EQUALITY, DIVERSITY AND INCLUSION

DONCASTER METROPLITAN BOROUGH COUNCIL

Due Regard Statement Template

How to show due regard to the equality duty in how we develop our work and in our decision making.
Due Regard Statement

A Due Regard Statement (DRS) is the tool for capturing the evidence to demonstrate that due regard has been shown when the Council plans and delivers its functions. A Due Regard Statement must be completed for all programmes, projects and changes to service delivery.

- A DRS should be initiated at the beginning of the programme, project or change to inform project planning.

- The DRS runs adjacent to the programme, project or change and is reviewed and completed at the relevant points.

- Any reports produced need to reference “Due Regard” in the main body of the report and the DRS should be attached as an appendix.

- The DRS cannot be fully completed until the programme, project or change is delivered.
<table>
<thead>
<tr>
<th></th>
<th><strong>Name of the ‘policy’ and briefly describe the activity being considered including aims and expected outcomes. This will help to determine how relevant the ‘policy’ is to equality.</strong></th>
<th><strong>Local Council Tax Reduction Scheme from 1 April 2019</strong></th>
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<tbody>
<tr>
<td></td>
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<td>The Local Government Finance Act 2012 proposed measures that required Doncaster Council, along with all other local authorities in the country, to design a Council Tax Reduction Scheme (known as Local Council Tax Support) from 1 April 2013 to support its residents to pay their Council Tax. This replaced the former national Council Tax Benefit scheme.</td>
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<td>In designing their local scheme, all authorities were mandated to include certain criteria as set out in the Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012. These regulations covered how support must be worked out for people of pension age and certain other matters which the Council has no discretion over. The Government continue to prescribe the rules that apply to support for pensioners and also a small number of other areas of the scheme such as those who are excluded from receiving support.</td>
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<td>Around 24,200 Doncaster residents receive support through the scheme.</td>
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<td>The aims of Doncaster Council’s Local Council Tax Reduction Scheme are:</td>
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<td>- To mitigate cuts to the Council Tax Support of Doncaster residents with the lowest income, to ensure that the most vulnerable are not disadvantaged and that Council Tax is proportionately paid by those most able to pay;</td>
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<td>- To manage the cost of the scheme within the available funds, ensuring that additional burdens are not put upon the general fund at further cost to local taxpayers;</td>
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<td>- To maintain a scheme that meets the requirements of the Local Government Finance Act and associated legislation and that takes account of the ongoing process of welfare reform so that those most affected by other benefit cuts are not disproportionately affected by changes to Council Tax Support;</td>
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<td>- To reduce and mitigate the effects of child poverty and inequality in line with the Council’s equality duties;</td>
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<td>Service area responsible for completing this statement.</td>
<td>Corporate Resources/Revenues and Benefits/Benefits Service</td>
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<tr>
<td>Summary of the information considered across the protected groups.</td>
<td>Age</td>
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<td>Service users/residents Doncaster Workforce</td>
<td>Pension Age: Around 10,760 people of pension age currently receive support through the scheme. These people will continue to have their support assessed under national rules that are designed to replicate the former Council Tax Benefit system as much as possible. In addition, the scheme provides additional support to pensioners through the application of a full disregard of War Pensions. The local changes to the scheme proposed from 1 April 2019 will not affect pensioners. Pensioners will continue to be required to complete a claim for LCTS to the Council as this is the only way we can gather information about their intention to claim and their circumstances.</td>
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<td>Working Age: Around 13,440 people of working age currently receive support through the scheme. Those on the lowest levels of income who receive passported benefits such as Income Support receive 100% support (subject to any deductions for non-dependents living with them). The scheme provides for earnings and childcare costs disregards for those of working age. The proposed local changes to the scheme from 1 April 2019 will potentially benefit all working age claimants either currently receiving Universal Credit or as they are transitioned to this benefit.</td>
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<td>Disability</td>
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<td>4,315 people with a disability currently receive support through the scheme.</td>
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<td>Applicants who receive Income Support by virtue of having a disability, or who receive an Income-related Employment and Support Allowance, are automatically entitled to the maximum amount of support.</td>
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<td>Additional premiums are included in the applicable amount for those in receipt of</td>
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disability benefits. These include a Disability Premium, Enhanced Disability Premium, Severe Disability Premium and Disabled Child Premium and the Support or Work Component for people who receive Employment and Support Allowance. This means that if family members receive certain disability benefits, such as Disability Living Allowance, Personal Independence Payments, Long-term Incapacity Benefit or Employment and Support Allowance, they are allowed to keep more of their income before their support is reduced. This reflects the extra demand on finances for people with disabilities.

- Total disregard of Disability Living Allowance, Personal Independence Payments and War Disablement Pension in the means test. This protects people with disabilities by ensuring this money can be used to support their needs.
- The basic weekly earnings disregard for people with a disability is set at £20, rather than the standard £5 for a single person or £10 for a couple. This ensures that disabled people who work are able to keep more of their earnings as their costs involved in that earning, may be greater.
- The proposed change to apply an additional earnings disregard to disabled couples who meet the criteria will align the treatment of earnings in these circumstances with the national Housing Benefit rules.

Race
The means tested scheme is based on income and household circumstances that are not influenced by race and ethnicity. The policy itself does not impact anyone differently on grounds of race or ethnicity. Data is not available for this characteristic and there are no plans to collect this data as it has no impact.

Gender
The means tested scheme is based on income and household circumstances that are not influenced by gender. The scheme itself does not impact anyone differently on grounds of gender.
14,625 people currently claiming support are female.
9,445 people currently claiming support are male.
In a further 130 cases, the gender is not recorded.
Sexual Orientation
The means tested scheme is based on income and household circumstances that are not influenced by sexual orientation. The policy itself does not impact anyone differently on grounds of sexual orientation. Data is not available for this characteristic and there are no plans to collect this data as it has no impact.

Religion and Belief
The means tested scheme is based on income and household circumstances that are not influenced by religion or belief. The policy itself does not impact anyone differently on grounds of religion or belief. Data is not available for this characteristic and there are no plans to collect this data as it has no impact.

Maternity and Pregnancy
The means tested scheme is based on income and household circumstances that are not influenced by pregnancy and maternity. The policy itself does not impact anyone differently on grounds of pregnancy and maternity. Data is not available for this characteristic and there are no plans to collect this data as it has no impact.

Gender Reassignment
The means tested scheme is based on income and household circumstances that are not influenced by gender reassignment. The policy itself does not impact anyone differently on grounds of gender reassignment. Data is not available for this characteristic and there are no plans to collect this data as it has no impact.

Marriage and civil partnership
The means tested scheme is based on income and household circumstances that are not influenced by marriage and civil partnership. The policy itself does not impact anyone differently on grounds of marriage and civil partnership. Data is not available for this characteristic and there are no plans to collect this data as it has no impact.
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<th><strong>Summary of the consultation/engagement activities</strong></th>
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Under the Local Government Finance Act 2012, before making or revising a scheme, the Authority must “consult such other persons as it considers are likely to have an interest in the operation of the scheme”.

Prior to the introduction of Doncaster’s first Local Council Tax Reduction Scheme in April 2013, consultation took place with elected members on various draft proposals for the scheme to manage the reduction in Government funding from the former fully subsidised Council Tax Benefit Scheme. Formal consultation also took place with major preceptors on the draft proposals for the scheme review. This was primarily in relation to the financial implications on those preceptors.

A wide-ranging public consultation exercise on the scheme proposals was carried out prior to the introduction of the first local scheme, this entailed:

- Writing to all working age Local Council Tax Support recipients in the borough who were potentially affected by the proposals, to inform them of the potential changes and inviting them to comment on the proposals;
- A questionnaire available on the Council website (paper versions were available in Libraries and Council public offices for anyone requesting these);
- Publicising the changes on the Council’s website, alongside the questionnaire, including a summary of the proposals for change and case studies showing how people would be affected;
- Information stands in the customer waiting area of the Council’s Civic Office;
- A dedicated phone line and answer phone set up by the Benefits Team;
- Presenting to stakeholder groups including the:
  - Doncaster Financial Inclusion Group (FIG) including representation from:
    - DMBC Success Doncaster
    - Department for Work and Pensions
    - JobCentre Plus
    - DMBC Private Sector Housing
    - Doncaster CAB
    - South Yorkshire Centre for Inclusive Living (SYCIL)
    - DMBC Housing Options
Doncaster West Development Trust
DMBC Trading Standards
South Yorkshire Credit Union
St Leger Homes of Doncaster (SLHD)
Refurnish
Probation Services
DMBC Children Services
DMBC Adult Services
  o Doncaster Disability Focus Group
  o BME New Settlers Tenants and Residents Association
• A general awareness campaign including press releases to local press, a poster campaign in libraries and the Civic Office, and publicity in HouseProud magazine.
• Publicity on Facebook and the Council’s twitter account.

674 people responded to the consultation. This included 351 working age Council Tax payers who were receiving Council Tax Benefit at the time.

Further local changes to the scheme were made in 2014 due to further reductions in Government funding. Elected Members and the major preceptors were again consulted on the proposals for change followed by a further public consultation exercise using a range of approaches and publicity as in 2012. 256 people responded to the consultation. Of these, at least 141 were Council Tax payers and 137 were of working age.

A public consultation has taken place for the proposed local changes to the scheme from 1 April 2019. The consultation ran between 3 December 2018 and 6 January 2019. A dedicated consultation page was set up on the Council’s website clearly setting out the proposals for change with an online questionnaire for the public to complete. Social media was used to promote the consultation as well as promotion in the Civic Office One Stop Shop and through partners including members of the Financial Inclusion Group and Anti-Poverty Strategy Group. Officers in the Benefits Team also telephoned a random selection of current LCTS recipients and invited visitors to the One Stop Shop to take part in the survey. A total of 358 responses were received with, on average, over 95% being in
| 5 | **Real Consideration:**
**Summary of what the evidence shows and how has it been used** |
|---|---|
| | Around 24,200 Doncaster residents receive support through the Local Council Tax Reduction Scheme. The implementation of Local Council Tax Support coincided with other major reforms to the welfare system; Housing Benefit restrictions for under-occupation in the social sector; the introduction of an overall benefit cap; Discretionary Housing Payments and other welfare reform changes such as benefit sanctions. Universal Credit Full Service was rolled out in Doncaster from 11 October 2017. Some claimants may already have been affected by multiple changes arising from the reforms and be subject to further welfare reform changes in the coming years.

The amount Doncaster has awarded in Local Council Tax Support in 2018/19 is lower than initially estimated as the caseload for LCTS has continued to steadily fall. This has contributed to an increased tax base and surplus in the Collection Fund which will be considered as part of the Council’s budget and tax setting process.

A review of the scheme has recently taken place with a particular focus on any adverse impact for people claiming Universal Credit, and the administration associated with assessing LCTS claims for these people. The internal scheme review concluded that the claiming and evidence rules in our scheme were onerous for people on Universal Credit and could, in some cases, be resulting in people not receiving the support they are entitled to. The review also concluded that there were some areas of our scheme where income was being treated differently for Housing Benefit and LCTS. This is specifically in relation to the treatment of Bereavement Support Allowance and earnings disregards for disabled couples where the Government changed the Housing Benefit rules in 2017. As the proposals to disregard the additional sums in the calculation of support only affect a very small number of people and would incur minimal additional spend in the scheme, these proposals have been included in the proposals for change from 1 April 2019.

When approving previous years’ schemes,
Members have expressed their preference that local changes to the scheme should be avoided other than those required under the Prescribed Requirements Regulations and the consideration of the annual uprating of allowances and premiums used to calculate support.

The proposals for local changes to the LCTS Scheme from 1 April 2019 are all advantageous to claimants and provide a positive response to support those people transitioning from other benefits to Universal Credit. The changes for Universal Credit claimants will potentially affect all working age LCTS claimants either now or as they move onto Universal Credit as they have a change in circumstances or are moved onto the benefit under the Government’s managed migration plans.

6 Decision Making


The scheme takes consideration of the former Council Tax Reduction Schemes (Default Scheme) Regulations 2012 and Department for Communities and Local Government (DCLG)’s guidance papers on vulnerable people and taking work incentives into account.

The scheme also takes into account the national Equality Impact Assessment undertaken by DCLG in 2012.

7 Monitoring and Review

Once a Local Council Tax Reduction Scheme has been made by the Council, it cannot be revised for at least one financial year. A billing authority must, however, consider whether to revise or replace its scheme on an annual basis.

The Council will monitor the number of people in receipt of support together with any complaints and challenges to the scheme and ensure that this information is included in reports presented to Full Council for approval of any local changes to the LCTS scheme in the future.

8 Sign off and approval for

Steve Mawson
Chief Financial Officer and Assistant Director of
| publication | Finance |