

Equality Impact Assessment (EIA) Form **'Knowing you customers needs'**

Background

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

Legislation - Equality duty:

As a local authority who 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 (when providing services)
5. Pregnancy and maternity (when providing services)
6. Race
7. Religion and belief
8. Sex
9. Sexual orientation

What is prohibited?

1. Direct discrimination, including by association and perception.
2. Indirect discrimination – now covers all characteristics.
3. Pregnancy and maternity discrimination.
4. Harassment.
5. Third party harassment.
6. Discrimination arising from disability.
7. Duty to make reasonable adjustments.

Title of the policy	Benefit Fraud Security Strategy
Is it new or existing?	New
Date	31.08.12
Officer undertaking EIA	Jackie Aimson
Who else is involved in undertaking this assessment?	

1. Overview of policy/function being assessed

<p>A. Outline: What is the purpose of this policy? (specify aims and objectives)</p> <p>The original policy is designed to outline how the Council aims to undertake its role in preventing and detecting fraud and error from the benefit system. The Strategy, together with its associated policies, codes of practice and procedures, covers the whole benefit system from safeguarding the administration of the system to the investigation and final determination of each case investigated.</p> <p>The policy has been set out taking into account legislation and guidance as set out by the Department of Work and Pensions (DWP) together with the Councils own aims and objectives for running of the Council and the well being of its citizens.</p> <p>The strategy has now been updated to reflect new guidance regarding the detection and investigation of Housing and Council Tax benefit fraud and the introduction of new legislation regarding related sanctions which can issued in such cases where there is sufficient evidence to be able to secure a successful outcome where fraud is detected.</p> <p>The policy also introduces the additional use of arrest powers which would enable officers, with the aid of the Police, to arrest customers who consistently refuse to attend an interview under caution when requested to do so where there is sufficient evidence that a fraud may have taken place.</p>
<p>B. What specific groups is the policy designed to affect/impact?</p> <p>The policy covers all customers who are in receipt of Housing and/or Council Tax Benefit within the borough who may be receiving amounts of benefit they are not entitled to.</p> <p>The policy should impact positively on the whole Borough and Community as we hope to reduce fraud and detect fraud in order that benefit is paid correctly and accurately to those most in need.</p> <p>The policy will ensure that all investigations can be carried out effectively and in full, where warranted and provide both a deterrent to others that the Council do take this matter seriously and leave it more difficult for those potentially committing fraud to avoid sanctions or punishment for offences that they may have committed.</p>
<p>C. Which groups have been consulted as part of the creation or review of the policy?</p> <p>Consultation has been carried out internally within Melton Borough Council (including the internal audit team), other Leicestershire Local Authorities, Leicestershire Police & Melton Tenants' Forum Executive Committee.</p>

--

2. What we already know and where there are gaps

<p>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.</p>
<p>Ethnicity: Demographic Profiles</p> <p>Religion:</p> <p>Sexual Orientation:</p> <p>Disability: Demographic Profiles and Evidence of any related benefit awards held on their claim files</p> <p>Age: Demographic Profiles and Dates of Birth are held on their claim files</p> <p>Gender: Demographic Profiles and Genders are held on claim files</p> <p>Transgender:</p> <p>Other : Some information detailed below held on claim files (Civil partnerships/marriage, pregnancy and maternity, offenders, priority neighbourhoods): Priority Neighbourhood Profiles, Expected Birth/Birth data, Offender data, crime data.</p>
<p>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)</p>
<p>Reports are available with regard to the amount of overpayments raised as a result of successful investigations, the type of sanction applied and source of referral on an individual claim basis. In respect of applying an administrative penalty as a sanction there is also some information available as to the amount of penalty and the amount recovered. All investigation activity is logged against each individual customer records</p> <p>The information held does reflect age, gender, whether there are any disabilities and through the interviews any other mitigating factors regarding the individuals personal circumstances are usually disclosed.</p> <p>There is limited or no information on a few of the 7 characteristics, as detailed above, a full equality monitoring questionnaire could be introduced for completion at each interview under caution to capture this, with the customers consent, to ensure more complete information is readily available.</p>

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

<p>A. In light of the answers you have given in question 2, do you need to consult with specific groups? If not please explain why.</p>
--

Yes – We have consulted internally with colleagues and more specifically with the Police due to the new arrest procedures as well as with the Melton Tenants' Forum Executive Committee who represent the views of Melton Borough Council Tenants.

Due to the document being only an update it was felt that this was adequate.

4. Assessing the impacts

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative on the groups specified and whether there is evidence of discrimination. Provide an explanation for your decisions. (please refer to the general duties on the front page)				
<u>Diversity Groups</u>	<u>Positive impacts</u> Intentional / Unintentional	<u>Negative impacts</u> Intentional / Unintentional	Is there evidence of direct/indirect discrimination?	<u>Comments/explanation</u> Use data to evidence
Age		Unintentional	No	The policy applies to all customers in receipt of Housing and Council Tax Benefit regardless of age
Disability (physical, visual, hearing, learning disability, mental health)		Unintentional	No	General statistics imply that there may be a higher number of disabled people on average compared to the general population who will be in receipt of benefits which can include Housing and Council Tax Benefit and it may occur that allegations that need investigating are made. However the policy applies to all customers in receipt of Housing and Council Tax Benefit regardless of disability
Gender / Sex		Unintentional	No	The policy applies to all customers in receipt of Housing and Council Tax Benefit regardless of gender
Religious Belief		Unintentional	No	The policy applies to all customers in receipt of Housing and Council Tax Benefit regardless

				of religious belief
Racial Group		Unintentional	No	The policy applies to all customers in receipt of Housing and Council Tax Benefit regardless of racial group
Sexual Orientation		Unintentional	No	The policy applies to all customers in receipt of Housing and Council Tax Benefit regardless of sexual orientation
Transgender		Unintentional	No	The policy applies to all customers in receipt of Housing and Council Tax Benefit.
Other protected groups (pregnancy & maternity, marriage & civil partnership)		Unintentional	No	The policy applies to all customers in receipt of Housing and Council Tax Benefit.
Other socially excluded groups (low literacy, offenders, priority neighbourhoods, etc)		Unintentional	No	Those living in priority neighbourhoods, offenders leaving prison, those with poorer literacy and numeracy skills are more likely to be in receipt of Housing and Council Tax Benefit.
All				The policy applies to all customers in receipt of Housing and Council Tax Benefit.

5. Action Plan

Please include any identified concerns/actions/issues in this action plan: <i>The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan</i>			
Question Number (Ref)	Action	Responsible Officer	Target Date
1	Review policy annually and seek feedback from other agencies	Team Leader – Benefits	ongoing
2	Start collecting more detailed equalities information	Team Leader – Benefits	01.01.13

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 & EIA Scrutiny group)	*	Via Equality Steering Group
Externally (service users, stakeholders etc)	*	Via Internet
Others	*	Via Freedom of Information request
To ensure ease of access, what other communication needs/concerns are there?		

7. Conclusion (to be completed and signed by the [Head of Service](#))

Please delete as appropriate
I agree with this assessment / action plan
If <i>disagree</i>, state action/s required, reasons and details of who is to carry them out with timescales:
Signed (Head of Service): Harry Rai
Date:

8. Internal Scrutiny (to be completed and signed by an independent [member of the third tier manager group](#))

Please delete as appropriate
I agree / disagree with this assessment
If <i>disagree</i>, state action/s required, reasons and details of who is to carry them out with timescales:
Signed (third tier manager): Ronan Browne
Date:

[Please ensure that this EIA is publicised on the Internet](#)