the impact table above, there are certain groups who are over-represented among claimants who are likely to be affected by the scheme. The reasons for this over representation are multiple and complex and are extensively described in the Council's various key strategic documents and summarised in the Corporate Equality Objectives 2012 – 16. The key factors are:

- **Unemployment** – especially in the east of the borough and within some groups including women, especially lone female parents and minority ethnic communities.
- **Deprivation** – with a disproportionately high concentration in the east and within minority ethnic communities.
- **Child poverty** –with disproportionate incidence in the east and within minority ethnic communities and lone female parents.
- **Disability** –A range of benefits and allowances (e.g. Incapacity Benefit, Severe Disablement Allowance) are claimed by a large number of disabled people of working age. It is recognised that people claiming these benefits are effectively economically inactive.
- **Homelessness** – This may prevent people from working. The homeless register shows an over representation of lone female parents; young people aged 16-24; and; Black or Black British people – three times their size in the local population.

In 'Localising Support for Council Tax: A Statement of Intent', the Government intent is to lift the poorest off benefits by supporting them into work. However, it is not anticipated that the above barriers would immediately be removed and claimants achieve self reliance as a result of the scheme. It is likely therefore that in the short term, the impacts identified in this report will remain. The expectation must be that in the long-run, those barriers would progressively be removed so that more and more claimants achieve self-reliance and less reliance on benefit support.

3) What other evidence or data will you need to support your conclusions and how do you propose to fill the gap?

Additional evidence/data will come from the consultation.

Step Three: Assessment of Impact

Instruction: Using the information you have gathered and analysed in step 2, you should assess whether and how the proposal you are putting forward will affect any of the existing barriers facing people who have any of the characteristics protected under the Equality Act 2010. State what actions you will take to address any potential negative effects your proposal may have on them.

1) How will your proposal affect existing barriers? (Please tick below as appropriate and use the space to explain why)

Increase barriers?

Reduce barriers?

No change?

For explanation of the impact see table below.

2) What specific actions are you proposing in order to reduce the existing barriers and imbalances you have identified in Step 2?

The actions are set out in the Mitigation column in the impact table below. When developing their local schemes, authorities were given the power to amend benefit disregards, deduction levels and applicable amounts. Haringey has made a positive choice to protect as many people as we are able to.

1) Impact	2) Mitigation
Protected characteristic: Age	
<ul style="list-style-type: none"> • 50% of claimants (excluding pensioners) are aged 25-44 • 37% of claimants (excluding pensioners) are aged 45-59 • 36% of people who will be affected by the changes are children (0-16). If unemployed or on low income their households would be exposed to additional financial pressures as a result to the changes. It could also impact adversely on child poverty 	<ul style="list-style-type: none"> • Premiums are included in the Applicable Amount for 'non-passported', working-age claimants where there are dependent children or qualifying young persons in the household • Premiums for children and qualifying young persons are also included in the Applicable Amount for 'non-passported' • Capital belonging to a child or qualifying young person is fully disregarded • Child Benefit and maintenance payments in respect of a child or qualifying young person are fully disregarded • Child care cost disregards will continue to apply where appropriate • More generous Applicable Amounts for 'non-passported', working-age and pensioner lone parents • No increase in non-dependant deduction amounts • Deduction exemption for non-dependant students will continue to apply • Second Adult Rebate will continue • There will be scope for further consideration to be applied as appropriate for the purposes of discretionary financial assistance or liability reduction • Welfare reforms targeted at restricting benefit/credit entitlements for those of working-age • It is recognised that people in the age group that would be most affected may find it especially difficult to find work due to their age; they will be signposted to employment and re-skilling programmes that provide support to find work.
Protected characteristic: Sex (formerly gender)	
<ul style="list-style-type: none"> • Both sexes will be subject to the same rate reduction in support and to the 	<ul style="list-style-type: none"> • Female claimants will be signposted to the various appropriate women specific employment and skills development initiatives in the borough, in addition to generic programmes to help people

1) Impact	2) Mitigation
<p>same rule changes.</p> <ul style="list-style-type: none"> • However, 61% of claimants who will be affected are female. 	<p>into work e.g. Haringey Adult Learning Services (HALS) which has delivered more than 4000 sessions of support in 2011/12 on employment advice and access to further and higher education.</p>
<p>Protected characteristic: Disability (includes people in receipt of Disability Living Allowance, Severe Disablement Allowance and Higher Rate Incapacity Benefit and Chronically Sick Disabled Persons Act duty)</p>	
<ul style="list-style-type: none"> • 3% of claimants who will be affected are disabled. • For many disabled people, especially those with severe disablement, working may not be a realistic option, so unless there is effective mitigation, they are likely to face additional financial hardship. 	<p>The Council has taken into consideration the views from the consultation and its duty under the Equality Act 2010, and recognises that disabled people's needs may be different from those of non-disabled people, and that they may have limited ability to work. As a result, it is proposed that in addition to pensioners, disabled people are also protected from the reduction. This will apply to all claimants in receipt of one of the following:</p> <ul style="list-style-type: none"> • Attendance Allowance • Constant Attendance Allowance • *DLA - Care component (lower or middle or higher rate) • *DLA – Mobility component • Exceptionally Severe Disablement Allowance • Long Term Rate Incapacity Benefit • Mobility Allowance • Mobility Supplement • Severe Disablement Allowance • WTC – Disability element <p>* DLA to be replaced by PIP from April 2013</p>
<p>Protected characteristic: Race (formerly ethnicity)</p>	
<ul style="list-style-type: none"> • 40% of claimants who will be affected by the changes declared their ethnicity. • Of those, 55% are Black and Minority Ethnic groups combined; 31% are Other White category 	<p>Through the same employment and skills training programmes to enhance employment opportunities in Haringey, especially in the east of the Borough with a high concentration of BMEs and high levels of deprivation</p>
<p>Protected characteristic: Pregnancy and maternity</p>	
<p>We do not collect information about claimants' maternity status so the impact on this characteristic is not known.</p> <p>However, we have data on claimant household with dependent children see below.</p>	<ul style="list-style-type: none"> • Provisions continue to apply for 'non-passported' working-age claimants to delay/reduce the impact of stopping work pregnancy, maternity or paternity • Child care cost disregards continue to apply where appropriate • Scope for further consideration to be applied as appropriate for the purposes of discretionary financial assistance or liability reduction
<p>Child poverty</p>	
<ul style="list-style-type: none"> • About 34% of Haringey children are living in poverty (DWP 2010). • High risk groups include children in workless families; children in families with 4 or more children; children in single parent families; children of teenage mothers and BME children (national data shows that poverty rates are higher for all BME groups than for white families) 	<p>Child Poverty will be addressed through the forthcoming Child Poverty Strategy with outcomes which include:</p> <ul style="list-style-type: none"> • <i>Sustainable employment for families</i> through support to improve people's skills that will enable them to secure and sustain better paid jobs. This outcome supports the Government's underlying policy objective of encouraging people into employment and away from dependence on benefits. • <i>Increased financial support</i> through provision of opportunity to seek financial and debt management advice. • <i>Improved life chances</i> to ensure that children are given the best possible start in life and that poverty in childhood does not translate into poor outcomes for children as they move into adult life.

1) Impact	2) Mitigation
Households with dependent children	
<ul style="list-style-type: none"> • Over 48% of households who will be affected have at least one child. The change could impact adversely on child poverty. • 12% of claimants who will be affected by the changes have 3 or more dependents • We estimate that just over a quarter (27%) of claimant households who will be affected are lone parents, most of whom tend to be female 	<ul style="list-style-type: none"> • Mitigation is set out above in relation the duty under Child Poverty Act 2010 • Applicable amount for 'non-passported' working-age (and pensioner) claimants includes Premiums based on household composition as well as an additional Family Premium with more generous rates applicable to lone parents and the disabled • No increase in non-dependant deductions • Deduction exemption for non-dependant students continues to apply • Protection from non-dependant deductions where Attendance Allowance, the Care Component of Disability Living Allowance (and the Daily Living Component of Personal Independence Payment) are received by the claimant/partner(s) • Continuation of 'alternative maximum' amount provisions (i.e. Second Adult Rebate) • Capital belonging to a child or qualifying young person is fully disregarded • Child Benefit and maintenance payments in respect of a child or qualifying young person are fully disregarded • Child care cost disregards continue to apply where appropriate • Provisions continue to apply for 'non-passported' working-age claimants to delay/reduce the impact of stopping work pregnancy, maternity or paternity • Scope for further consideration to be applied as appropriate for the purposes of discretionary financial assistance or liability reduction • Welfare reforms are targeted at making working-age households less dependent on state welfare to encourage 'work incentives'
Unemployed (on 100% of CTB)	
<p>The changes will impact more on claimants who are currently not in work and claim 100% of council tax benefit.</p> <p>These constitute 68% of all claimants who will be affected by the changes. Unless they are able to find work they are more likely than not to face additional financial hardship as a result of the changes.</p>	<p>14% of those who responded to the question said the scheme should give protection to the unemployed.</p> <p>Relief for unemployed and people on low income will be addressed through various employment and regeneration strategies and plans (e.g.) Tottenham Plan, Haringey Guarantee Scheme and the Regeneration Strategy, which have as their core objectives, job creation and the skilling of local people to enable them take up job opportunities. Through these strategies and plans the Council aims to tackle unemployment and worklessness especially in the more deprived east of the borough.</p>
Claimants by area of residence (east/west of the borough)	

1) Impact	2) Mitigation
<ul style="list-style-type: none"> 84% of the total claimants who will be affected by the proposed scheme are in the east of the borough. The high levels of claimants in the east correlate strongly with areas of multiple deprivation, most acute in the north-east of the borough; claimants are predominantly from BME groups. 	<p>Through various employment and regeneration initiatives (e.g. Tottenham Plan targeted at the east of the Borough, and other initiatives and plans detailed in "Haringey's Council Plan 2012 – 2014").</p>
Homelessness	
<p>Of those accepted as being unintentionally homeless and being in priority housing need in 2011/12:</p> <ul style="list-style-type: none"> 30% were young people aged 16 – 24; 49% were Black or Black British; Just over 50% were lone female parents <p>Source: Haringey Council P1E returns</p>	<ul style="list-style-type: none"> The Council Plan 2012-14 sets out the actions the Council is taking to tackle homelessness, they include: Developing plans to meet the needs of families displaced or disadvantaged by changes to the welfare system and minimise the financial impact of the overall Benefits Cap; Delivering a minimum of 200 affordable homes; The Homelessness Strategy 2012 – 2014 years one and two actions to tackle homelessness and minimise the number of households in Temporary Accommodation; Reviewing and updating the Housing Allocation Policy to better respond to the needs of homeless individuals
Armed Forces Covenant - war pension and Armed Forces Compensation payment	
<ul style="list-style-type: none"> 19 people in Haringey are in receipt of war pension 12 of these receive war disablement pension and are protected under the scheme. <p>Source: i-World</p>	<ul style="list-style-type: none"> Legislation has been established to provide for the treatment of Armed Forces personnel (including Territorial Army personnel) Entitlement income received from a war pension will continue to be disregarded.

3) If there are barriers that cannot be removed, what groups will be most affected and what Positive Actions are you proposing in order to reduce the adverse impact on those groups?

The real barriers as the Government sees it are the barrier to self-reliance and self-support, which include unemployment, deprivation, disability and homelessness. It is not expected that these barriers would immediately be removed and claimants achieve self reliance as a result of the scheme. As shown in the Full Council report, protection for families with dependents and the claimants in receipt of 100% Council Tax Benefit was considered, however, the financial impact on the remaining claimants would be high as a result of this, and they were discounted. Mitigations are described in the table above. It is likely therefore that in the short term, those groups and the impacts identified in this assessment will remain. The expectation must be that in the long-run, those barriers would progressively be removed so that more and more claimants achieve self-reliance and less reliance on benefit support.

Step Four: Consult on the proposal

Instruction: Consultation is an essential part of an impact assessment. If there has been recent consultation, which has highlighted the issues you have identified in Steps 2 and 3, use it to inform your assessment. If there has been no consultation relating to the issues, then you may have to carry out consultation to assist your assessment.

Make sure you reach all those who are likely to be affected by the proposal. Potentially these will be people who have some or all of the characteristics listed below and mentioned in the Equality Act 2010:

- Age
- Disability
- Gender Re-assignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race, Religion or Belief
- Sex (formerly Gender) and
- Sexual Orientation

Do not forget to give feedback to the people you have consulted, stating how you have responded to the issues and concerns they have raised.

1) Who have you consulted on your proposal and what were the main issues and concerns from the consultation?

Public consultation took place between 22 August and 19 November 2012. It was a structured consultation, using online and paper questionnaires to enable respondents to:

- Indicate their level of agreement with each of the four key proposals in the Council's draft Local Scheme
- Say what groups (if any) they thought should be protected by the Scheme
- Make any other comment about the proposed Scheme

The printed questionnaire included a translation panel to enable residents to request it in one of 10 community languages most commonly spoken in Haringey, in large print, on audio and in Braille.

All the 36,000 current Council Tax Benefit claimant households were sent the papers, including the questionnaire. The questionnaire was widely available from the Council's main offices, Customer Service Centres, libraries and the two Citizen Advice Bureaux. It was also distributed at Area Assemblies and through local voluntary and community sector umbrella bodies including Haringey Association of Voluntary and Community Organisation (HAVCO) and Age UK Haringey.

In addition to the questionnaire, the Assistant Head of Revenues, Benefits and Customer Services attended a number of Area Forums to explain the impending changes and the Council's proposed Local Scheme.

Key issues from consultation

In total 1400 responses were received. These included 1251 completed questionnaires, 36 letters and 209 calls to Customer Contact Centres and Call Centres. 66% of people who responded currently receive council tax benefit and 97% of respondents live in Haringey.

Questions asked people about their support for the four elements of the Council's draft scheme:

1. Reducing payments to all working age claimants by an equal flat proportion in line with the reduction in government funding
2. Reducing the amount of savings and investments people are allowed to have and still be entitled to claim from £16,000 to £10,000
3. Removing the entitlement if less than £1 per week is awarded
4. Reducing the maximum period to backdate any claims (this has now been removed as a proposal)

They also asked people whether or not the scheme should protect any specific groups of people; and, if yes, what groups these were.

Responses to the questionnaire (paper and online) are listed below.

Proposals	Agreed or strongly agreed	Disagreed or strongly disagreed	Neither agreed nor disagreed	Did not answer the question
1. A flat reduction be applied equally to all claimants of working age	43%	44%	10%	3%
2. Those with savings and investments of over £10,000 should no longer be entitled to a Council Tax Reduction	43%	37%	18%	2%
3. Entitlement should be removed if the council tax reduction is less than £1 per week	48%	27%	21%	4%
4. Maximum period allowed for backdating claims should be reduced	39%	38%	19%	4%

The consultation also asked people whether some groups should be protected. It was made clear that doing so could mean that other claimants would get less support. The results are provided in the table below.

Question	Yes	No	Don't know	Did not
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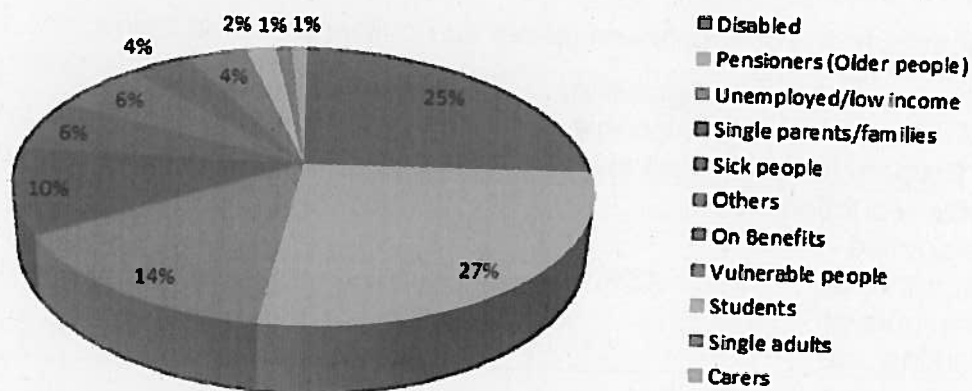
				answer the question
Should some groups be protected?	54%	21%	22%	3%

The consultation then asked respondents to identify any particular groups of people that should be protected. This was an open-ended question and a wide variety of responses were received. Of those who then specified which groups should be protected the top four groups identified were:

- 27% pensioners (including older people)
- 25% disabled
- 14% unemployed
- 10% single parent families

The full breakdown is displayed below:

Groups that people want to protect



Questions included in the equalities monitoring form covered the protected groups as defined by the Equality Act 2010. This information tells us that the following people responded to the consultation:

- 62% of respondents were under 59 years of age
- 53% of respondents were women
- 56% of respondents defined themselves as White (with 65% of those defining as British)
- 7% of respondents defined themselves as being of mixed ethnicity
- 7% of respondents defined themselves as Asian or Asian British
- 17% of respondents defined themselves as Black or Black British
- 1% of respondents defined themselves as Chinese or other ethnic group
- 46% of respondents identified themselves as Christian
- 59% of respondents said that they were heterosexual
- 67% of respondents said that they were not pregnant, and 63% that they had not had a baby in the last 12 months

2) How, in your proposal have you responded to the issues and concerns from consultation?

Issue/concern	Council response
Protection for disabled people	The Council has taken into consideration the views from the consultation and its duty under the Equalities Act and as a result it is proposed that claimants who are disabled will be fully protected from the proposed reduction in support. This means they will continue to receive their full entitlement at the existing rates. In order to be classed as disabled, claimants will need to be in receipt of one of the following: Attendance Allowance (including Constant AA) *Disability Living Allowance (including Care/Mobility components) Severe Disablement Allowance (including Exceptionally SDA) Long Term Rate Incapacity Benefit Mobility Allowance/Supplement Working Tax Credits – Disability element * DLA to be replaced by PIP from April 2013 This will mean a further reduction for all other claimants except pensioners.
Protection for pensioners (including older people)	Pensioners are already a protected group and will not be affected by the proposed changes.
Protection for those who are unemployed	Mitigation will be through the various employment and regeneration initiatives to provide employment opportunities and incentivise work.
Protection for single parent families	Mitigation will be through actions to address child poverty. It has also been agreed to disregard income received from Child Benefit when calculating entitlement to Council Tax support.

In addition to the above it has been agreed to disregard income received from a war pension / compensation scheme when calculating entitlement to Council Tax support.

3) How have you informed the public and the people you consulted about the results of the consultation and what actions you are proposing in order to address the concerns raised?

Through the following channels:

Council's website

- Consultation page
- Consultation Calendar
- Democracy page
- Revenue and Benefits web page – this will be particularly helpful to potential new claimants who might need information about the Scheme

Direct communication

All the 36,000 claimants were written to as part of this consultation and informed that the results would be published online.

Step Five: Addressing Training

Instruction: The equalities issues you have identified during the assessment and consultation may be new to you or your staff, which means you will need to raise awareness of them among your staff, which may even training. You should identify those issues and plan how and when you will raise them with your staff.

1) Do you envisage the need to train staff or raise awareness of the equalities issues arising from any aspects of your proposal and as a result of the impact assessment, and if so, what plans have you made?

The issues identified in this EqIA will be raised with relevant managers and staff through briefings and team meetings. Where specific training needs are identified, arrangements will be made for them needs to be met.

- All Revenues, Benefits and Customer Services staff who deal with claimants either face to face, on the phone or in the Back Office when processing applications will be trained and made aware of the changes and likely impact to claimants.

Step Six: Monitoring Arrangements

Instruction: If the proposal is adopted, there is a legal duty to monitor and publish its actual effects on people. Monitoring should cover all the protected characteristics detailed in Step 4 above. The purpose of equalities monitoring is to see how the proposal is working in practice and to identify if and where it is producing disproportionate adverse effects and to take steps to address those effects. You should use the Council's equal opportunities monitoring form which can be downloaded from Harinet. Generally, equalities monitoring data should be gathered, analysed and reported quarterly, in the first instance to your DMT and then to the Corporate Equality Board.

- 1) What arrangements do you have or will put in place to monitor, report, publish and disseminate information on how your proposal is working and whether or not it is producing the intended equalities outcomes?**
- **Who will be responsible for monitoring?**
 - **What indicators and targets will be used to monitor and evaluate the effectiveness of the policy/service/function and its equalities impact?**
 - **Are there monitoring procedures already in place which will generate this information?**
 - **Where will this information be reported and how often?**

The scheme will be reviewed and we have the option of changing it on an annual basis if we feel this is appropriate. As part of the changes a review of Council Tax support application forms will be undertaken to ensure they include the equality information we need to monitor the impact of the scheme. Existing Council policy on equality monitoring will be followed.



Haringey Council

Step Seven: SUMMARY OF IMPACT

Instruction: In the table below, summarise for each diversity strand the impacts you have identified in your assessment.

Age	Disability	Race (Ethnicity)	Sex (Gender)	Religion or Belief	Sexual Orientation	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity
<p>Pensioners will be protected.</p> <p>Working age claimants will be affected, mostly within the age range with: 50% aged 45 – 59, followed by 37% aged 24-44.</p> <p>36% of those affected are children, aged 0 – 16.</p>	<p>3% of those affected are disabled.</p> <p>It is proposed that they will be protected from the reduction if they are in receipt of certain disability related benefits.</p>	<p>BME groups as a whole would be most affected (55%), followed by White Other (31%).</p>	<p>More women (61%) will be affected than men.</p>	<p>No data is available as claimants did not provide information.</p>	<p>No data is available as claimants did not declare their sexuality.</p>	<p>No data is available as claimants did not provide information.</p>	<p>No data is available as claimants did not provide information.</p>	<p>Not recorded in the Council Tax collection and benefit register.</p>



Haringey Council

Step Eight: Summarise the actions to be implemented

Instruction: Please list below any recommendations for action that you plan to take as a result of this impact assessment.			
Issue	Action required	Lead person	Timescale
Protection of vulnerable groups	<p>In addition to protection for pensioners, it is recommended that claimants who receive one of the following will be protected from the proposed reduction in support:</p> <ul style="list-style-type: none"> Attendance Allowance (including Constant AA) *Disability Living Allowance (including Care/Mobility components) Severe Disablement Allowance (including Exceptionally SDA) Long Term Rate Incapacity Benefit Mobility Allowance/Supplement Working Tax Credits – Disability element <p>* DLA to be replaced by PIP from April 2013</p>	Head of Revenues, Benefits and Customer Services	To be implemented from April 2013
	<p>Actions to reduce possible hardship to working age claimants and families with dependents are in:</p> <ul style="list-style-type: none"> • the various employment initiatives • Haringey's forthcoming child poverty strategy 	Assistant Director, Planning, Regeneration and Economy Director, Children & Young People	By 2014
Monitoring of impact of the scheme	<ul style="list-style-type: none"> • Monitor the impact of the scheme after it has been implemented • Ensure data is collected on all relevant protected characteristics 	Head of Revenues, Benefits and Customer Services	April 2014
			Jobs for Haringey Scheme See Haringey's forthcoming child poverty strategy
			Within existing resources
			Within existing resources



Haringey Council

