



Shropshire Equality and Social Inclusion Impact Assessment (ESIIA)

170615 Lois Dale comments from external support perspective are in bold and italics prefaced with LD

Discretionary Housing Payments

Shropshire Council Part 1 ESIIA: initial screening and assessment

Please note: prompt questions and guidance within boxes are in italics. You are welcome to type over them when completing this form. Please extend the boxes if you need more space for your commentary.

Name of service change

Discretionary Housing Payments Policy

Aims of the service change and description

Discretionary Housing Payments (DHP's) are only available to people who are entitled to Housing Benefit or Council Tax Support. DHP's are expected to be awarded in unusual or extreme circumstances where additional help with rent or housing costs will have a significant positive impact in alleviating hardship and avoid deprivation particularly where people are vulnerable or where there is risk of homelessness or of family break up.

There are no prescribed resource tests for DHP's: however, Local Authorities must satisfy themselves that the person making the application is in need of further financial assistance with their housing costs. DHP's are made entirely at the Local Authority's discretion and it is for them to decide what should be awarded and for what period in any particular case.

Recent changes to the Housing Benefit system have altered entitlements to help with social sector housing costs in the same way that earlier changes affected the private rented sector: the size of the household of working age clients is taken into account when deciding the appropriate level of rent to be met. The end of the "spare room subsidy", which is a limitation to the amount of rent allowed in a benefit assessment based on the number of bedrooms necessary for the household, potentially affects more single people and smaller families.

Other changes that impact on the population are around the recent extension of allowing only the shared room rate of assistance to anyone aged under 35. This is lower than the assistance for a single bedroomed property and now affects a wider spectrum of younger people.

There has been a recent High Court ruling clarifying the treatment of a Disability Living Allowance (or similar income) when considering a person's available income. The ruling held that such income is disregarded and is not to be treated as available towards payment of rent shortfalls. The policy reflects this ruling in full.

Intended audiences and target groups for the service change

- People receiving Housing Benefit and/or Council Tax assistance.
- Landlords
- Advice agencies and representative groups

Evidence used for screening of the service change

The Department for work & Pensions produce guidance and clarification on the administration of DHP's via the Discretionary Housing payments Guidance Manual
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/184207/discretionary-housing-payments-guide.pdf

The guidance produced by the Department for Work & Pensions, although not binding on Local Authorities, provides detailed requirements as well as good practice guidelines and therefore forms the sound framework upon which Shropshire's DHP policy has been based. Guidance is therefore inclusive and without bias for all who carry primary entitlement which is entitlement under the Housing Benefit /Council Tax Assistance rules.

Local statistics from the Housing Benefit delivery system (December 2014) indicate that there are currently 16647 live claims to Housing Benefit within Shropshire. Of these, 6465 are from people over pension age leaving 10,182 from claimants of working age. The majority of claims, some 11629, indicate that there are dependent children in the household.

Specific consultation and engagement with intended audiences and target groups for the service change

The delivery of DHP's was recently subjected to Member scrutiny via a Task & Finish Group which called upon advice sessions provided by Housing Associations and their Support workers, charitable organisations and internal Council advisers. The minutes of the Task & Finish Group can be found as follows:

[https://shropshire.gov.uk/committee-services/documents/s4357/FinalreportoftheDiscretionaryHousingPaymentsDHPTaskandFinishGroup .pdf](https://shropshire.gov.uk/committee-services/documents/s4357/FinalreportoftheDiscretionaryHousingPaymentsDHPTaskandFinishGroup.pdf)

Potential impact on Protected Characteristic groups and on social inclusion

High Negative	Significant potential impact, risk of exposure, history of complaints, no mitigating measures in place or no evidence available: urgent need for consultation with customers, general public, workforce
Medium Negative	Some potential impact, some mitigating measures in place but no evidence available how effective they are: would be beneficial to consult with customers, general public, workforce
Low Negative	Almost bordering on non-relevance to the ESIIA process (heavily legislation led, very little discretion can be exercised, limited public facing aspect, national policy affecting degree of local impact possible)

Initial assessment for each group

Please rate the impact that you perceive the service change is likely to have on a group, through inserting a tick in the relevant column. Please add any extra notes that you think might be helpful for readers.

Protected Characteristic groups and other groups in Shropshire	High negative impact <i>Part Two ESIIA required</i>	High positive impact <i>Part One ESIIA required</i>	Medium positive or negative impact <i>Part One ESIIA required</i>	Low positive or negative impact <i>Part One ESIIA required</i>
Age (please include children, young people, people of working age, older people. Some people may belong to more than one group eg young person with disability)			✓	
Disability (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)			✓	
Gender re-assignment (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				No evidence to suggest either positive or negative impact
Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment)				No evidence to suggest either positive or negative impact
Pregnancy & Maternity (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				No evidence to suggest either positive or negative impact
Race (please include: ethnicity, nationality, culture, language, gypsy, traveller)				No evidence to suggest either positive or negative impact
Religion and belief (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others)				No evidence to suggest either positive or negative impact
Sex (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				No evidence to suggest either positive or negative impact
Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				No evidence to suggest either positive or negative impact
Other: Social Inclusion (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers;			✓	

rural communities; people you consider to be vulnerable)				
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Decision, review and monitoring

Decision	Yes	No
Part One ESIIA Only?	✓	
Proceed to Part Two Full Report?		✓

If Part One, please now use the boxes below and sign off at the foot of the page. If Part Two, please move on to the full report stage.

Actions to mitigate negative impact or enhance positive impact of the service change

The delivery of DHP's will continue to be subject to scrutiny and in accordance with any future changes published via the DWP guidance manuals.

Actions to review and monitor the impact of the service change

Following the comprehensive work carried out by Members through the Scrutiny task and finish group, there will continue to be ongoing engagement with people who are entitled to Housing Benefit or Council Tax Support and across the Protected Characteristic groupings. The intention is that this will enable collection of local evidence about impact of the policy, and demonstrate the role of local Shropshire Council councillors as community leaders in supporting vulnerable households through the implementation of policies such as this.

Shropshire Council will continue to utilise the good practice guidance issued by the Department for Work & Pensions as the basis for continuing delivery of this service and will compare our delivery against that of other Local Authorities. System statistics will continue to be collated and analysed for impact upon protected characteristic groupings.

Scrutiny at Part One screening stage

People involved	Signatures	Date
Lead officer carrying out the screening	<i>Chris Westwood</i>	7 May 2015
Any internal support*		
Any external support**	<i>Lois Dale</i> Mrs Lois Dale, Principal Rural Policy Officer; ext 5684	17 June 2015
Head of service		

**This refers to other officers within the service area*

***This refers either to support external to the service but within the Council, eg from the Principal Rural Policy Officer, or support external to the Council, eg perhaps from a peer authority*

Sign off at Part One screening stage

Name	Signatures	Date
<i>Lead officer's name</i>	<i>Chris Westwood</i>	7 May 2015
<i>Head of service's name</i>		

Shropshire Council Part 2 ESIIA: full report

Guidance notes on how to carry out the full report

The decision that you are seeking to make, as a result of carrying out this full report, will take one of four routes:

1. To make changes to satisfy any concerns raised through the specific consultation and engagement process and through your further analysis of the evidence to hand;
2. To make changes that will remove or reduce the potential of the service change to adversely affect any of the Protected Characteristic groups and those who may be at risk of social exclusion;
3. To adopt the service change as it stands, with evidence to justify your decision even though it could adversely affect some groups;
4. To find alternative means to achieve the aims of the service change.

The Part Two Full Report therefore starts with a forensic scrutiny of the evidence and consultation results considered during Part One Screening, and identification of gaps in data for people in any of the nine Protected Characteristic groups and people who may be at risk of social exclusion, eg rural communities. There may also be gaps identified to you independently of this process, from sources including the intended audiences and target groups themselves.

The forensic scrutiny stage enables you to assess:

- **Which gaps need to be filled right now, to help you to make a decision about the likely impact of the proposed service change?**

This could involve methods such as: one off service area focus groups; use of customer records; examination of data held elsewhere in the organisation, such as corporate customer complaints; and reference to data held by similar authorities or at national level from which reliable comparisons might be drawn, including via the Rural Services Network. Quantitative evidence could include data from NHS Foundation Trusts, community and voluntary sector bodies, and partnerships including the Local Enterprise Partnership and the Health and Well Being Board. Qualitative evidence could include commentary from stakeholders.

- **Which gaps could be filled within a timeframe that will enable you to monitor potential barriers and any positive or negative impacts on groups and individuals further along into the process?**

This could potentially be as part of wider corporate and partnership efforts to strengthen the evidence base on equalities. Examples would be: joint information sharing protocols about victims of hate crime incidents; the collection of data that will fill gaps across a number of service areas, eg needs of young people with learning disabilities as they progress through into independent living; and publicity awareness campaigns that encourage open feedback and suggestions from a variety of audiences.

Once you have identified your evidence gaps, and decided on the actions you will take right now and further into the process, please record your activity in the following boxes. Please extend the boxes as needed.

Evidence used for assessment of the service change: activity record

How did you carry out further research into the nine Protected Characteristic groups and those who may be at risk of social exclusion, about their current needs and aspirations and about the likely impacts and barriers that they face in day to day living?

And what did it tell you?

Specific consultation and engagement with intended audiences and target groups for the service change: activity record

How did you carry out further specific consultation and engagement activity with the intended audiences and with other stakeholders who may be affected by the service change?

And what did it tell you?

Further and ongoing research and consultation with intended audiences and target groups for the service change: activity record

What further research, consultation and engagement activity do you think is required to help fill gaps in our understanding about the potential or known affect that this proposed service change may have on any of the ten groupings and on the intended audiences and target groups? This could be by your service area and/or at corporate and partnership level.

Full report assessment for each group

Please rate the impact as you now perceive it, by inserting a tick. Please give brief comments for each group, to give context to your decision, including what barriers these groups or individual may face.

Protected Characteristic groups and other groups in Shropshire	High negative impact	High positive impact	Medium positive or negative impact	Low positive or negative impact
Age (please include children, young people, people of working age, older people. Some people may belong to more than one group eg young person with disability)				
Disability (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)				
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Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment)				
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Religion and belief (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others)				
Sex (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				
Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				
Other: Social Inclusion (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people you consider to be vulnerable)				

ESIIA Full Report decision, review and monitoring

Summary of findings and analysis - ESIIA decision

You should now be in a position to record your decision. Please highlight in bold the route that you have decided to take.

1. To make changes to satisfy any concerns raised through the specific consultation and engagement process and through your further analysis of the evidence to hand;
2. To make changes that will remove or reduce the potential of the service change to adversely affect any of the Protected Characteristic groups and those who may be at risk of social exclusion;
3. To adopt the service change as it stands, with evidence to justify your decision even though it could adversely affect some groups;
4. To find alternative means to achieve the aims of the service change.

Please add any brief overall comments to explain your choice.

You will then need to create an action plan and attach it to this report, to set out what further activity is taking place or is programmed that will:

- *mitigate negative impact or enhance positive impact of the service change,*
- AND*
- *review and monitor the impact of the service change*

Please try to ensure that:

- *Your decision is based on the aims of the service change, the evidence collected, consultation and engagement results, relative merits of alternative approaches and compliance with legislation, and that records are kept;*
- *The action plan shows clear links to corporate actions the Council is taking to meet the general equality duty placed on us by the Equality Act 2010, to have due regard to the three equality aims in our decision making processes.*

Scrutiny at Part Two full report stage

People involved	Signatures	Date
<i>Lead officer</i>		
<i>Any internal support</i>		
<i>Any external support</i>		
<i>Head of service</i>		

Sign off at Part Two full report stage

Signature (Lead Officer)	Signature (Head of Service)
Date:	Date:

Appendix: ESIIA Part Two Full Report: Guidance Notes on Action Plan

Please base your action plan on the evidence you find to support your decisions, and the challenges and opportunities you have identified. It could include arrangements for:

- continuing engagement and involvement with intended audiences, target groups and stakeholders;
- monitoring and evaluating the service change for its impact on different groups throughout the process and as the service change is carried out;
- ensuring that any pilot projects are evaluated and take account of issues described in the assessment, and that they are assessed to make sure they are having intended impact;
- ensuring that relevant colleagues are made aware of the assessment;
- disseminating information about the assessment to all relevant stakeholders who will be implementing the service change;
- strengthening the evidence base on equalities.

Please also consider:

- resource implications for in-house and external delivery of the service;
- arrangements for ensuring that external providers of the service are monitored for compliance with the Council's commitments to equality, diversity and social inclusion, and legal requirements including duties under the Equality Act 2010.

And finally, please also ensure that the action plan shows clear links to corporate actions the Council is taking to meet the general equality duty placed on us by the Equality Act 2010, to have due regard to the three equality aims in our decision making processes.

These are:

- Eliminating discrimination, harassment and victimisation
- Advancing equality of opportunity
- Fostering good relations

Note for 2014 refresh of our corporate equality impact assessment approach: Shropshire Council has referred to good practice elsewhere in refreshing the EINA material and replacing it with this ESIIA material. The Council is grateful in particular to Leicestershire County Council, for graciously allowing use to be made of their Equality and Human Rights Impact Assessments (EHRIAs) material and associated documentation.

For further information on the use of ESIIAs: please contact your head of service or contact Mrs Lois Dale, Principal Rural Policy Officer and internal policy support on equality, via telephone 01743 255667, or email lois.dale@shropshire.gov.uk.