

## **Revenues and Benefits Policies EqIA**

**03 January 2014**

This is an Equality Impact Assessment of the Revenues and Benefits Policies. Under equality legislation, the Council has a legal duty to pay 'due regard' to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

The duty to pay 'due regard' is required to be demonstrated in the decision making and the implementation process. Assessing the potential equality impact of proposed projects that are part of the programme is the means by which we show 'due regard'.

### **1. The Decision**

Since the last review of the Revenues and Benefits Policies in 2011 and 2013, there have been some legislative, procedural and guidance changes which require the policies to be reviewed. The original EqIAs can be found at:

Local Welfare Provision Policy

- <http://bit.ly/EqIA2012-14>.

Discretionary Council Tax Reduction Fund Policy – (Not done specifically for this policy, but two completed for the main Local Council Tax Reduction Scheme)

- <http://bit.ly/EqIA2012-6>
- <http://bit.ly/EqIA2012-13>)

Discretionary Housing Payments (DHP) –

- <http://bit.ly/EqIA2012-34>

Discretionary Rate Relief

- <http://bit.ly/MKCEqIA-33>

### **2. Methodology**

This assessment will review the main changes in the policies.

### **3. People affected**

These changes will affect all those who receive support under one of these policies. It is unlikely that in any individual with be unfairly adversely affected.

## **4. The Programme Assessed**

### **4.1 Changes to the existing DHP policy**

#### **4.1.1 To allow a request for a DHP to be made electronically.**

This provides for the advancement of equality of opportunity by allowing access to those who use auxiliary aids and would find making a request in any other manner difficult.

#### **4.1.2 The inclusion of a paragraph which confirms that one off lump sums for rent in advance or deposit will not be awarded if the Council considers the new accommodation to be unaffordable (and therefore not sustainable going forward).**

Whilst there could be room for unfair treatment in the definition of unaffordable, it is more likely that this will provide an opportunity to advance the requesters longer term needs by making their tenancy more sustainable.

Sustainable tenancies are an established equality concept which acknowledges that tenants need to know, not just their rights and the services they should expect, but know how they will meet their responsibilities in terms of paying rent and maintaining their tenancy.

#### **4.1.3 To confirm that those customers who are being considered for DHP because they are affected by the Benefit Cap, will be considered positively where they have also 'reorganised their finances to minimise non-essential expenditure or are receiving help with reorganising and/or managing their finances'.**

This provides for the advancement of equality of opportunity and fairness by establishing that DHP are available to all based on need.

### **4.2 Changes to the Local Welfare Provision policy**

#### **4.2.1 In section 4, three new paragraphs have been included to make clear that the Council will make a decision on the application as a whole, and may grant or refuse certain awards for each item as part of the overall application.**

This change is not relevant to equality

#### **4.2.2 An applicant may ask for review on the decision as a whole, and cannot ask for a partial review on any individual items that have been refused, as part of the whole application.**

This change may not be relevant to equality, however there is a concern that where individual elements are unfair these should be highlighted in any review of the whole.

### **4.3 Changes to the existing Discretionary Council Tax Reduction Fund Policy**

- 4.3.1 Establishes a new groups of eligibility for those who are unable to cope with day to day financial matters or who are experiencing personal crisis, or have mental health issues and the reduced requirement for a financial assessment on such groups.

This is a very welcome adjustment and addresses the concern that people with spectrum mental health issues may exhibit with other characteristics such as personal crisis or unable to cope with financial matters.

- 4.3.2 An amendment to the section covering appeals, as recent guidance issued by the Valuation Tribunal has made the process clearer.

This change is not relevant to equality

### **4.4 Changes to the existing Collection and Recovery policy**

- 4.4.1 Reference to the Enforcement Agents Code of Practice (as opposed to the Bailiff Code of Practice) and 'Taking Control of Goods' (as opposed to distraint)

This change is not relevant to equality

### **4.5 Discretionary Rate Relief (DRR) - Non Domestic Rates**

- 4.5.1 A new discretionary rate relief for new properties completed after the 01 October 2013 and before 30 September 2016. This was introduced by central government legislation and is fully funded by central government.

This change is not relevant to equality

- 4.5.2 A new relief for shops, public houses and restaurants with a Rateable Value of less than £50,000 for a maximum period of 2 years.

This change is not relevant to equality

- 4.5.3 Explicitly stating that all Discretionary Rate reliefs are granted in accordance with state aid regulations as set out in EC Regulation 1998/2006 as published in the Official Journal of the European Union on 28 December 2006)

This change is not relevant to equality

- 4.5.4 Expanding the guidelines for granting of s44a (partly occupied premises) relief

This change is not relevant to equality

## **5 Summary**

The 2014 changes in Revenues and Benefits Policies have been equality impact assessed. The changes build on the Council's intent, outlined in the original assessments in 2013, to continually review these policies for fairness and the advancement of equality of opportunity.