

Equality Impact Assessment

Part 1: Screening

When reviewing, planning or providing services Northampton Borough Council needs to assess the impacts on people. Both residents and staff, of how it works - or is planning to – work (in relation to things like disability). It has to take steps to remove/minimise any harm it identifies. It has to help people to participate in its services and public life. “**Equality Impact Assessments**” (EIAs) prompt people to think things through, considering people’s different needs in relation to the law on equalities. The first stage of the process is known as ‘screening’ and is used to come to a decision about whether and why further analysis is – or is not – required. EIAs are published in line with transparency requirements.

A helpful guide to equalities law is available at: www.northampton.gov.uk/equality. A few notes about the laws that need to be considered are included at the end of this document. Helpful questions are provided as prompts throughout the form.

1 Name of policy/activity/project/practice	This is:
SPD review	Existing policy/activity/practice

2. Screening undertaken (please complete as appropriate)	
Director or Head of Service	Robin Bates
Lead Officer for developing the policy/activity/practice	Ian Tyrer
Other people involved in the screening (this may be people who work for NBC or a related service or people outside NBC)	County, Police and Fire, Council Tax Team

<p>3. Brief description of policy/activity/project/practice: including its main purpose, aims, objectives and projected outcomes, and how these fit in with the wider aims of the organisation.</p> <p>Please explain:</p> <p>To ensure the accuracy of award of 25% discounts for a customer being the sole occupant in a domestic property</p> <p>We aim through Corporate priorities to ensure the effective management of the Council. This project addresses this and priorities around delivering efficient services. As a responsible Local Authority we have a duty to ensure that we award the correct discount to those qualifying members of our community.</p>
4 Relevance to Equality and Diversity Duties

Is it linked to NBC's Single Equality Scheme? NBC's Public Sector Duties? Equality Framework Criteria? Service or departmental equality priorities?

Please explain:

All parts of the community are effected where an innacurate award of a discount is present. An award of an incorrect discount effecs the amount of revenue due to the Council, County, Police and Fire service.

Are there any aspects, including how it is delivered, or accessed, that could contribute to inequalities? (This should relate to all areas including Human Rights.)

No

Please explain:

We have a statutory duty and responsibility to correctly assess liability to Council Tax. Reviewing single person discount is documented as best practice.

5 Evidence Base for Screening

List the evidence sources you have used to make this assessment (i.e. the *known evidence*) (e.g. Index of Multiple Deprivation, workforce data, population statistics, any relevant reports, customer surveys, equality monitoring data for the service area.)

We hold records of all registered Council Tax payers and associated discounts and exemptions

Council Tax administration Best Practice guidance

Are there any significant gaps in the known evidence base? If so what are your recommendations for how and by when those gaps will be filled?

no

6 Requirements of the equality duties:

(remember there's a note to remind you what they are at the end of this form and more detailed information at www.northampton.gov.uk/equality)

Will there be/has there been consultation with all interested parties?

Yes

Please explain:

An Initial press article will be released to highlight the forthcoming review. NBC – Month 1

An Initial Mail shot will be sent to highlight that the review will take place. This gives people the opportunity to declare that they may not be the sole occupant of the property. NBC – Month 1

Issue of canvass form and pre paid envelope to again give opportunity to declare circumstances of a false award, Supplier – Month 2

Cancel those not responding or those declaring a second adult is present. Update those who confirm circumstances remain the same.

Are proposed actions necessary and proportionate to the desired outcomes?

Yes

Please explain:

Without identifying incorrect awards we are having an impact on communities. we would be discriminating against those legitimately paying a full charge where we not to undertake the review.

Where appropriate, will there be scope for prompt, independent reviews and appeals against decisions arising from the proposed policy/practice/activity?

Yes

Please explain:

Individuals can appeal against any determinations relating to their council tax liability and can, if dissatisfied with the response of the council, refer the matter to the Local Government Ombudsman for investigation.

Does the proposed policy/practice/activity have the ability to be tailored to fit different individual circumstances?

Yes

Please explain:

The SPD review can be conducted by phone, in writing or by home visit to cater for an individual's personal circumstances.

Where appropriate, can the policy/practice/activity exceed the minimum legal equality and

human rights requirements, rather than merely complying with them?

N/A

From the evidence you have and strategic thinking, what are the key risks (the harm or 'adverse impacts') **and opportunities** (benefits and opportunities to promote equality) this policy/practice/activity might present?

The council has a statutory duty and responsibility to correctly assess liability to Council Tax. Failure to periodically conduct a SPD review could have an adverse impact on the revenue due to the council. The SPD review is an effective process for ensuring those members of the community qualifying for a SPD are identified and awarded the discount as appropriate.

	Risks (Negative)	Opportunities (Positive)
Race	See above	See above
Disability	See above	See above
Gender or Gender Identity/Gender Assignment	See above	See above
Pregnancy and Maternity (including breastfeeding)	See above	See above
Sexual Orientation	See above	See above
Age (including children, youth, midlife and older people)	See above	See above
Religion, Faith and Belief	See above	See above
Human Rights	See above	See above

7 Proportionality

Describe the scale and likelihood of these risks and opportunities

The risk of losing revenue is greatly diminished by conducting a regular SPD review; whilst the process of identifying those members of the community eligible for a SPD is greatly increased by carrying out a review.

8 Decision

Set out the rationale for deciding whether or not to proceed to full impact assessment

Date of Decision: .../.../20...

We judge that a full impact assessment is not necessary since:

Equality Duties to be taken into account in this screening include:

Prohibited Conduct under The Equality Act 2010 including:

Direct discrimination (including by association and perception e.g. carers); Indirect discrimination; Pregnancy and maternity discrimination; Harassment; third party harassment; discrimination arising from disability.

Public Sector Duties (Section 149) of the Equality Act 2010 for NBC and services provided on its behalf: (due to be effective from 4 April 2011)

NBC and services providing public functions must in providing services have due regard to the need to: **eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups.** 'Positive action' permits proportionate action to overcome disadvantage, meet needs and tackle under-representation.

Rights apply to people in terms of their "Protected Characteristics":

Age; Gender; Gender Assignment; Sexual Orientation; Disability; Race; Religion and Belief; Pregnancy; Maternity. But Marriage and Civil Partnership do not apply to the public sector duties.

Duty to "advance equality of opportunity":

The need, when reviewing, planning or providing services/policies/practices to assess the impacts of services on people in relation to their 'protected characteristics', take steps to remove/minimise any negative impacts identified and help everyone to participate in our services and public life.

Equality Impact Assessments remain best practice to be used. Sometimes **people have particular needs** e.g. due to gender, race, faith or disability that need to be addressed, not ignored. NBC must have due regard to the **duty to make reasonable adjustments** for people with disabilities. NBC must **encourage people who share a protected characteristic to participate in public life** or any other activity in which their participation is too low.

Duty to 'foster good relations between people'

This means having due regard to the need to **tackle prejudice** (e.g. where people are picked on or stereotyped by customers or colleagues because of their ethnicity, disability, sexual orientation, etc) and **promote understanding**.

Lawful Exceptions to general rules: can happen where action is proportionate to achieve a legitimate aim and not otherwise prohibited by anything under the Equality Act 2010. There are some special situations (see Ch 12 and 13 of the Equality Act 2010 Statutory Code of Practice – Services, Public Functions and Associations).

National Adult Autism Strategy (Autism Act 2009; statutory guidelines) including:

to improve how services identify and meet needs of adults with autism and their families.

Human Rights include:

Rights under the European Convention include not to be subjected to degrading **treatment**; **right to a fair trial** (civil and criminal issues); **right to privacy** (subject to certain exceptions e.g. national security/public safety, or certain other specific situations); **freedom of conscience** (including religion and belief and rights to manifest these limited only by law and as necessary for public safety, public order, protection of rights of others and other specified situations); **freedom of expression** (subject to certain exceptions); **freedom of peaceful assembly and to join trade unions** (subject to certain exceptions); **right not to be subject to unlawful discrimination** (e.g. sex, race, colour, language, religion, political opinion, national or social origin); **right to peaceful enjoyment of own possessions** (subject to certain exceptions e.g. to secure payment of taxes or other contributions or penalties); **right to an education**; **right to hold free elections by secret ballot**. The European Convention is given effect in UK law by the Human Rights Act 1998.