

Tri-Borough Equality Impact Analysis Tool

Conducting an Equality Impact Analysis

An EqIA is an improvement process which helps to determine whether our policies, practices, or new proposals will impact on, or affect different groups or communities. It enables officers to assess whether the impacts are positive, negative or unlikely to have a significant impact on each of the protected characteristic groups.

The tool has been updated to reflect the new public sector equality duty (PSED). The Duty highlights three areas in which public bodies must show compliance. It states that a public authority must, in the exercise of its functions, have due regard to the need to:

- 1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under this Act;**
- 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;**
- 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.**

Whilst working on your Equality Impact Assessment, you must analyse your proposal against the three tenets of the Equality Duty.

General points

1. In the case of matters such as service closures or reductions, considerable thought will need to be given to any potential equality impacts. Case law has established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, it should demonstrably inform the decision, and be made available when the decision is recommended.
2. Wherever appropriate, the outcome of the EIA should be summarised in the Cabinet/Cabinet Member report and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.
5. If you already know that your decision is likely to be of high relevance to equality and/or be of high public interest, you should contact the Equality Officer for support.
6. Further advice and guidance can be accessed from the separate guidance document (link), as well as from your service or borough leads:

LBHF Opportunities Manager: PEIA@lbhf.gov.uk or ext 3430	RBKC Corporate Equalities Officer: angela.chaudhry@rbkc.gov.uk 020 7361 2654	WCC Senior Policy Officer: doleary@westminster.gov.uk 020 7641 8024
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Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2012-13 /03
Name and details of policy, strategy, function, project, activity, or programme	<p>Title of EIA: Local Support Payments (New)</p> <p>Short summary: Responsibility for running large parts of the discretionary Social Fund will be transferred from the DWP to local authorities, from April 2013. This is a Tri-borough initiative, lead by RBKC.</p> <p>The current system is overspending in line with budget projections. The government are therefore transferring the discretionary element of the social fund to local authorities to administer. The authority has no choice on funding but can set up its own scheme, the criteria of which must ensure that claims cannot exceed the budget available. This will inevitably adversely impact some of those that currently claim the awards from the DWP. However, there is limited data from the DWP so there is limited information on how certain groups are affected.</p> <p>The DWP have provided limited information on which groups currently use their service.</p> <p>Presently, those applying receive the following:</p> <ul style="list-style-type: none"> • Crisis loans for living expenses (CLLE) are interest-free loans available to anyone (whether on benefit or not) who cannot meet their immediate short-term needs in an emergency or as a consequence of a disaster. Repayments are made directly from benefit where possible. Separate arrangements are made for people not in receipt of benefits. • Community Care Grants are non-repayable grants awarded for a range of expenses including household equipment. They are primarily intended to support vulnerable people to return to or to remain in the community or to ease exceptional pressure on families. Eligibility is conditional on receipt or imminent receipt of an income-related benefit <p>The use of CLLEs has two distinct periods. Up to 2006, take up was relatively steady but since 2006/7, demand and expenditure has risen year on year. Spending in this area has got to the point where it is not possible to fund the year on year increases and this is a major driver for change.</p> <p>The use of CLLEs currently fall into three areas:</p> <ul style="list-style-type: none"> • general living expenses;

- items following a disaster
- alignment payments, meeting an urgent need pending an initial

The new system of Local support payments will cover the 1st two points but alignment payments will remain with the DWP and eventually covered under universal credit.

From April 2013, the current system is being scrapped and the DWP are keen to emphasise that the scheme should not be seen as replacement for current provision; rather a new entity

Under the new system, the scope of which has been decided by central government and is outside of the remit of LBHF, RBKC and WCC, to be entitled to a Local Support Payment:

- You must live in the Borough or have been placed in social housing outside the borough by this authority, or in the case of someone leaving prison, have an intention to move into the Borough, and
- You must be in receipt of a qualifying benefit or you must be due to leave an institution or care home within 6 weeks, and
- You must not have claimed a Social Fund or Local Support Payment in the borough within the past 12 months, and
- there is a serious risk to your own, or your family's health or safety, or
- You must require essential goods and furniture to establish yourself, or to remain, in the community
- The funds for resources you require cannot be claimed from the Department for Work and Pensions, for example assistance via a Budgeting Loan or Advance.

Local Support Payments are intended to cover immediate short-term needs to prevent serious risk to the health or safety of a person or their family or where essential assistance is required to help someone stay in the community. An award in the form of a gift card, voucher or loan may be issued to pay for a specific item or service to meet a need.

In the new system, we will not be making short term loans to those claiming. Payments will be made in the form of a grant as the cost of recovering the small amounts of debt will be too high.

We have amended the eligibility criteria so that only those in receipt of a qualifying benefit can receive an award, we have limited awards to twice a year (you can currently apply for a crisis loan 3 times per year) and the elements currently covered by a crisis loan have been reduced. This represents the DWP's intention as costs in this area have been increasing.

Lead Officers	LBHF Name: Paul Rosenberg Position: Benefits Manager Email: Paul.Rosenberg@lbhf.gov.uk Telephone No: 020 8753 1525	RBKC Name: Paul Ellary Position: Group Leader, Benefits Service Email: Paul.Ellary@rbkc.gov.uk Telephone No: 020 7361 2781	WCC Name: Martin Hinckley Position: Benefits Manager Email: mhinckley@westminster.gov.uk
Lead Borough	RBKC, Andrew.Wilson@rbkc.gov.uk		
Date of completion of final Full EIA	22/11/12		

Section 02	Scoping of Full EIA
Plan for completion	Timing: Autumn 2012 Resources: Andrew Wilson

Analyse the impact of the policy, strategy, function, project, activity, or programme

Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral or negative impact on equality, giving due regard to relevance and proportionality.

Total number of applications in K & C 2010-11 (including some repeat applications) = 3200
 Total number of applications in H & F 2010-11 (including some repeat applications) = 5750
 Total number of applications in Westminster 2010-11 (including some repeat applications) = 6060
Total = 15,010

We would expect the overall impact to be negative (compared with the current scheme) because the Government's funding for the localised scheme has been cut back to the 2005/6 level (it is not the government intention for local authorities to continue to award at the current levels), but the demand will be at the 2013/14 level.

The distribution of service users among groups with protected characteristics (GPC) is analysed in the table below. This data is taken from DWP data about who used the social fund in 2011-12.

Protected characteristic	Borough Analysis	Impact: Positive, Negative, Neutral						
Age	<p>LBHF <1% under 18 20% 18 – 24 76% 25 – 65 4% over 65</p> <p>The table below shows a comparison between age groups as a proportion of the population above the age 17 compared to current social fund claims. The information on the borough population has been taken from the 2010 borough profile.</p> <p>As can be seen, those that are under 24 use the service more than they are represented within the borough and those over 65 do not use it.</p> <table border="1" data-bbox="757 1353 1686 1428"> <thead> <tr> <th>age group</th> <th>%population above 17</th> <th>% usage</th> </tr> </thead> <tbody> <tr> <td>17-24</td> <td>13.04%</td> <td>21%</td> </tr> </tbody> </table>	age group	%population above 17	% usage	17-24	13.04%	21%	Negative
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	<table border="1"> <tr> <td>25-65</td> <td>74.64%</td> <td>76%</td> </tr> <tr> <td>65+</td> <td>12.32%</td> <td>4%</td> </tr> </table>	25-65	74.64%	76%	65+	12.32%	4%	
25-65	74.64%	76%						
65+	12.32%	4%						
	<p>From this, it can be assumed that people in the 17-24 bracket will be affected more by these changes than other age groups. This backs up DWP national data which shows that the increased costs and usage of CLLEs comes from predominately this age group.</p> <p>Furthermore,, because 20% of the applicants are lone parents, children are affected by the proposal.</p>							
	<p>RBKC 1% under 18 19% 18 – 24 76% 25 – 65 4% over 65 Therefore there is no bias against very old or very young people in terms of the applicants. However, because 18% of the applicants are lone parents, children are affected by the proposal.</p>	Negative						
	<p>WCC <1% under 18 11% 18 – 24 78% 25 – 65 10% over 65 Therefore there is no bias against very old or very young people in terms of the applicants. However, because 18% of the applicants are lone parents, children are affected by the proposal.</p>	Negative						
Disability	<p>LBHF Nationally, 27.65% of the expenditure was made to applicants who were classified by the DWP as “disabled”. We have no equivalent local statistic for the social fund data.</p> <p>However, 14.7% of LBHF residents have a limiting or long-term illness. Therefore disabled people can be reasonably thought to be over-represented.</p>	Negative						
	<p>RBKC Nationally, 27.65% of the expenditure was made to applicants who were</p>	Negative						

	classified by the DWP as “disabled”. We have no equivalent local statistic for the social fund data.	
	WCC Nationally, 27.65% of the expenditure was made to applicants who were classified by the DWP as “disabled”. We have no equivalent local statistic for the social fund data.	Negative
Gender reassignment	LBHF Unknown	Negative
	RBKC Unknown	Negative
	WCC unknown	Negative
Marriage and Civil Partnership	LBHF Less than 5% of applications were from couples. The 2001 data (the most recent available) shows 26.13% of couples in the borough are married and a further 13.07% are co-habiting. Couples are therefore less likely to use the service.	Negative
	RBKC Only 4% of applications were from couples.	Negative
	WCC Only 6% of applications were from couples.	Negative
Pregnancy and maternity	LBHF Unknown	Not known
	RBKC Unknown	Not known
	WCC unknown	Not known
Race	LBHF Unknown	Not known
	RBKC Unknown	Not known
	WCC Unknown	Not known
Religion/belief (including non-belief)	LBHF Unknown	Not known
	RBKC Unknown	Not known

	WCC Unknown	Not known
Sex	LBHF 43% single female 52% single male [However, 18% of the single people were lone parents] <5% couples The 2001 census shows that the borough has a gender split of 48% male, 52% female. This information therefore shows that males are likely to use this service. However, this proportion may reduce slightly under the new service as the higher male usage is currently within the claims for CLLE's.	Negative
	RBKC 45% single female 51% single male [However, 18% of the single people were lone parents] 4% couples	Negative
	WCC 42% single female 52% single male [However, 18% of the single people were lone parents] 6% couples	Negative
Sexual Orientation	LBHF Unknown	Not known
	RBKC Unknown	Not known
	WCC Unknown	Not known

As evident from the above, the DWP data does **not** show us the following:

- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and maternity
- Race
- Religion/belief (including non-belief)

- Sexual Orientation

However, some conclusions can be drawn by extrapolation from other data.

Race

In England and Wales, 16.7% of the population is 'not White British' (ONC 2009 estimate). At a Borough level, 42% of residents in Hammersmith and Fulham belonged to ethnic groups that were not white British (2001 census data). 50.2% of residents in Westminster belonged to ethnic groups that were not white British (2001 census data). 49.9% of residents in Kensington and Chelsea belonged to ethnic groups that were not white British (2001 census data). We do not know what proportions of social fund applicants belong to each ethnic group, but if we assume that the proportions are as above, then we can say that a higher proportion of our applicants will be from non white British groups than the national average.

Religion/belief (including non-belief) (2001 census data)

	H & F	Westminster	K & C	England & Wales
Christian	63.6%	55.0%	62.0%	72.0%
Buddhist	0.8%	1.3%	1.2%	0.3%
Hindu	1.1%	1.9%	1.0%	1%
Jewish	0.8%	4.3%	2.2%	0.5%
Muslim	6.9%	11.8%	8.4%	3%
Sikh	0.2%	0.2%	0.2%	0.6%
Other religions	0.4%	0.5%	0.6%	0.3%
No religion	17.6%	16.2%	15.3%	15%
Not stated	8.6%	8.8%	9.2%	8%

The data shows a higher than average proportion for some non-Christian faiths in the three boroughs, compared with the national average. We do not know what proportions of social fund applicants belong to each faith, but if we assume that the proportions are as above, then we can say that a higher proportion of our applicants will be from non-Christian faiths than the national average.

Disability

It is difficult to know whether the national percentage of social fund applicants who describe themselves as disabled (27.65%) is reflected among applicants in each borough. This is because local authority data is incomplete as not all disabled people are known to the authority. However, census data (2001) suggests that the percentage of residents with disabilities is marginally lower than the national average:

Borough	% of residents with disabilities
H & F	14.7
K & C	13.6
Westminster	14.8
England	17.9

Nevertheless, it is safe to assume that a disproportionately high number of social fund applications in the Tri-borough area come from disabled people.

The table below shows RBKC Freedom Pass data (2004-6) to indicate the kinds of disability that disabled people have:

Learning disability	6%
Mental health problems	32%
Mobility component of 'High Rate Disability Living Allowance' / 'War Pension Supplement	7%
Partially sighted	2%
Physical walking impairment	26%
Respiratory problem affecting physical walking	18%
Profoundly or severely deaf	3%
Refused driving licence	2%
Registered blind	4%

The following table shows the breakdown of freedom passes issued currently in LBHF:

Freedom Pass Issue Basis Summary		
A - Registered blind (not partially)	: 104	(3.95%)
B - Profoundly deaf	: 76	(2.88%)
C - Unable to communicate orally	: 7	(0.27%)
D - Permanent physical disability	: 857	(32.51%)
D - Receipt of DLA	: 665	(25.23%)
D - War pensions mobility allowance	: 1	(0.04%)
E - No upper arms or lost use of arms	: 3	(0.11%)
F - Learning disability	: 153	(5.8%)
G - Barred from driving on medical grounds	: 445	(16.88%)
H - Mental health (support under 1948 act)	: 325	(12.33%)

There is no current WCC data available for this report so the data available for the two borough is used as proxy for the whole tri-borough area, on the basis that the demographic characteristics of the three boroughs are similar.

There is no data available for:

- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and maternity
- Sexual Orientation

It is not proposed to collect this information as there is not likely to be any equalities impacts on these groups, apart from the pregnancy and maternity group. The offer will include provision for their needs.

Section 03	Analysis of relevant data Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.
Documents and data reviewed	LBHF: 2001 Census, DWP Social Fund statistics. RBKC: 2001 Census, DWP Social Fund statistics. WCC: 2001 Census, DWP Social Fund statistics.
New research	If new research is required, please complete this section No new research is proposed.

Section 04	Consultation
	Complete this section if you have decided to supplement existing data by carrying out additional consultation.
Consultation in each borough	<p>RBKC:</p> <ul style="list-style-type: none"> • Customer Survey of 1400 potential service users • Stakeholder work • Work with the Child Poverty Action Group <p>LBHF, WCC: will use this RBKC work as proxy for the whole Tri-borough area, on the basis that the demographic characteristics of these boroughs are similar to RBKC.</p>
Analysis of consultation outcomes for each borough	<p>LBHF: See Section 05, below</p> <p>RBKC: See Section 05, below</p> <p>WCC: See Section 05, below</p>

Section 05	Analysis of impact and outcomes
Analysis	<p>The high level decisions concerning the localisation of the discretionary social fund have already been made by central Government. The Government's EIA is at http://www.dwp.gov.uk/docs/eia-social-fund-localisation-wr2011.pdf. Therefore this EIA can only inform our detailed proposal, not the overall level of provision.</p> <p>In broad terms, the Tri-borough area has higher proportions of black and ethnic minority groups among its population, compared with the national average. There is no reason to believe that this trend will not be reflected among clients of the new service. Again, in broad terms, a higher proportion of applicants for the current social fund are disabled, and there is no reason to think that this feature will not continue in the new service. Finally, due to the relatively high number of lone parents who access the current service (18% of the applications in each borough), we know that a lot of children are affected by our proposals.</p> <p>Therefore we must ensure that our scheme meets the needs of black and ethnic minority groups, disabled people, and families with children.</p>

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	<p><u>Black or ethnic minority groups</u></p> <p>These groups will include clients for whom English is not their first language. The council already offers translation and interpreters for other services, and this provision will be carried-forward into local support payments. We propose this as mitigation.</p>

Disabled People

Officers have worked with representatives from stakeholder groups including Adult Social Services, and the CAB. We also have some customer insight from the survey responses. As a result of these inputs we propose a service that can be accessed by the following channels:

- Telephone
- On-line
- Via trusted representatives (Social Services and Housing Needs).

For business reasons we are not offering a direct face-to-face channel, but the project group feels that the above range of channels gives an appropriate level of access to our service.

Families with children

- We believe that the proposed channels will give an appropriate level of access to the service.
- Our grants will enable access to goods such as baby food, nappies, etc
- We recognise that to succeed in this area, we need to work closely with other agencies (see below).

In overall terms

- Central Government funding for this scheme will be reduced in real terms, compared with the current scheme.
- Although the administration funding will be maintained at the current level, local authorities will not be able to achieve the economy of scale that the DWP achieve with the current scheme. Therefore this also represents a cut in real terms.

In summary, we will have to run the new scheme with less resources. This means that any client of the new scheme is likely to be negatively impacted, relative to the old scheme. This will inevitably include people in groups with protected characteristics. The mitigation for this is to make the best use of limited resources. To achieve this we will:

- Suppress inappropriate demand by mainly issuing non-cash awards.
- Obtain discounts from stores by issuing store cards bought in bulk, to make the money go further.
- Obtain discounts for furniture, by having a contract with a not-for-profit social enterprise that will include re-furnished goods.
- Work collaboratively with other discretionary funds, for example:
 - Discretionary Housing Payment
 - Children's Act payments

- Charitable funds, for example The Campden Charities and Westminster Save the Children's fund.
- Develop effective signposting to other sources or help and advice, including Children's Services.
- Comprehensive training for staff operating the new scheme.

Section 07		Action Plan				
Action Plan	Note: You will only need to use this section if you have identified actions as a result of your analysis					
	Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan

Section 08		Agreement, publication and monitoring		
Chief Officers' sign-off	LBHF Name: Position: Email: Telephone No:	RBKC Name: Position: Email: Telephone No:	WCC Name: Position: Email: Telephone No:	
Key Decision Report (if relevant)	LBHF Date of report to Cabinet/Cabinet Member: 14/01/12 Key equalities issues have been included: Yes/No	RBKC Date of report to Cabinet/Cabinet Member: XX / XX / XX Key equalities issues have been included: Yes/No	WCC Date of report to Cabinet/Cabinet Member: XX / XX / XX Key equalities issues have been included: Yes/No	
Lead Equality Manager (where involved)	LBHF Name: Carly Fry Position: Opportunities Manager Date advice / guidance given: 20 Nov 2012 Email: PEIA@lbhf.gov.uk Telephone No: 020 8753 3430	RBKC Name: Position: Date advice / guidance given: Email: Telephone No:	WCC Name: Position: Date advice / guidance given: Email: Telephone No:	