



SUPPLEMENTARY PAPERS

POLICY DEVELOPMENT AND REVIEW COMMITTEE MEETING

Date: Wednesday, 26 October 2016

Time: 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Sarah Aldridge, Mike Baldock, Monique Bonney, Andy Booth (Vice-Chairman), Lloyd Bowen (Chairman), Katy Coleman, Nicholas Hampshire, Harrison, James Hunt, George Samuel and Ben Stokes.

Quorum = 3

5.	Council Tax Support Scheme 2017/18 – To-follow report and appendices	Pages 1 - 46
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Issued on Wednesday, 19 October 2016

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Director of Corporate Services, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT

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Policy Development Review Committee Meeting	Agenda Item: 5
Meeting Date	26 October 2016
Report Title	Council Tax Support Scheme 2017/18 consultation
Cabinet Member	Clr Duncan Dewar-Whalley, Cabinet Member for Finance and Performance
SMT Lead	Emma Wiggins/Nick Vickers
Head of Service	Amber Christou
Lead Officer	Zoe Kent/Nick Vickers
Recommendations	<ol style="list-style-type: none">1. To note the outcome of the public consultation having taken consideration of the potential impact of the proposed changes on working age claimants with the protected characteristics of disability, age and sex under the Equalities Act 2010.2. To recommend changes to the current scheme as listed in paragraph 3.6.3. To agree the new funding model from the major preceptors for the collection of Council Tax from Council Tax Support claimants during 2017/18.

1 Purpose of Report and Executive Summary

- 1.1 The Council Tax Support Scheme (CTS) was introduced by the Department for Communities and Local Government (DCLG) in April 2013 as a replacement for Council Tax Benefit (CTB) administered on behalf of the Department for Work and Pensions (DWP). Each year the local Scheme must be approved by Full Council by 31 January.
- 1.2 The purpose of this report is, having noted the outcome of the public consultation and having considered the potential impact of the proposed changes on working age claimants taking into account the protected characteristics of disability, age and sex, under the Equalities Act 2010, to recommend changes to the current CTS scheme listed in paragraph 3.6.

2 Background

- 2.1 Prior to the introduction of the scheme in April 2013 the Kent authorities worked together to design a CTS scheme. A common approach was adopted across Kent, with the new scheme broadly replicating the former CTB scheme, but with a basic reduction in entitlement for working age claimants.

- 2.2 As part of its introduction, central government set out a number of key elements:
- the duty to create a local scheme for working age applicants was placed with billing authorities;
 - government funding was reduced initially by the equivalent of 10% from the levels paid through benefit subsidy to authorities under the previous CTB scheme; and
 - persons of pension age, although allowed to apply for CTS, would be dealt with under regulations prescribed by central government, and not the authority's local scheme.
- 2.3 In Swale under the current scheme working age claimants must pay at least 15% of their Council Tax liability. The figure of 15% represented the 10% funding loss applied to the working age caseload across Kent. Although there is a common approach across Kent, local schemes at district level have been tailored to local needs, so in other parts of Kent the percentage varies.
- 2.4 The Kent districts have been able to use the changes to the empty property discounts to vary the amount working age claimants pay towards their liability. Since its introduction in April 2013, our own local scheme has been reviewed annually; however, the core elements remain as were originally agreed.
- 2.5 Under the Kent-wide agreement the major precepting authorities agreed to collectively pay to each district council an administration fee of £125,000 each year, for three years, to assist with the costs of delivering and managing the scheme. The original three year period ceased on 31 March 2016. As a result of Kent Finance Officers Group discussions, it was agreed to continue the £125,000 administration fee for a further 12 months (i.e. to cover 2016/17) to enable a new scheme to be developed using an evidence-based approach.
- 2.6 When the new scheme started in April 2013, it resulted in approximately 5,000 households within the Borough paying some council tax for the first time. In addition, approximately 2,500 other households who received partial assistance saw increases in their bills.
- 2.7 Collection of the council tax balances in these cases has been challenging. However, with focus on these accounts and some changes to recovery processes, the scheme has largely been successful. The administrative fee paid by the major preceptors has been essential in assisting with the cost of the recovery of these debts.
- 2.8 The overall level of applicants, both working age and pension age, has fallen since the introduction of CTS to 11,921 as at 31 March 2016, compared with 13,381 as at 1 April 2013. This is mainly due to a reduction in unemployment and the rise of the pension age. As a result, the total cost of the scheme has reduced since its inception.

2.9 However, the initial '90%' funding that the government passed on to authorities through Revenue Support Grant to support the costs of local schemes has effectively been cut as part of the wider reductions in local government financial settlements. Therefore, although costs have reduced due to a lower claimant base, the outcome is that a greater share of the cost burden is falling on the billing authorities and the other major precepting bodies. This outcome has been one of the main catalysts for undertaking the review.

Table 1: CTS expenditure by year

Year	Expenditure
2013/14	£10,712,895
2014/15	£ 9,940,783
2015/16	£ 9,801,120
2016/17	£ 9,723,402

2.10 A group of finance and revenue officers from the Kent districts and major precepting authorities have been working closely together in setting the objectives of the review, and maintaining a common approach to the redesign of the local schemes. To support the review a consultant was appointed by Ashford BC on behalf of the Kent districts and major preceptors, with the costs being shared. The consultant has been assisting in the evaluation of alternative scheme models and with the public consultation process.

2.11 The objectives that have been collectively agreed are to:

- (i) have regard to the reductions in government grant and the financial pressures we face;
- (ii) make the scheme less costly (if possible), and more efficient in terms of its operation; and
- (iii) have regard to the impact such changes may have on vulnerable residents, and target support to those most in need.

2.12 It has been recognised by the Kent Finance Officers' group that the contributions that the major precepting authorities make towards the administration of the scheme are essential. Changes to the local scheme could potentially lead to a need to collect even more council tax from individuals who may find it difficult to pay, as well as those individuals finding the resultant changes difficult to comprehend.

2.13 Therefore, in parallel with the review of the local schemes, representatives from the Kent district councils have worked with the major preceptors to formulate a new funding model for assistance towards the administrative costs. This will be based on a fixed rate for each district of £70,000, plus an additional amount based on the size of the caseload. For Swale this is projected to be £71,600, making an overall contribution of £141,600.

3 Proposal

- 3.1 In liaison with the consultant, the Kent Finance Officers' group has considered a wide range of options for potential change, having regard to the objectives set out in paragraph 2.11 and the suitability for Kent. The options have been examined in detail with the Leader and relevant Cabinet Members.
- 3.2 The conclusion from the Group is that the most practical option would be to maintain a scheme similar to our current scheme. The reasoning behind this is:
- (i) it is known to our claimants;
 - (ii) it largely mirrors the housing benefit system;
 - (iii) our software systems are adapted for this type of scheme and would, therefore, require little additional cost to update;
 - (iv) our staff are familiar with the administration of this type of scheme; and
 - (v) as it is also aligned to housing benefit, we can continue to take advantage of economies of scale.
- 3.3 In order to meet the challenges of funding pressures, some adjustments to the current scheme will inevitably need to be made. Initially, the major precepting authorities had suggested that we seek to reduce the cost of the scheme through the increase in minimum contribution rate (currently 15% for working age claimants in Swale). Evidence from authorities across the country suggests there is a tipping point somewhere between 20% and 25% after which collection rates are affected significantly. The tipping point tends to affect claimants on low or fixed incomes, particularly single persons and couples with no dependants. Increasing the minimum percentage that a working age claimant needs to pay beyond the tipping point is likely to be counter-productive in terms of amounts actually collected, as well as hardship for some households.
- 3.4 Given the objectives of the review set out at 2.11, it is important that we seek to reduce the overall costs of the scheme whilst maintaining fairness and the feasibility of the scheme. A locally determined selection of options based on these principles, as set out in paragraph 3.6, were included as part of the consultation on Swale's scheme for 2017/18.
- 3.5 The Council went out to consultation on these options for a 12 week period ending on 28 August 2016 via a direct email to approximately 10,000 households. The results of the consultation are contained in Appendix I.
- 3.6 Given the financial challenge facing the Council, it is recommended that the Council implements the changes set out within the consultation, subject to the amendments set out in Table 2.

Table 2: Council Tax Support Options

Option	Recommendation	
Option 1 - Reducing the maximum level of support for working age applicants from 85 per cent to 81.5 or 80 per cent	Implement	Consultation findings support change
Option 2* - Removing the Family Premium for all new working age applicants	Implement	Consultation findings support change. Change brings CTS in line with wider welfare system.
Option 3* - Reducing backdating to one month	Implement	Consultation findings support change. Scope to address vulnerability through the hardship scheme.
Option 4 - Using a set income for self-employed earners after one year's self-employment.	Implement with amendment	Period extended to 18 months in response to consultation feedback.
Option 5* - Reducing the period for which a person can be absent from Great Britain and still receive Council Tax Reduction to four weeks	Implement	Consultation findings support change. Scope to address vulnerability through the hardship scheme
Option 6 - To introduce a standard level of non dependant deduction of £15 for all claimants who have non-dependants resident with them.	Implement with amendment	Deduction to be set at £15 for those non dependants in remunerative work (working more than 16 hours per week), in response to consultation feedback.
Option 7 - To take any Child Maintenance paid to a claimant or partner into account in full in the calculation of Council Tax Reduction.	Implement	Consultation findings support change. Inclusion of maintenance income within calculation provides a level of support based on ability to pay.
Option 8 - To take any Child Benefit paid to a claimant or partner into account in full in the calculation of Council Tax Reduction.	Implement	Consultation findings support change.
Option 9 - To remove Second	Implement	Second adult rebate does not consider means of main

Adult Reduction from the scheme		householder. Support still available for low income households through main CTS scheme.
Option 10* - To remove the Work Related Activity component in the calculation of Council Tax Reduction	Implement	Consultation findings support change. Change brings CTRS in line with wider welfare system.
Option 11* - To limit the number of dependant children within the calculation for Council Tax Reduction to a maximum of two	Implement	Consultation findings support change. Change brings CTRS in line with wider welfare system.

* to match Housing Benefit Regulations

3.7 Many of the changes to the scheme are intended to align Council Tax Support with the administration of Housing Benefit in order to reduce administration costs. At the present time the following changes have yet to be made within Housing Benefit regulations but are expected before 1 April 2017:

- the limitation of dependents additions to two dependents where a third or subsequent child is born on or after 1 April 2017 (HB and Child tax Credits are due to change from April 2017); and
- the removal of the Work Related Activity Component for all new Employment and Support Allowance applicants on or after 1 April 2017.

3.8 It is advised that in the unlikely event that these changes are not effected by Central Government by 1 April 2017, that the Council's CTS scheme will not be amended for 2017 but will be amended from 2018.

4 Alternative Options

4.1 As part of the consultation, as well as consulting on various options related to the design of the scheme, case law has clarified that we are also required to consider alternative funding options as opposed to simply changing the current scheme to reduce costs.

4.2 Therefore, within the consultation the following questions were posed.

- (i) Should Council Tax be increased for all Council Tax payers to fund the CTS scheme?
- (ii) Should Council reserves be used to fund the scheme?
- (iii) Should there be cuts to Council services to fund the scheme?

4.3 All options in 4.2 were rejected by the majority of responders - see Appendix I for the detail. As the Council's funding from the Government for the provision of all services is likely to be reduced in the future, and as the impact of choosing any of

the alternative funding options would affect all residents in the Borough, it is not considered that any of the options in 4.2 should be taken forward for funding the CTS scheme.

- 4.4 The Council could make no changes to the CTS Scheme. However, given the positive response to the consultation exercise, and as the Council's funding will continue to reduce, this is also not considered to be a viable option.

5 Consultation Undertaken or Proposed

- 5.1 Prior to the implementation of any changes to a CTS scheme, authorities are required to consult with the public. There have been a number of challenges to CTS consultations, and it should be noted that a recent judgement handed down by the Supreme Court has defined what is meant by 'good consultation'.

- 5.2 The guiding principles which have been established through case law for fair consultation are as follows:

- (i) the consultation must be carried out at a stage when proposals are still at a formative stage;
- (ii) sufficient information on the reasons for the decision must be provided to permit the consultees to carry out intelligent consideration of the issues to respond;
- (iii) adequate time must be given for consideration and responses to be made; and
- (iv) the results of the consultation must be properly taken into account in finalising any decision.

- 5.3 The Kent Finance and Revenues officers worked closely with the consultant to prepare robust and consistent consultation material that was individually branded by each district council within Kent. Each district council has consulted on its own scheme design, and ultimately will make its own decisions about its final local scheme after the consultation.

- 5.4 Following the report to Cabinet on 25 May 2016 a public consultation was undertaken between 6 June 2016 and 28 August 2016. The consultation was open to all Swale residents aged 18 or over, i.e. people who pay Council Tax or receive CTS. The consultation was carried out online, with a direct email to approximately 10,000 households, and was promoted on the Council's website, through social media, and in the local media. Paper copies were available on request.

- 5.5 A total of 290 people responded to the questionnaire. The consultation results are set out in full in Appendix I.

- 5.6 There is also a duty to consult with the major precepting authorities who are statutory consultees. All major precepting authorities have advised they are content with the proposals so far.

5.7 This report has been offered to the Policy Development Review Committee for their review.

6 Implications

Issue	Implications
Corporate Plan	<p>Running an effective and efficient CTS Scheme contributes to the Council priority of being 'A Council to be proud of'. It also contributes to the priority of 'A Community to be proud of', as it supports the most vulnerable whilst creating incentives to work for those who are able to.</p> <p>The changes introduced through the Welfare Reform agenda and Local Council Tax Support Scheme are aimed at providing greater work incentives, which have the potential to positively impact on the economic prosperity of those returning to employment, as well as the wider community. Data shows that the number of working age claimants has reduced, which results at least in part from movement of benefits claimants into work.</p> <p>Performance is measured through BV9 Percentage of Council Tax collected in year.</p>
Financial, Resource and Property	<p>The cost of consultancy has been shared by all Kent authorities. Swale's share of the cost is under £500. It is anticipated that there will be some limited costs associated with the consultation process, but this is a statutory requirement.</p> <p>The costs of awards made under the CTS scheme impact on the declared tax base, and thereby the council tax yield. If the cost of awards were to be reduced, this would mean that the Council's tax base would increase, and overall council tax income could increase.</p> <p>Any increase to council tax income is shared through the Collection Fund with major preceptors.</p>
Legal and Statutory	<p>The Council has a statutory duty to consult on a proposed scheme. As mention in paragraph 5.1, case law has determined the guiding principles for fair consultation, which we followed.</p> <p>Regard needs to be made to the rules around consultation laid out through the Supreme Court ruling in the case of R (on the application of Moselely) v London Borough of Haringey (2014), and in particular, the need to set out alternative choices within the consultation. This is referred to in paragraph 5.2 of the report.</p>
Crime and Disorder	No implications.
Sustainability	No implications.

Health and Wellbeing	Residents who have difficulty in paying their Council Tax can put in a claim for a Section 13A discretionary hardship award. Those whose health appears to be affected will be signposted to appropriate advice.
Risk Management and Health and Safety	The risk to households has been covered in the Community Impact Assessment (see Appendix II). To mitigate the risk to the Council, advice was obtained from a consultant, and a full consultation was carried out on the proposed scheme.
Equality and Diversity	Following the consultation a full Community Impact Assessment has been carried out. The CIA is available at Appendix II, and the related Equality Impact Data is set out in Appendix III. The following issues came out of the consultation and the Community Impact Assessment: <ul style="list-style-type: none"> ▪ claimants with children will have less income for their living expenses and for caring for their children if they have to pay more towards their Council Tax; and ▪ disabled claimants who may be unable to work due to their disability may be affected by an increase in the amount of Council Tax they have to pay. To mitigate these issues the Council provides a Section 13A discretionary hardship scheme.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: CTS Scheme review of the consultation
- Appendix II: Full CIA CTS Scheme 2017/18
- Appendix III: Equality Impact Data

8 Background Documents

Council Tax Support Report 2016/17 Scheme, Full Council 26/11/2015

<http://services.swale.gov.uk/meetings/ieListDocuments.aspx?CId=128&MID=1288>

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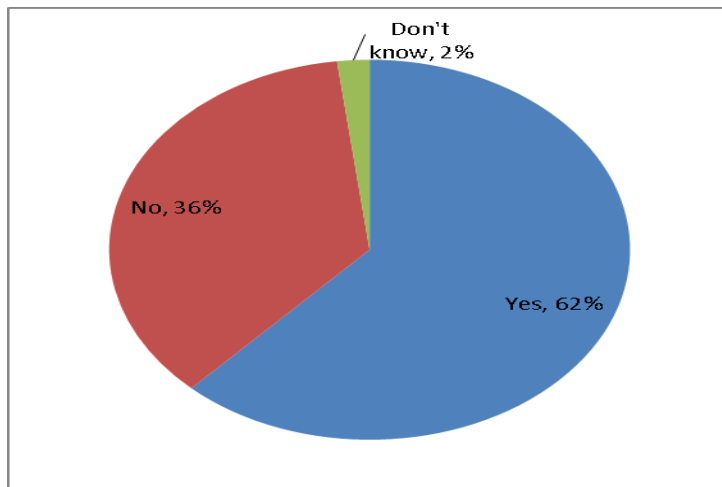
Council Tax Support Scheme Options

A consultation was carried out for 12 weeks ending on 28 August 2016, 290 people responded to the consultation with many commenting on the proposals. Responders were asked to comment on eleven options to change the scheme. They were also asked whether the Council should use alternative means such as increasing Council Tax or reducing services to cover the cost of the scheme.

This paper gives an overview of the responses.

Option	% agreeing with the option
Option 1 - Reducing the maximum level of support for working age applicants from 85 per cent to 81.5 or 80 per cent	62%
Option 2 - Removing the Family Premium for all new working age applicants. (To match HB Regulations).	55%
Option 3 - Reducing backdating to one month. (To match HB Regulations).	72%
Option 4 - Using a set income for self-employed earners after one year's self-employment.	55%
Option 5 - Reducing the period for which a person can be absent from Great Britain and still receive Council Tax Reduction to four weeks. (To match HB Regulations).	86%
Option 6 - To introduce a standard level of non dependant deduction of £15 for all claimants who have non dependants resident with them	62%
Option 7 - To take any Child Maintenance paid to a claimant or partner into account in full in the calculation of Council Tax Reduction	65%
Option 8 - To take any Child Benefit paid to a claimant or partner into account in full in the calculation of Council Tax Reduction	59%
Option 9 - To remove Second Adult Reduction from the scheme	56%
Option 10 - To remove the Work Related Activity component in the calculation of Council Tax Reduction. (To match HB Regulations).	71%
Option 11 - To limit the number of dependant children within the calculation for Council Tax Reduction to a maximum of two. (To match HB Regulations).	76%
Do you think we should choose any of the following options rather than the proposed changes to the Council Tax Reduction Scheme? Please select one answer for each source of funding.	
Increase the level of Council Tax	15%
Find savings from cutting other Council Services	26%
Use the Council's reserve	31%
If the Council were to choose these other options to make savings, what would be your order of preference?	
Increase the level of Council Tax – Most Preferred	22%
Least Preferred	78%
Reduce funding available for other Council Services – Most Preferred	43%
Least Preferred	57%
Use the Council's reserves – Most Preferred	71%
Least Preferred	29%

Option 1 - Reducing the maximum level of support for working age applicants from 85 per cent to 81.5 or 80 per cent



Gender	Yes	No	Don't know
Male	77	43	2
Female	90	53	4

Age	Yes	No	Don't know
18-24	0	4	0
25-34	31	14	2
35-44	45	25	0
45-54	36	25	2
55-64	29	18	1
65-74	26	10	0
75-84	2	0	1

Disability	Yes	No	Don't know
Disabled	19	14	1
Not Disabled	147	78	4

Ethnicity	Yes	No	Don't know
White British	135	86	6
Asian	0	2	0
Black	0	1	0
Mixed	2	0	0
Other	4	3	0

CTS	Yes	No	Don't know
In receipt of CTS	32	37	3
Not in receipt of CTS	141	56	3

The majority of responders were in favour of option 1, reducing the maximum level of support of working age applicants from 85% to 81.5% or 80%. We ask responders who were in favour of option 1 whether we should reduce the maximum level of support from 85% to 81.5% or 80%? 65% were in favour of reducing the maximum level of support to 80% compared with 35% favouring the higher level of support at 81.5%.

Most responders felt that a CTS scheme should be in place. Those receiving CTS, Universal Credit, and those on a low income made comments that they struggled to pay all their bills and needed the support provided.

There was also an equivalent amount of responders saying that they felt that all residents should pay towards council services and the percentage should be increased. Many were sympathetic to the vulnerable and those who stated they were disabled were worried about losing support.

Gender	81.5%	80%
Male	25	53
Female	33	57

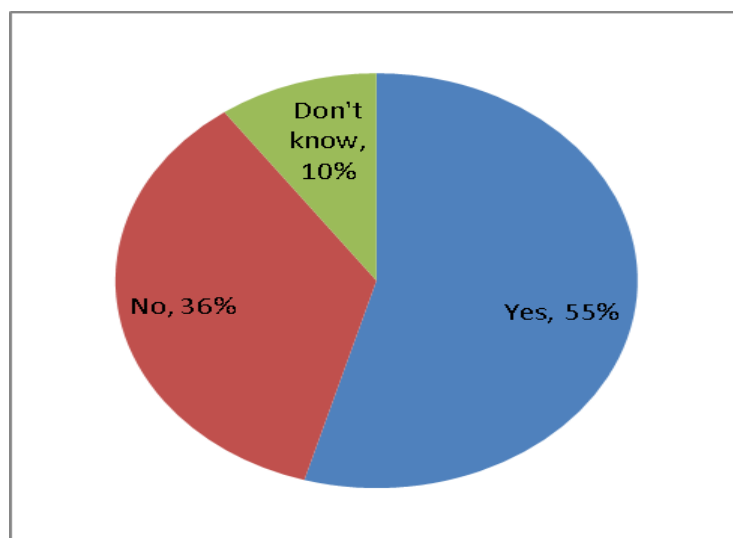
Age	81.5%	80%
18-24	1	0
25-34	8	22
35-44	12	33
45-54	12	24
55-64	11	18
65-74	15	12
75-84	0	2

Disability	81.5%	80%
Disabled	5	15
Not Disabled	53	94

Ethnicity	81.5%	80%
White British	55	100
Asian	0	1
Black	0	1
Mixed	0	1
Other	1	3

CTS	81.5%	80%
In receipt of CTS	17	16
Not in receipt of CTS	43	97

Option 2 - Removing the Family Premium for all new working age applicants



Gender	Yes	No	Don't know
Male	78	35	2
Female	71	62	4

Age	Yes	No	Don't know
18-24	3	2	0
25-34	21	21	2
35-44	31	31	0
45-54	34	24	2
55-64	33	10	1
65-74	25	10	0
75-84	2	1	1

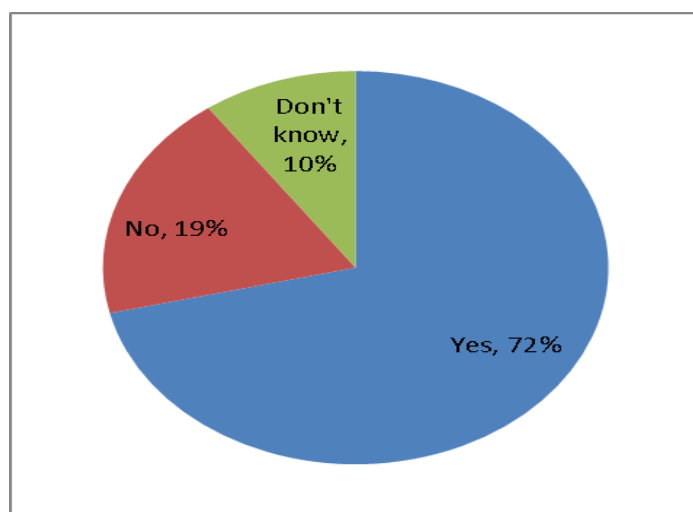
Disability	Yes	No	Don't know
Disabled	20	14	1
Not Disabled	123	82	4

Ethnicity	Yes	No	Don't know
White British	135	86	23
Asian	0	2	0
Black	0	1	0
Mixed	2	0	0
Other	4	3	0

CTS	Yes	No	Don't know
In receipt of CTS	30	32	10
Not in receipt of CTS	120	66	16

Overall, a greater proportion of responders (55%), were in favour of removing the family premium for all new working age applicants. The comments on this option were split between those who had a family who felt the premium should stay, and those who felt families should not receive any extra help.

Option 3 - Reducing backdating to one month



Gender	Yes	No	Don't know
Male	89	26	8
Female	106	26	17

Age	Yes	No	Don't know
18-24	3	1	1
25-34	40	5	2
35-44	53	13	5
45-54	40	19	4
55-64	32	8	8
65-74	28	5	4
75-84	2	0	1

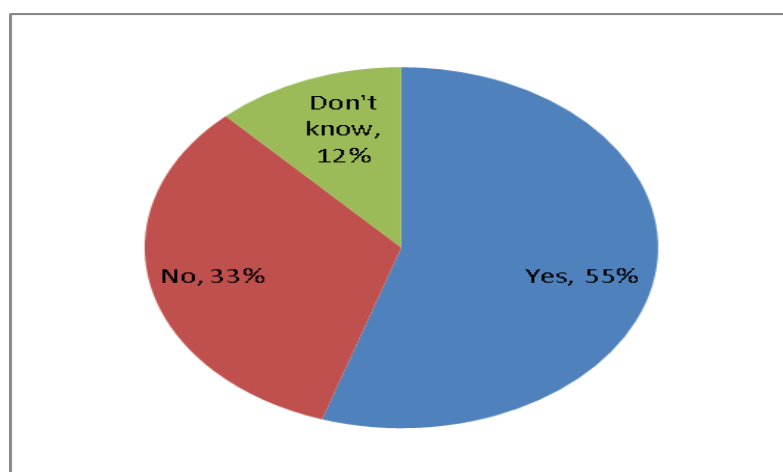
Disability	Yes	No	Don't know
Disabled	22	8	7
Not Disabled	170	40	17

Ethnicity	Yes	No	Don't know
White British	179	43	21
Asian	0	1	1
Black	1	1	0
Mixed	2	0	0
Other	6	1	0

CTS	Yes	No	Don't know
In receipt of CTS	51	14	7
Not in receipt of CTS	147	37	17

The majority of responders said they were in favour of reducing the backdating of Council Tax Support applications to one month. Most responders who commented agreed that a month was long enough. A number suggested that those who were vulnerable and facing a particularly challenging time may need longer. In these circumstances we would consider a Section 13A hardship award.

Option 4 - Using a set income for self-employed earners after one year's self-employment



Gender	Yes	No	Don't know
Male	73	39	11
Female	79	49	21

Age	Yes	No	Don't know
18-24	2	1	2
25-34	23	18	6
35-44	33	28	9
45-54	40	19	5
55-64	26	15	7
65-74	26	8	3
75-84	1	1	1

Disability	Yes	No	Don't know
Disabled	19	14	4
Not Disabled	127	47	27

Ethnicity	Yes	No	Don't know
White British	134	82	28
Asian	1	0	1
Black	1	0	0
Mixed	1	1	0
Other	6	1	0

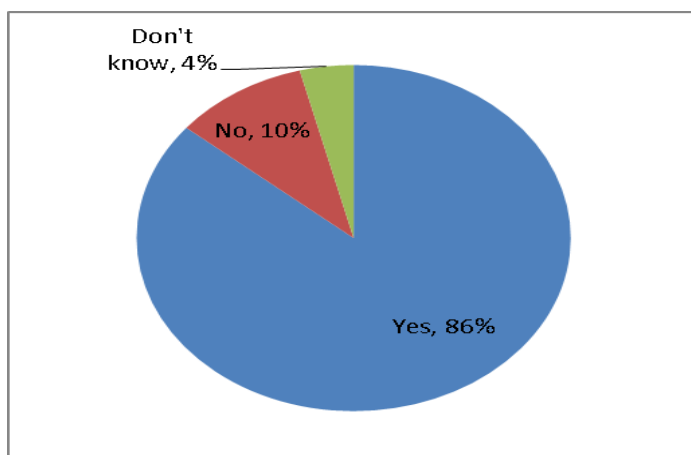
CTS	Yes	No	Don't know
In receipt of CTS	35	26	11
Not in receipt of CTS	118	64	20

Overall, 55% of survey responders were in favour of option 4 – using a set income for self-employed earners after one year of self-employment.

The comments from responders were split between those who agreed and raised a concern that cash payments are often not declared by a lot of self employed workers. Many felt income is often not declared.

Others felt it is difficult to set up a business and many would not be earning the proposed amount after 12 months. Some responders commented that a minimum income should be brought in after a longer period.

Option 5 - Reducing the period for which a person can be absent from Great Britain and still receive Council Tax Support to four weeks



Gender	Yes	No	Don't know
Male	108	14	6
Female	128	14	4

Age	Yes	No	Don't know
18-24	3	1	0
25-34	42	3	2
35-44	64	5	2
45-54	55	7	3
55-64	40	6	3
65-74	31	6	0
75-84	3	0	0

Disability	Yes	No	Don't know
Disabled	31	3	2
Not Disabled	199	23	9

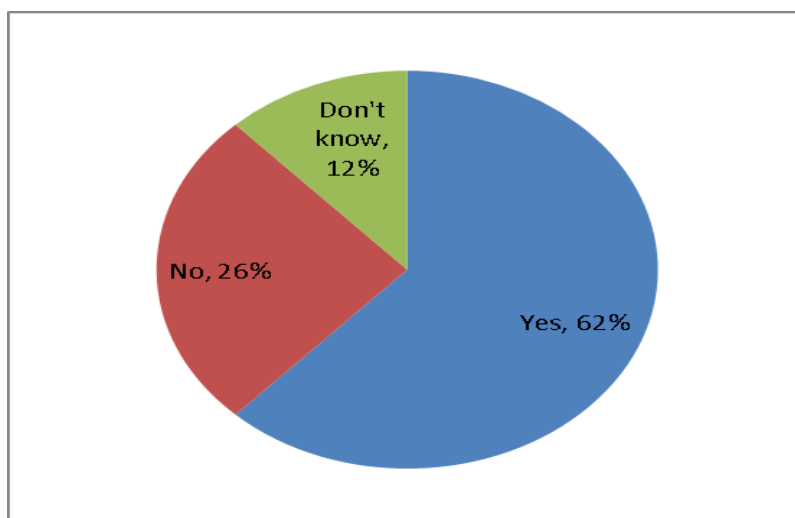
Ethnicity	Yes	No	Don't know
White British	213	24	9
Asian	0	1	0
Black	1	1	0
Mixed	1	1	0
Other	6	1	0

CTS	Yes	No	Don't know
In receipt of CTS	61	6	5
Not in receipt of CTS	177	23	5

The majority of respondents were in favour of option 5 – reducing the period for which a person can be absent from Great Britain and still receive CTS to four weeks.

Most responders who commented felt four weeks was long enough. A number of responders worried about those claimants who may be absent longer due to ill health or bereavement. In these circumstances we could consider a Section 13A hardship award.

Option 6- To introduce a standard level of non dependant deduction of £15 for all claimants who have a non dependant resident with them



Gender	Yes	No	Don't know
Male	84	33	9
Female	86	39	24

Age	Yes	No	Don't know
18-24	4	1	0
25-34	26	14	7
35-44	46	17	8
45-54	35	23	7
55-64	34	10	5
65-74	25	6	6
75-84	3	0	

Disability	Yes	No	Don't know
Disabled	23	10	4
Not Disabled	143	58	30

Ethnicity	Yes	No	Don't know
White British	155	62	29
Asian	2	0	0
Black	1	1	0
Mixed	1	1	0
Other	6	0	1

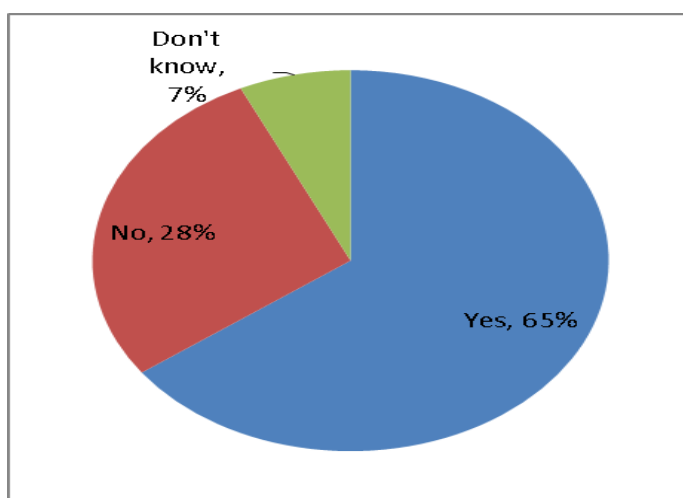
CTS	Yes	No	Don't know
In receipt of CTS	37	23	12
Not in receipt of CTS	135	49	21

62% of responders were in favour of option 6 - to introduce a standard level of nondependent deduction of £15 for all claimants who have a non dependant resident with them.

Of those responders who commented, those in favour felt other adults in a household should pay towards Council Tax. Some felt the contribution should be higher than £15.

Others felt that the standard deduction should only be charged for non-dependants who worked.

Option 7 - To take any Child Maintenance paid to a claimant or partner into account in full in the calculation of Council Tax Reduction



Gender	Yes	No	Don't know
Male	86	33	6
Female	94	42	13

Age	Yes	No	Don't know
18-24	3	2	0
25-34	35	9	3
35-44	44	23	3
15-54	44	16	5
55-64	25	16	8
65-74	27	9	1
75-84	3	0	0

Disability	Yes	No	Don't know
Disabled	24	12	1
Not Disabled	153	60	17

Ethnicity	Yes	No	Don't know
White British	165	64	17
Asian	0	2	0
Black	0	0	2
Mixed	1	1	0
Other	5	2	0

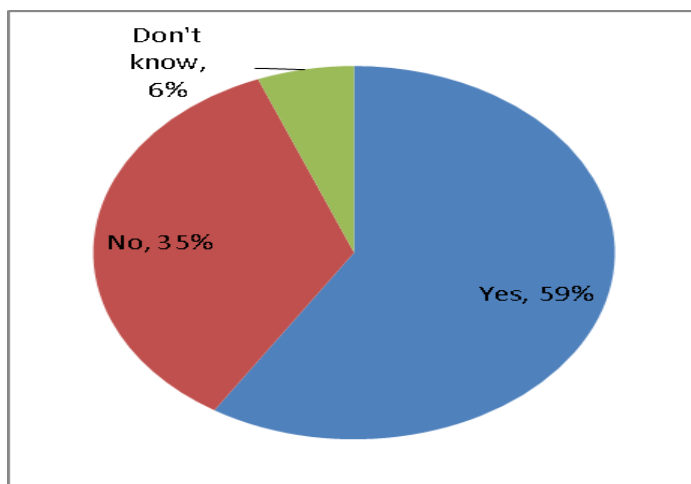
CTS	Yes	No	Don't know
In receipt of CTS	28	27	7
Not in receipt of CTS	143	49	12

65% of respondents were in favour of option 7.

Those who felt maintenance should be taken into account felt all income should be included in the CTS calculation. Some responders stated they knew parents who received large amounts of maintenance. Those against felt that maintenance is a payment provided for children and so should not be included. A few responders felt payments of child maintenance can be unreliable so to take it into account would be unfair.

It was felt that including it in the calculation of CTS might stop maintenance being paid. A few responders suggested taking maintenance into account above a certain amount, so a disregard would be applied.

Option 8 - To take any Child Benefit paid to a claimant or partner into account in full in the calculation of Council Tax Support



Gender	Yes	No	Don't know
Male	86	35	4
Female	75	58	14

Age	Yes	No	Don't know
18-24	2	2	1
25-34	29	15	3
35-44	43	26	1
45-54	39	22	3
55-64	24	18	6
65-74	23	10	4
75-84	3	0	0

Disability	Yes	No	Don't know
Disabled	22	12	2
Not Disabled	136	78	16

Ethnicity	Yes	No	Don't know
White British	146	83	15
Asian	0	1	1
Black	0	0	1
Mixed	1	1	
Other	3	4	

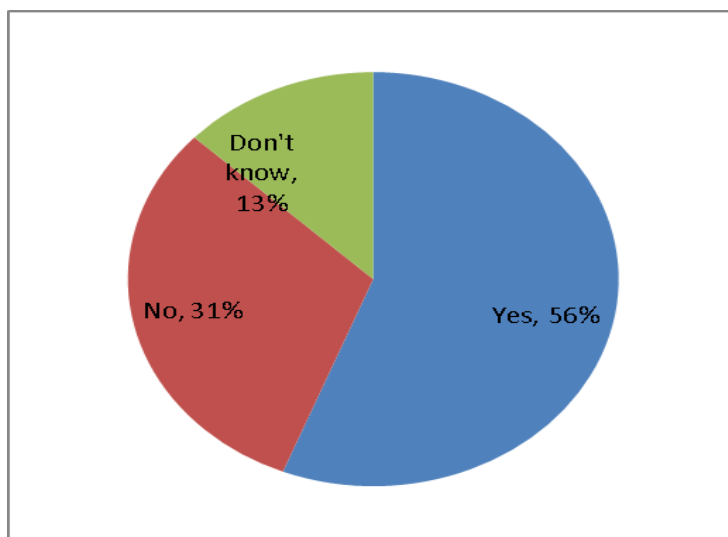
CTS	Yes	No	Don't know
In receipt of CTS	28	37	7
Not in receipt of CTS	134	59	9

Overall, 59% of respondents were in favour of option 8.

Again as with child maintenance there were many comments stating all income including child benefit should be taken into account.

Those responders who were against taking child benefit into account felt it was to support the children, not to be used towards the payment of council tax. Comments were made that maintenance should be taken into account before child benefit.

Option 9 - To remove Second Adult Reduction from the scheme



Gender	Yes	No	Don't know
Male	80	30	15
Female	74	54	19

Age	Yes	No	Don't know
18-24	2	2	1
25-34	22	19	6
35-44	38	21	10
45-54	35	22	7
55-64	30	12	7
65-74	24	9	4
75-84	3	0	0

Disability	Yes	No	Don't know
Disabled	17	14	6
Not Disabled	132	68	28

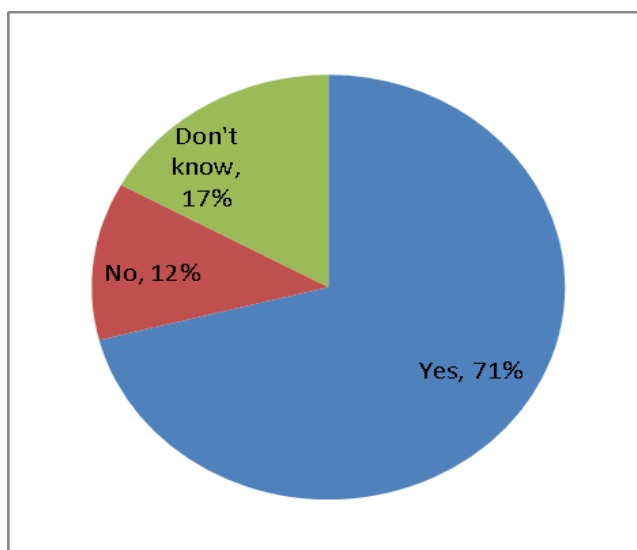
Ethnicity	Yes	No	Don't know
White British	142	71	31
Asian	0	1	1
Black	0	1	0
Mixed	1	1	0
Other	4	3	0

CTS	Yes	No	Don't know
In receipt of CTS	37	25	10
Not in receipt of CTS	119	58	25

Overall, 56% of respondents were in favour of option 9, to remove the Second Adult Discount from the scheme.

There was some confusion over this option: some responders seemed to think they would lose their Single Person Discount, which is not the case. Although most responders who commented felt this should be removed, some commented that it may stop households from housing those adults and that grown-up children may be forced to move out.

Option 10 - To remove the Work Related Activity component in the calculation of Council Tax Reduction



Gender	Yes	No	Don't know
Male	80	30	15
Female	74	54	19

Age	Yes	No	Don't know
18-24	2	2	1
25-34	22	19	6
35-44	38	21	10
45-54	35	22	7
55-64	30	12	7
65-74	24	9	4
75-84	3	0	0

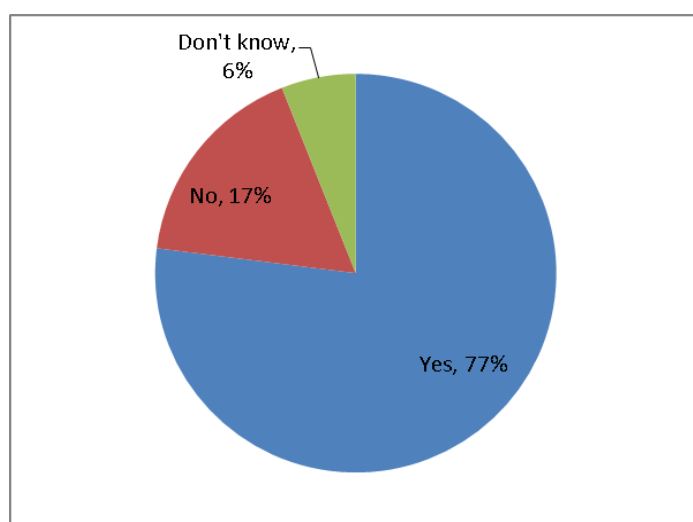
Disability	Yes	No	Don't know
Disabled	17	14	6
Not Disabled	132	68	28

Ethnicity	Yes	No	Don't know
White British	142	71	31
Asian	0	1	1
Black	0	1	0
Mixed	1	1	0
Other	4	3	0

CTS	Yes	No	Don't know
In receipt of CTS	37	25	10
Not in receipt of CTS	119	58	25

71% of responders were in agreement with option 10. There were comments stating it was right to streamline the benefits system. Some felt that the sick and disabled shouldn't be penalised.

Option 11 - To limit the number of dependant children within the calculation for Council Tax Reduction to a maximum of two



Gender	Yes	No	Don't know
Male	111	29	4
Female	99	21	14

Age	Yes	No	Don't know
18-24	4	0	1
25-34	34	10	2
35-44	53	13	4
45-54	51	10	4
55-64	37	7	4
65-74	30	5	2
75-84	3	0	0

Disability	Yes	No	Don't know
Disabled	29	6	2
Not Disabled	176	38	14

Ethnicity	Yes	No	Don't know
White British	192	39	13
Asian	0	1	1
Black	0	0	1
Mixed	2	0	0
Other	5	2	0

CTS	Yes	No	Don't know
In receipt of CTS	51	13	8
Not in receipt of CTS	162	32	8

The majority of respondents are in favour of option 11, to limit the number of dependant children within the Council Tax Reduction to a maximum of two.

The comments that relate to this option show concern for child poverty, and that this proposal under values families; others demonstrate support for bringing this in line with other benefit calculations.

Survey Demographics and Applied Weighting

	Survey		Population	
	Count	%	Count	%
Gender (Over 18s Mid-year Population Estimates)				
Men	127	46%	53,957	49%
Women	148	54%	56,459	51%
Age (Over 18s Mid-year Population Estimates)				
18 to 24 years	5	2%	11,387	10%
25 to 34 years	47	17%	16,982	15%
35 to 44 years	70	25%	17,231	16%
45 to 54 years	65	24%	20,881	19%
55 to 64 years	49	18%	17,092	16%
65 to 74 years	37	13%	15,690	14%
75 years and over	4	1%	11,153	10%
Ethnicity (2011 Census 18 years and over)				
White groups	246	95%	101,848	97%
BME	13	5%	3,027	3%
Disability (2011 Census all people)				
Disability	37	14%	25,322	19%
No Disability	231	86%	110,513	81%

Age Male	Population		Survey	
	Count	%	Count	%
18 to 24 years	6,031	5%	3	1%
25 to 34 years	8,244	7%	16	6%
35 to 44 years	8,401	8%	30	12%
45 to 54 years	10,355	9%	27	10%
55 to 64 years	8,556	8%	21	8%
65 to 74 years	7,636	7%	21	8%
75 years and over	4,744	4%	4	2%
Age Female				
18 to 24 years	5,356	5%	2	1%
25 to 34 years	8,738	8%	25	10%
35 to 44 years	8,830	8%	33	13%
45 to 64 years	10,546	10%	33	13%
55 to 64 years	8,526	8%	27	10%
65 to 74 years	8,054	7%	15	6%
75 years and over	6,409	6%	0	0%

Calculated using the ONS Mid-year population estimates

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates>

The table to the left shows the profile of the survey respondents in relation to the population of Swale.

This table tells us that men are under-represented and women are over-represented by 3% each. It also shows that people aged 25 years and under and those aged 75 and over are under-represented. Those aged between 65 – 74 are marginally under-represented.

Those with a disability are marginally under-represented - by 5% - this is not considered significant.

The results in this report have not been weighted by age, sex or disability because we do not consider the variances to be significant.

Responses to the consultation questions

Have your say on the Council Tax Reduction Scheme

I have read the background information about the Council Tax Reduction Scheme. This question must be answered before you can continue.

Answer Options	Response Percent	Response Count
Yes	98.6%	284
No	1.4%	4
answered question		288
skipped question		1

Should the Council keep the current Council Tax Reduction scheme? (Should it continue to reduce Council Tax for applicants in the way and to the extent that it does at the moment?)

Answer Options	Response Percent	Response Count
Yes	34.5%	97
No	55.5%	156
Don't know	10.0%	28
answered question		281
skipped question		8

Do you agree with the Option 1?

Answer Options	Response Percent	Response Count
Yes	61.6%	173
No	36.3%	102
Don't know	2.1%	6
answered question		281
skipped question		8

If yes, should we increase to:

Answer Options	Response Percent	Response Count
18.5%	34.7%	60
20%	65.3%	113
Your comments on Option 1:		99
answered question		173
skipped question		116

Do you agree with the Option 2?

Answer Options	Response Percent	Response Count
Yes	54.6%	155
No	35.9%	102
Don't know	9.5%	27
answered question		284
skipped question		5

Do you agree with Option 3?		
Answer Options	Response Percent	Response Count
Yes	71.7%	203
No	18.7%	53
Don't know	9.5%	27
answered question		283
skipped question		6

Do you agree with option 4?		
Answer Options	Response Percent	Response Count
Yes	54.9%	156
No	33.1%	94
Don't know	12.0%	34
answered question		284
skipped question		5

Do you agree with option 5?		
Answer Options	Response Percent	Response Count
Yes	86.0%	246
No	10.1%	29
Don't know	3.8%	11
answered question		286
skipped question		3

Do you agree with option 6?		
Answer Options	Response Percent	Response Count
Yes	62.0%	178
No	26.1%	75
Don't know	11.8%	34
answered question		287
skipped question		2

Do you agree with option 7?		
Answer Options	Response Percent	Response Count
Yes	64.7%	185
No	28.3%	81
Don't know	7.0%	20
answered question		286
skipped question		3

Do you agree with option 8?		
Answer Options	Response Percent	Response Count
Yes	58.8%	167
No	34.9%	99
Don't know	6.3%	18
<i>answered question</i>		284
<i>skipped question</i>		5

Do you agree with option 9?		
Answer Options	Response Percent	Response Count
Yes	55.6%	158
No	31.0%	88
Don't know	13.4%	38
<i>answered question</i>		284
<i>skipped question</i>		5

Do you agree with option 10?		
Answer Options	Response Percent	Response Count
Yes	71.4%	202
No	12.0%	34
Don't know	16.6%	47
<i>answered question</i>		283
<i>skipped question</i>		6

Do you agree with option 11?		
Answer Options	Response Percent	Response Count
Yes	76.4%	217
No	17.3%	49
Don't know	6.3%	18
<i>answered question</i>		284
<i>skipped question</i>		5

Do you think we should choose any of the following options rather than the proposed changes to the Council Tax Reduction Scheme? Please select one answer for each source of funding.				
Answer Options	Yes	No	Don't know	Response Count
Increase the level of Council Tax	44	212	8	264
Find savings from cutting other Council Services	74	165	24	263
Use the Council's reserves	89	139	38	266
				Question Totals
<i>answered question</i>				276
<i>skipped question</i>				13

If the Council were to choose these other options to make savings, what would be your order of preference? Please rank in order of preference.

Answer Options	Most prefer		Least prefer	Response Count
Increase the level of Council Tax	54	27	196	277
Reduce funding available for other Council Services	77	95	103	275
Use the Council's reserves	131	89	54	274
<i>answered question</i>				282
<i>skipped question</i>				7

Are you, or someone in your household, getting a Council Tax Reduction at this time?

Answer Options	Response Percent	Response Count
Yes	25.0%	72
No	71.5%	206
Don't know/unsure	3.5%	10
<i>answered question</i>		288
<i>skipped question</i>		1

What is your sex?

Answer Options	Response Percent	Response Count
Female	51.4%	148
Male	44.1%	127
Prefer not to say	4.5%	13
<i>answered question</i>		288
<i>skipped question</i>		1

Age

Answer Options	Response Percent	Response Count
18-24	1.7%	5
25-34	16.3%	47
35-44	24.2%	70
45-54	22.5%	65
55-64	17.0%	49
65-74	12.8%	37
75-84	1.4%	4
85+	0.0%	0
Prefer not to say	4.2%	12
<i>answered question</i>		289
<i>skipped question</i>		0

Disability: Are your day to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

Answer Options	Response Percent	Response Count
Yes	12.9%	37
No	80.8%	231
Don't know/unsure	1.0%	3
Prefer not to say	5.2%	15

<i>answered question</i>	286
<i>skipped question</i>	3

Ethnic Origin: What is your ethnic group?		
Answer Options	Response Percent	Response Count
White British	85.4%	246
Mixed/Multiple ethnic groups	0.7%	2
Asian or Asian British	0.7%	2
Black/African/Caribbean/Black British	0.7%	2
Other ethnic group	2.4%	7
Prefer not to say	10.1%	29
<i>answered question</i>		288
<i>skipped question</i>		1

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Community Impact Assessment

A Community Impact Assessment (CIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making.

When to assess

A CIA should be carried out when you are changing, removing or introducing a new service, policy or function. The assessment should be proportionate; a major financial decision will need to be assessed more closely than a minor policy change.

Public sector equality duty

The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:

- 1) Eliminate discrimination, harassment and victimisation;
- 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.

These are known as the three aims of the general equality duty.

Protected characteristics

The Equality Act 2010 sets out nine protected characteristics that apply to the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

We also ask you to consider other socially excluded groups, which could include people who are geographically isolated from services, with low literacy skills or living in poverty or low incomes; this may impact on aspirations, health or other areas of their life which are not protected by the Equality Act, but should be considered when delivering services.

Due regard

To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.

How much regard is 'due' will depend on the circumstances and in particular on the relevance of the aims in the general equality duty to the decision or function in question. The greater the relevance and potential impact, the higher the regard required by the duty. The three aims of the duty may be more relevant to some functions than others; or they may be more relevant to some protected characteristics than others.

Collecting and using equality information

The Equalities and Human Rights Commissions (EHRC) states that 'Having due regard to the aims of the general equality duty requires public authorities to have an adequate evidence base for their decision making'. We need to make sure that we understand the potential impact of decisions on people with different protected characteristics. This will help us to reduce or remove unhelpful impacts. We need to consider this information before and as decisions are being made.

There are a number of publications and websites that may be useful in understanding the profile of users of a service, or those who may be affected.

- The Office for National Statistics Neighbourhoods website <http://www.neighbourhood.statistics.gov.uk>
- Swale in 2011 http://issuu.com/swale-council/docs/key_data_for_swale
- Kent County Council Research and Intelligence Unit http://www.kent.gov.uk/your_council/kent_facts_and_figures.aspx
- Health and Social Care maps <http://www.kmpho.nhs.uk/health-and-social-care-maps/swale/>

At this stage you may find that you need further information and will need to undertake engagement or consultation. Identify the gaps in your knowledge and take steps to fill these.

Case law principles

A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- The general equality duty is not a duty to achieve a result, it is a duty to have due regard to the need achieve the aims of the duty.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

Examples of case law can be found here [EHRC relevant case law](#). They include examples of why assessing the impact **before** the decision is made is so important and case law around the need to have due regard to the duty

Lead officer:	<i>Zoe Kent</i>
Decision maker:	<i>Council</i>
People involved:	<i>Zoe Kent</i>
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	<ul style="list-style-type: none"> • <i>This is a localised scheme that the Borough is required to put in place to give financial help towards Council Tax to those residents on a low income.</i> • <i>We are required to review this scheme before 31 January of the financial year.</i>
Date of decision: The date when the final decision is made. The CIA must be complete before this point and inform the final decision.	<i>Full Council – 23 November 2016</i>
Summary of the decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p><i>What are the aims and objectives?</i></p> <ol style="list-style-type: none"> <i>1. To provide help towards Council Tax as a localised Council Tax Support scheme to those on a low income in the Borough</i> <i>2. To provide pensioners with the support as per The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 as amended by The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015</i> <i>3. To provide working age claimants support taking into consideration the reduction in financial support provided within the Revenue Support Grant towards the Council Support Scheme.</i> <i>4. Support vulnerable people</i> <i>5. Support claimants back into work</i> <p><i>What are the key actions?</i></p> <ul style="list-style-type: none"> • <i>Providing a scheme that supports those claimants on a low income</i> • <i>Putting into place a scheme that does not mean a financial burden to the authority which could lead to putting other services provided by the Borough at risk.</i> • <i>Continuing to design and deliver services to meet the needs of vulnerable customers</i> • <i>Consider user feedback, engagement and consultation when designing the scheme</i> <p><i>What are the expected outcomes?</i></p> <p><i>To put in place a scheme that balances the needs of vulnerable claimants against the budget requirements of the Borough.</i></p> <p><i>Who will be affected?</i></p> <p><i>Those working-age residents who are on a low income who claim help towards their Council Tax. This covers all areas of the Borough but particularly those who live in deprived areas.</i></p> <p><i>How many people will be affected?</i></p> <p><i>7,025 working age claimants will be affected by the changes to the scheme (11.4% of all Council Tax account holders).</i></p>
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed 	<i>Since 1sApril 2013, the Council has maintained a local Council Tax Support scheme. This replaced the national Council Tax Benefit scheme, which ended on 31 March 2013.</i>

the decision.

- Include sources and key findings.
- Include information on how the decision will affect people with different protected characteristics.

Council Tax Support helps provide support to council taxpayers who have a low income. It supports the taxpayers by providing a reduction in the actual amount in Council Tax payable.

The Council has the ability to determine the level of support given to working age applicants only. The scheme for pension age applicants is determined by Central Government, and therefore the ability of the Council to vary that part of the scheme is limited and can only enhance the national scheme in any event.

When Council Tax Support was first introduced, Central Government provided a specified level of grant, which was approximately 10% lower than the amounts previously given (pre 1 April 2013). This has now been replaced by a general duty to provide a scheme and funding is not separately identified within the grants given to the Council.

After the original consultation, the Council decided to introduce a Council Tax Support scheme that differed from the original Council Tax Benefit in that, instead of granting a maximum level of support of 100%, it would limit the maximum support to 91.5% in 2013/14 (due to an extra grant being received from DCLG), decreased to 85% from 2014/15.

Changes since 2013

Since the introduction of Council Tax Support the overall scheme adopted by the Council has remained broadly the same, with only applicable amounts and non-dependant charges being uprated, as well as minor changes being made to mirror changes to the Housing Benefit scheme. Central Government has also continued to uprate changes to applicable amounts for pension age applicants, again to mirror the changes in Housing Benefit.

The Proposed Scheme for 2017/18

It has now been decided by the Council that a full review should be undertaken as to the effectiveness of the current Council Tax Support scheme; and a public consultation has been undertaken to gather views as to whether the current scheme should be changed. The Council is minded to make changes to the working age scheme to meet the following:

- *the more accurate targeting of support to those working age applicants who most need it;*
- *the need to change the scheme, not only to align with proposed changes to Housing Benefit, but also to align the scheme with the approach taken by the Department for Work and Pensions in the creation, introduction and roll out of Universal Credit; and*
- *to address potential shortfalls in funding due to the continued reduction in Central Government grants.*

Through work undertaken by the Kent Finance Officers' Group, the Council has identified a number of proposed changes to the current scheme and these have formed part of an extensive public consultation. Please note that the changes, if made, would only apply to the working age scheme although the consultation was open to all Council Taxpayers and other stakeholders.

The Council has also sought feedback through the consultation as to whether further increases in council tax, cuts to services, and use of limited savings should be considered as an alternative to changing the Council Tax Reduction Scheme. Changes such as those in points 1 to 3 below may affect all residents in the Borough and across Kent.

1. *Should Council Tax be increased for all Council Taxpayers?*
2. *Should Council reserves be used to fund the scheme?*
3. *Should there be further cuts to Council services?*

The Council proposes to maintain a similar methodology as in the past. Any changes, if adopted, will be effective from 1st April 2017. The proposed options to change the scheme, following the consultation, will be as follows:

- a. *Should an increase be made in the minimum payment of Council Tax made by recipients of Council Tax Support? Views have been obtained as to whether the current minimum payment of 15% should be increased to 18.5% or 20%.*
- b. *Should Second Adult Rebate be removed? Second Adult Rebate is a reduction assessed on the income of another adult residing in the property regardless of the income or capital of the person liable for Council Tax.*
- c. *Should Child Benefit and Child Maintenance payments which are currently disregarded in the calculation of CTs be included as income?*
- d. *Should a standard charge of £15 for non-dependants who live in a property be introduced? Currently deductions range from £0.00 to £11.45.*
- e. *Should the scheme set a minimum level of income for all Self Employed claimants (after a start up period of one year)? This could be equivalent to National Minimum (Living) Wage multiplied by 35 hours per week (16 hours for part-time workers) or similar.*
- f. *Should the scheme be amended to align with Housing Benefit Regulations and the Pension Age Council Tax Support scheme? Namely that:*
 - i. *Family Premium will not be granted for all new claims and for any 'new' families;*
 - ii. *the backdating for claims should be limited to a maximum of one month;*
 - iii. *the 'temporary absence rules' should be introduced where an applicant leaves Great Britain for a period of greater than four weeks (certain exceptions would be applied for armed forces personnel, mariners, and for certain cases where an applicant is receiving care)?;*
 - iv. *the number of dependant additions granted in the calculation should be restricted to a maximum of two (this change will have specific exceptions and will only affect those applicants who have a third or subsequent child on or after 1 April 2017)?; and*
 - v. *the Work Related Activity Component, enhancing Employment Support Allowance will not be granted when calculating Council Tax Support.*

Scope of the Community Impact Assessment

The following identifies the potential impact on claimants and particularly groups of claimants.

It should be noted that Pensioners will continue to be protected under the rules prescribed by Central Government. These broadly replicate council tax benefit scheme, which existed prior to 1 April 2013.

Central Government has not been prescriptive in how it does this, but points to the Council's existing responsibilities including the Child Poverty Act 2010, the Disabled Person Act 1986, and the Housing Act 1996, as well as the public sector equality duty in section 149 of the Equality Act 2010.

The Council has given consideration to the effects of the options on working age claimants, in particular, vulnerable groups.

Disability

Working age people with disabilities continue to make up a high proportion of the caseload at 25%. Working age people with disabilities receive more per week than working age people without disabilities on average, due to the design of the scheme that ignores certain disability benefits and awards higher applicable amounts.

Age

The age groups of person receiving CTS broadly reflect the overall population, the main difference being those between the ages of 18-24. This difference is probably caused by the lower applicable amounts for single claimants in this group reducing the amount of people who are entitled to CTS. Those aged 54-64 currently receive the highest weekly amount, on average. Those aged 18-24 currently receive the lowest weekly amount, on average.

Carers

There is a slightly higher proportion of claimants with a carer in the household, than the population generally overall (13%). Working age claimants with a carer in the household receive more per week, on average, than working age claimants without a carer in the household. The main reason for this is the treatment of both disability and care within the existing scheme.

Gender

Females continue to make up a high proportion of the caseload at 68%. Although, there is a difference between the average amounts females and males receive per week, this is due to factors relating to circumstances which directly affect the calculation of council tax reduction, and is not linked to a claimant's sex directly.

Ethnicity

This information is not collected from all claimants as it is not relevant to the calculation of council tax reduction.

Other protected characteristics

We do not collect information about the following characteristics from claimants as it is not relevant to the calculation of council tax reductions:

- Religion or belief
- Sexual orientation
- Gender reassignment
- Marital or civil partnership status
- Pregnancy or maternity

Actions to mitigate any identified impacts

The Council has an Exceptional Hardship Scheme; the design of this allows any claimant to apply for additional support. It examines their overall circumstances, examining both income and expenditure with a view to determining whether exceptional hardship exists.

	<p><i>Under the scheme, claimants will potentially be able to receive additional support up to the full level of their Council Tax.</i></p> <p>Method of Consultation</p> <p><i>The Council has used the following methods to obtain the view of taxpayers.</i></p> <p>Stakeholders Methodology</p> <ol style="list-style-type: none"> <i>1. Existing claimants (both working age and pensionable age Web based questionnaire</i> <p><i>Hard copy documents to be provided as necessary</i></p> <ol style="list-style-type: none"> <i>2. Council taxpayers and service users generally</i> <p><i>Web based questionnaire</i></p> <p><i>Hard copy documents to be provided as necessary</i></p> <ol style="list-style-type: none"> <i>3. Interested organisations and groups.</i> <p><i>Web based questionnaire</i></p> <ol style="list-style-type: none"> <i>4. Organisations with significant interest to be notified directly</i> <p><i>Hard copy documents to be provided as necessary</i></p> <p>General Awareness</p> <p><i>Provision of information and awareness raising of changes and proposals</i></p> <p><i>News releases</i></p> <p><i>Face-to-face communication at customer service points</i></p> <p><i>Information in libraries/surgeries and other public venues</i></p> <p><i>The Council's Website and Social Media</i></p> <p>Analysis and Assessment</p> <p><i>A full analysis and assessment is provided.</i></p>
<p>Consultation:</p> <ul style="list-style-type: none"> ▪ Has there been specific consultation on this decision? ▪ What were the results of the consultation? ▪ Did the consultation analysis reveal any difference in views across the protected characteristics? ▪ Can any conclusions be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>Yes</p> <p><i>Results of the consultation can be found in Appendix I: CTS Scheme review of the consultation of the CTS scheme report.</i></p> <p><i>All options received a higher amount of responses in favour of accepting the changes across the protected characteristics. The only exception was the CTS claimants being less in favour of not increasing the percentage of Council Tax to be paid.</i></p> <p><i>Those with a protected characteristic often receive a premium giving them extra help, eg a disability and carer premiums, giving them a higher level of help towards their Council Tax payments.</i></p> <p><i>Disabled claimants who may be unable to work due to their disability may be affected by an increase in the amount of Council Tax they have to pay.</i></p> <p><i>Claimants with children will have less income for their living expenses and for caring for their children if they have to pay more towards their Council Tax.</i></p>

Is the decision relevant to the aims of the equality duty?

Guidance on the aims can be found in the EHRC's [PSED Technical Guidance](#).

Aim	Yes/No
1) Eliminate discrimination, harassment and victimisation	Yes
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	Yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	No

Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Characteristic	Relevance to decision High/Medium/Low/None	Impact of decision Positive/Negative/Neutral
Age	Medium	Negative
Disability	Medium	Negative
Gender reassignment	None	Neutral
Marriage and civil partnership	None	Neutral
Pregnancy and maternity	Low	Negative
Race	None	Neutral
Religion or belief	None	Neutral
Sex	None	Neutral
Sexual orientation	None	Neutral
Other socially excluded groups ¹	Low	Negative

Conclusion:

- Consider how due regard has been had to the equality duty, from start to finish.
- There should be no unlawful discrimination arising from the decision (see [PSED Technical Guidance](#)).

Advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact.

Summarise this conclusion in the body of your report

We have considered how all groups with protected characteristics will be affected by the scheme. As part of our consultation we asked responders their gender, age ethnicity, whether they considered themselves disabled and whether they claimed CTS. A breakdown of how they responded to the options is available in Appendix I: CTS Scheme review of the consultation.

We also asked for comments on each option. Although the results show those with a disability and children were more likely to respond negatively to the scheme in their comments about the options, more than half of disabled responders agreed yes to every option.

As in previous years schemes, those with a protected characteristic such as the disabled or those with children, receive a higher income (due to extra benefits being awarded to cover these costs) than a single claimant or couple especially those who are under 25. To mitigate these issues the Council provides a Section 13A discretionary hardship scheme.

¹ Other socially excluded groups could include those with literacy issues, people living in poverty or on low incomes or people who are geographically isolated from services.

Timing

- Having 'due regard' is a state of mind. It should be considered at the inception of any decision.
- Due regard should be considered throughout the development of the decision. Notes should be taken on how due regard to the equality duty has been considered through research, meetings, project teams, committees and consultations.
- The completion of the CIA is a way of effectively summarising the due regard shown to the equality duty throughout the development of the decision. The completed CIA must inform the final decision-making process. The decision-maker must be aware of the duty and the completed CIA.

Full technical guidance on the public sector equality duty can be found at:

http://www.equalityhumanrights.com/uploaded_files/PSD/technical_guidance_on_the_public_sector_equality_duty_england.pdf

This Community Impact Assessment should be attached to any committee or SMT report relating to the decision. This CIA should be sent to the Website Officer (Lindsay Oldfield) once completed, so that it can be published on the website.

Action Plan

Issue	Action	Due date	Lead Officer	Manager	Cabinet Member
Financial hardship for CTRS working age claimants	Further consultation work to be carried out in Quarter 2 2016/17	10/2016	Zoe Kent	Amber Christou	Cllr Duncan Dewar-Whalley
Drop in collection rate for Council Tax	The collection of Council Tax to be monitored throughout the financial year 2016/17	10/2016	Zoe Kent	Amber Christou	Cllr Duncan Dewar-Whalley
Financial hardship for residents with an empty property	Advice on alternative help to be sent out with Council Tax bills and adjustment notices	Completed	Zoe Kent	Amber Christou	Cllr Duncan Dewar-Whalley

Actions in this action plan will be reported to the CIA group once a quarter, so updates will be required quarterly.

Community Impact Assessment Data

Population data - working age (Census 2011)	Disability (16-64)	Carer (all ages)	Female (18-64)	Male (18-64)	18-24	25-34	35-44	45-54	55-64
Number	12085	14258	41996	41577	11387	16982	17231	20881	17092
Proportion (of working age)	14%	10%	50.25%	49.75%	14%	20%	21%	25%	20%

Current Scheme (2016/17) - Claimants pay 15% of their liability

Working Age	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claimants	1634	5234	907	5961	4663	2205	514	1718	1571	1805	1260
Proportion of claimants	24%	76%	13%	87%	68%	32%	7%	25%	23%	26%	18%
Average benefit paid (per week)	£16.50	£14.53	£17.27	£14.66	£14.81	£15.40	£13.86	£14.33	£15.21	£15.35	£15.63
Differences between groups	£1.97		£2.61		-£0.59		£1.77				

Proposed changes (2017/18)

Consultation Option 1 - Claimants pay 20% of their liability (predicted based on current data)

Working Age	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claimants	1634	5234	907	5961	4663	2205	514	1718	1571	1805	1260
Proportion of claimants	24%	76%	13%	87%	68%	32%	7%	25%	23%	26%	18%
Average benefit paid (per week)	£15.67	£13.81	£16.38	£13.93	£14.06	£14.63	£13.17	£13.60	£14.44	£14.58	£14.85
Differences between groups	£1.86		£2.45		-£0.57		£1.68				

Consultation Option 1 - Claimants pay 18.5% of their liability (predicted based on current data)

Working Age	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claimants	1634	5234	907	5961	4663	2205	514	1718	1571	1805	1260
Proportion of claimants	24%	76%	13%	87%	68%	32%	7%	25%	23%	26%	18%
Average benefit paid (per week)	£16.50	£14.53	£17.27	£14.66	£14.81	£15.40	£13.86	£14.33	£15.21	£15.35	£15.63
Differences between groups	£1.93		£3.23		-£0.86		£1.76				

Consultation Option 2 - Removing the Family Premium for all new working age applicants to match Housing Benefit Regulations. This will apply to new claims only – (data is for new claims 2015/6)

Working Age	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claimants	65	661	97	629	586	140	142	275	186	104	19
Proportion of claimants	9%	91%	13%	87%	81%	19%	20%	38%	26%	14%	3%
Average benefit paid (per week)	£18.67	£14.57	£17.13	£14.60	£14.60	£16.77	£13.95	£14.25	£16.20	£15.44	£17.20
Differences between groups	£4.10		£2.53		-£2.17		£3.25				

Consultation Option 3 - Reducing backdating to one month (to match Housing Benefit Regulations)

Working Age	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claimants	23	122	15	130	109	36	25	40	37	28	19
Proportion of claimants	16%	84%	10%	90%	75%	25%	17%	28%	26%	19%	13%
Average benefit paid (per week)	£17.13	£14.15	£16.06	£14.46	£14.38	£15.35	£12.86	£14.58	£15.80	£14.64	£14.48
Differences between groups	£2.98		£1.60		-£0.97		£2.94				
Average award of backdated benefit	£132.28	£84.73	£70.62	£94.76	£87.39	£107.00					

Consultation Option 4 - Using a set income for self-employed earners after one year's self-employment.

Working Age	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claims with self-employed income for more than 1 year	25	374	23	376	252	147	5	111	109	128	46
Proportion of claimants	6%	94%	6%	94%	63%	37%	1%	28%	27%	32%	12%
Average benefit paid (per week)	£14.72	£14.26	£14.11	£14.30	£13.80	£15.11	£14.73	£14.22	£14.45	£14.60	£13.10
Differences between groups	£0.46		-£0.19		-£1.31		£1.63				

Consultation Option 5 - Awards where temporary absence have been used

No data currently available

Consultation Option 6 - To introduce a standard level of non dependant deduction of £15 for all claimants who have non dependants resident with them

Working Age	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claims with non-dependant deduction	18	348	92	274	291	75	0	13	120	161	72
Proportion of claimants	5%	95%	25%	75%	80%	20%	0%	4%	33%	44%	20%
Average benefit paid (per week)	£14.99	£13.16	£15.91	£12.36	£13.04	£14.09		£13.99	£13.22	£12.74	£14.30
Differences between groups	£1.83		£3.55		-£1.05		£1.56				

Consultation Option 7 - To take any Child Maintenance paid to a claimant or partner into account in full in the calculation of Council Tax Reduction

Working Age	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claims with CB	10	196	13	193	205	1	2	25	94	31	4
Proportion of claimants	5%	95%	6%	94%	100%	0%	1%	12%	46%	15%	2%
Average benefit paid (per week)	£12.65	£11.67	£15.18	£11.48	£11.70	£14.72	£4.68	£11.28	£12.55	£10.40	£14.18
Differences between groups	£0.98		£3.70		-£3.02		£9.50				

Consultation Option 8 - To take any Child Benefit paid to a claimant or partner into account in full in the calculation of Council Tax Reduction

Working Age	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claims with CB	869	3049	516	3402	2693	1225	332	1070	1008	976	643
Proportion of claimants	22%	78%	13%	87%	69%	31%	8%	27%	26%	25%	16%
Average benefit paid (per week)	£16.21	£14.41	£17.12	£14.46	£14.60	£15.27	£14.00	£14.24	£15.21	£15.12	£15.10
Differences between groups	£1.80		£2.66		-£0.67		£1.21				

Consultation Option 9 - To remove Second Adult Reduction from the scheme

Working Age	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claims with 2AR	3	58	1	60	50	11	0	2	15	35	9
Proportion of claimants	5%	95%	2%	98%	82%	18%	0%	3%	25%	57%	15%
Average benefit paid (per week)	£4.46	£3.79	£3.85	£3.82	£3.59	£4.86		£3.61	£3.74	£3.53	£5.18
Differences between groups	£0.67		£0.03		-£1.27		£1.65				

Option 10 - To remove the Work Related Activity component in the calculation of Council Tax Reduction (to match Housing Benefit Regulations).

Working Age Claimants	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claims	26	24	2	48	26	24	1	4	7	22	16
Proportion of claimants	52%	48%	4%	96%	52%	48%	2%	8%	14%	44%	32%
Average benefit paid (per week)	£16.51	£13.50	£12.61	£15.42	£14.71	£15.44	£16.82	£12.33	£14.36	£14.91	£16.15
Differences between groups	£3.01		-£2.81		-£0.73		£4.49				

Consultation Option 11 - To limit the number of dependant children within the calculation for Council Tax Reduction to a maximum of two (to match Housing Benefit Regulations).

Working Age Claimants	Disability	No Disability	Carer	Non Carer	Female	Male	18-24	25-34	35-44	45-54	55-64
Number of claims with over two dependants	24	137	36	125	121	40	6	67	67	18	3
Proportion of claimants	15%	85%	22%	78%	75%	25%	4%	42%	42%	11%	2%
Average benefit paid (per week)	£19.66	£16.24	£17.28	£16.60	£16.72	£16.86	£18.50	£16.34	£16.97	£16.19	£20.82
Differences between groups	£3.42		£0.68		-£0.14		£4.63				

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