

Equality Impact Assessment: *Housing Benefit Modified Scheme policy*

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive 6 February 2024 Council 20 February 2024	Housing Benefit Modified Scheme policy	To retain the current income disregards allowed locally.	Neutral – The Housing Benefit Modified Scheme policy maintains the income disregards which have been in place for many years. Only very small numbers of claimants are affected by this income disregard so a meaningful assessment of data relating to protected characteristics is not possible. However, as no change to the current scheme is proposed, little impact is expected on any individuals with protected characteristics.

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This is must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions

planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Neutral	N/A	The income disregard is applied to anyone in receipt of the specified incomes regardless of race and ethnicity.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Positive	Low	Only £10 weekly of War Disablement Pensions are disregarded under the national Housing Benefit scheme. The local scheme allows us to disregard the full amount of these payments resulting in higher awards of Housing Benefit for affected customers.
Sex/Gender	Neutral	N/A	Some of the disregarded incomes are payable to veterans and others are payable to survivors. They are payable to anyone meeting the qualifying conditions for a payment, regardless of gender. The disregard is applied to anyone receiving it, regardless of gender. The numbers affected are too low to allow any meaningful assessment of the data to establish whether there is a disproportionate effect of the disregard compared to the claim population as a whole.
Gender reassignment	Neutral	N/A	Not a recorded or relevant characteristic in Housing Benefit or in allowing the income disregard.
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Neutral	N/A	Not a recorded or relevant characteristic in Housing Benefit or in allowing the income disregard.
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral	N/A	Details not recorded – sexual orientation is not a relevant characteristic under the Housing Benefit rules or in allowing the income disregard. Same sex couples are recognised in the same way as heterosexual couples.

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Neutral	N/A	Some of the disregarded incomes are payable to veterans and others are payable to survivors. They are payable to anyone meeting the qualifying conditions for a payment. For some of the incomes this may include an age or household composition condition. The disregard is applied to anyone receiving it, regardless of their age or presence / absence of children. The numbers affected are too low to allow any meaningful assessment of the data to establish whether there is a disproportionate effect of the disregard compared to the claim population as a whole.
Pregnancy and maternity including new and breast feeding mothers	Neutral	N/A	Not a recorded or relevant characteristic in Housing Benefit or in allowing the income disregard.
Marriage and civil partnership status	Neutral	N/A	Co-habiting couples are treated the same under the scheme rules regardless of their marriage or civil partnership status.

Actions identified that will mitigate any negative impacts and/or promote inclusion

N/A – proposal is to retain current disregard which will maintain Housing Benefit awards unchanged for current claimants and ensure equal treatment for new claimants in the same circumstances.

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Date: 9 January 2024