

Equality Analysis Equality Impact Assessment (EIA) Form 'Knowing your customers needs'

Background

An Equality Analysis is a way of making sure that equality considerations are embedded into our decision-making processes and that equality is considered when we are developing key policy & services etc.

One tool to help you do this is an Equality Impact Assessment or EIA. It will assist you in ensuring that “due regard” has been given to identify any potential or actual impact (Positive or Negative) that our policies/services/functions*etc., have on differing groups of people.

EIAs also provide a systematic approach to identifying and recording gaps and actions in relation to ensuring equal access when providing functions.

The purpose of the Equality Analysis is to:

- make us focus on the needs, experiences and circumstances of everyone who will be affected by the decisions the Council makes
- direct us to seek alternative ways of achieving our aims and avoiding inequality
- enhance our credibility with our service users to have greater confidence in our performance
- improve our policy making procedures and services

* Note: For simplicity we have sometimes referred to the following (listed below) as 'Functions'. This includes: Services, Employment Practices, Projects, Strategy, Processes, Systems, Practices, Procedures, Protocols and Guidelines

Legislation - Equality duty

As a local authority that provides services to the public, Melton has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance Equality of Opportunity
- Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex
9. Sexual orientation

When completing the Equality Impact Assessment you are encouraged to consider other disadvantaged or socially excluded communities or groups e.g. carers, the homeless, rural communities, priority neighborhoods, ex-forces personnel etc., who are likely to be affected by the proposal. The evidence also needs recording to demonstrate that consideration has been given.

Title of the policy	Housing Benefits Overpayment Policy
Is it new or existing?	New
Date	12/12/2017
Officer undertaking EIA	Gill Long
Who else is involved in undertaking this assessment?	

1. Overview of policy/function being assessed

A. Outline: What is the purpose of this policy? (Specify the aims and objectives.) Please also state why the policy has been introduced or changed.

This policy is required to define the local authority's policy and procedures around the creation, classification and recovery of Housing Benefit Overpayments. A review of the current processes identified a backlog of debts that had yet to be processed and the policy was required to move the project forward.

B. Who are the people/groups affected and what is the intended change or outcome for them?

Any resident of MBC who claims Housing Benefit (HB) may, at any point, receive an amount of Housing Benefit to which they are not entitled. This is called an overpayment. This also impacts the Local Authority as Housing Benefit is paid out on behalf of the government and reclaimed through a subsidy process. Good collection of overpayments maximises the subsidy received by the Local Authority. Recovering the HB overpayment from the claimant is done taking into account the legislation and the claimant's current circumstances. The customer can request their notifications and correspondences to be sent to a relative or friend or an alternative format as required.

C. Equality implications/obligations.

Will this proposal/policy/service etc., meet the Equality Act requirement to have 'due regard' to the need to meet any of the following duties? In this question, consider both the new/current service and the proposed changes.

Equality Duty.	Is the equality duty listed in the left hand column relevant to your policy/service etc?		Comments on how it meets the duty or why is not relevant
	Yes	No	
(1) Eliminate unlawful discrimination, harassment and victimisation – please complete section 4 of the template.			

Equality Duty.	Is the equality duty listed in the left hand column relevant to your policy/service etc?		Comments on how it meets the duty or why is not relevant
	Yes	No	
<p>(2) Advance equality of opportunity between different groups How does the proposal/policy/service etc ensure that the intended outcomes promote equality of opportunity for users who have protected characteristics?</p> <p>This includes:</p> <ul style="list-style-type: none"> • Removing or minimising disadvantages for protected groups of people • Taking steps to meet the needs of people from protected groups where these are different from the needs of other people • Encouraging people from protected groups to participate in public life or in other activities where there participation is disproportionately low e.g. are stakeholders engaged in the process and are there any barriers? 	Yes		<p>The policy is an expansion of the legislation laid down for each authority to follow. However, claimant's circumstances are taken into account when deciding on the level of recovery.</p> <p>For example, it may be that a person's protected characteristic is the reason for claiming housing benefit in the first place e.g. a person with a learning disability who is unable to work.</p> <p>Therefore, along with the claimants financial circumstances, identifying other criteria, like learning difficulties, mental health/capacity, age etc will help to decide on the level of recovery or the decision to recover at all.</p>

Equality Duty.	Is the equality duty listed in the left hand column relevant to your policy/service etc?		Comments on how it meets the duty or why is not relevant
	Yes	No	
<p>(3) Foster good relations between different groups (tackling prejudice and promoting understanding). Does the service contribute to good relations or to broader community cohesion objectives? How does it achieve this aim?</p> <p>This could include: <i>(The following are examples and so you do not need to answer all the bullet points below.)</i></p> <ul style="list-style-type: none"> • Building services around people and communities and involving them • Considering if there are strong and positive relationships between groups/communities affected by this policy. Does the policy/service bring together groups of people not used to interacting with each other? If so will it raise any issues that need to be addressed? • Tackling myths and misinformation. If the service is seen as unfair by certain groups, how do you tackle the myths and communicate this? 		N/A	

D. Which groups have been consulted as part of the creation or review of the policy? Did they identify any barriers?

None. This is an expansion of a government legislative framework.

2. What we already know and where there are gaps?

A. What existing information/data do you have/monitor about different diverse groups in relation to this policy?

This could consist of previous EIA's, reports, consultation, surveys, demographic profiles etc.

The overpayment actions, if ongoing, are reviewed after a short term to ensure that the claimant still has the capacity to afford the arrangement. This will take into account any difficulties associated with any of the protected characteristics such as disability and age etc.

B. What does this information/data tell you about diverse groups?

If you do not hold or have access to any data/information on certain/all diverse groups, what do you need to begin collating/monitoring? (please list)

N/A

3. Do we need to seek the views of others and if so, who?

A. In light of the answers you have given in question 1D & 2 do you need to consult with specific groups? If not please explain why.

The policy is applicable to all those who have claimed and been in receipt of HB and who now have an overpayment to be considered. It is based on financial eligibility to receive the award and financial circumstances when recovering any overpayments.

4. Assessing the impacts

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has an actual or potential positive or negative impact on the groups specified and whether there is evidence of discrimination. Please read the guidance that accompanies this template.

If you have identified actual or potential negative impact or discrimination that is illegal, you are required to take action to remedy this immediately.

If you have identified negative impact or discrimination that is justifiable or legitimate please give your reasons. You will need to consider what can be done to mitigate its effect on those groups of people.

Provide an explanation for your decisions.

Diversity Groups	Positive impacts (Actual or Potential)	Negative impacts (Including any barriers) (Actual or Potential)	Is there evidence of direct/indirect discrimination? (Is it illegal or legitimate/justifiable?)	Mitigation Where there are potential barriers, negative impacts identified and/or the barriers or impacts are unknown, please outline how you propose to minimise or remove all negative impact or discrimination.
Age		Unknown/ Potential		Along with the claimants financial circumstances, identifying other criteria, like learning difficulties, mental health/capacity, age etc will help to decide on the level of recovery or the decision to recover at all. Monitoring will take place to ensure that the policy does not have any adverse effects on any of the protected characteristics.

Diversity Groups	Positive impacts	Negative impacts	Is there evidence of direct/indirect discrimination?	Mitigation
<p>Disability (physical, visual, hearing, learning disability, mental health)</p>		Unknown/ Potential		<p>Along with the claimants financial circumstances, identifying other criteria, like learning difficulties, mental health/capacity, age etc will help to decide on the level of recovery or the decision to recover at all.</p> <p>Monitoring will take place to ensure that the policy does not have any adverse effects on any of the protected characteristics.</p>
<p>Gender / Sex</p>		Unknown/ Potential		<p>Along with the claimants financial circumstances, identifying other criteria, like learning difficulties, mental health/capacity, age etc will help to decide on the level of recovery or the decision to recover at all.</p> <p>Monitoring will take place to ensure that the policy does not have any adverse effects.</p>

Diversity Groups	Positive impacts	Negative impacts	Is there evidence of direct/indirect discrimination?	Mitigation
Religious Belief		Unknown/ Potential		<p>Along with the claimants financial circumstances, identifying other criteria, like learning difficulties, mental health/capacity, age etc will help to decide on the level of recovery or the decision to recover at all.</p> <p>Monitoring will take place to ensure that the policy does not have any adverse effects on any of the protected characteristics.</p>
Racial Group		Unknown/ Potential		<p>Along with the claimants financial circumstances, identifying other criteria, like learning difficulties, mental health/capacity, age etc will help to decide on the level of recovery or the decision to recover at all.</p> <p>Monitoring will take place to ensure that the policy does not have any adverse effects on any of the protected characteristics.</p>

Diversity Groups	Positive impacts	Negative impacts	Is there evidence of direct/indirect discrimination?	Mitigation
Sexual Orientation		Unknown/ Potential		<p>Along with the claimants financial circumstances, identifying other criteria, like learning difficulties, mental health/capacity, age etc will help to decide on the level of recovery or the decision to recover at all.</p> <p>Monitoring will take place to ensure that the policy does not have any adverse effects on any of the protected characteristics.</p>
Gender reassignment/ Transgender		Unknown/ Potential		<p>Along with the claimants financial circumstances, identifying other criteria, like learning difficulties, mental health/capacity, age etc will help to decide on the level of recovery or the decision to recover at all.</p> <p>Monitoring will take place to ensure that the policy does not have any adverse effects. on any of the protected characteristics.</p>

Diversity Groups	Positive impacts	Negative impacts	Is there evidence of direct/indirect discrimination?	Mitigation
<p>Other protected groups (pregnancy & maternity, marriage & civil partnership)</p>		Unknown/ Potential		<p>Along with the claimants financial circumstances, identifying other criteria, like learning difficulties, mental health/capacity, age etc will help to decide on the level of recovery or the decision to recover at all.</p> <p>Monitoring will take place to ensure that the policy does not have any adverse effects on any of the protected characteristics.</p>
<p>Other socially excluded groups (low literacy, offenders, priority neighbourhoods, ex forces personnel etc)</p>		Unknown/ Potential		<p>Along with the claimants financial circumstances, identifying other criteria, like learning difficulties, mental health/capacity, age etc will help to decide on the level of recovery or the decision to recover at all.</p> <p>Monitoring will take place to ensure that the policy does not have any adverse effects on any of the protected characteristics.</p>

5. Action Plan

Please include any identified concerns/actions/issues in this action plan:

The issues identified should inform your 'One Council Delivery Plan' and, if appropriate, your Consultation Plan.

Action Number	Action	Responsible Officer	Target Date
1	The policy to be an addendum to the MBC financial orders policy	Dawn Garton	January 2018
2	Monitor for potential impact to disadvantaged groups/people with protected characteristics and identify mitigating methods as outlined in section 4.	Benefits Manager	Ongoing

6. Who needs to know about the outcomes of this assessment and how they will they be informed

	Who needs to know? (Please tick)	How they will be informed? (We have a legal duty to publish EIA's)
Internally (employees & Check & Challenge group)	Yes	Published
Externally (service users, stakeholders, private sector householders, landlords etc)	Yes	Published on web site within the Benefits area.
Others		
To ensure ease of access, what other communication needs/concerns are there?		

7. Internal Scrutiny

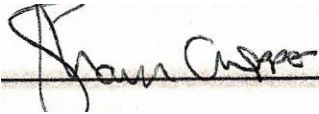
To be completed and signed by a **member of the check and challenge group.**

Please delete as appropriate.

I agree with this assessment/action plan

If disagree, state action/s required

Signed (Check and challenge):



Shaun Cropper

Date: 03/01/18

8. Conclusion

To be completed and signed by the **Head of Service**.

Please delete as appropriate.

I agree with this assessment/action plan

If disagree, state action/s required, reasons and details of who is to carry them out with timescales:

Signed (Head of Service):



Date: 03/01/18