

Appendix D3 – Equality Strand Analysis including protection for claimants in receipt of Carers Allowance

Introduction

An additional equality assessment has been undertaken, following recommendations made from the Council Tax Support consultation process, to include protection against Principle 1 (i.e. the minimum contribution of 20% towards Council Tax) of the proposed scheme for claimants in receipt of Carers Allowance as part of the Council Tax Support scheme.

The assessment is on the nine protected characteristics namely age; race; disability; gender; faith, sexuality, marriage and civil partnerships, maternity and pregnancy.

1. Add protection for claimants in receipt of Carers Allowance

Carer's Allowance is a benefit paid to a person who looks after someone who is disabled. There is no requirement for them to be related to the person being cared for or to live with them. Carer's Allowance may be paid if a carer meets the following conditions:

- They are aged 16 or over
- They spend at least 35 hours a week caring for a person
- Financial – £5,178,110 gross savings

The proposed protection for carers will increase the number of working age customers to 4039 under the protected caseload with 141 claimants already protected under the proposed scheme as they already receive a form of Disability Living Allowance for a dependent that is resident in their home.

- Equality Strands –
 - Age

The number of working age customers based on age and caseload type changes to 10,801 (43.90%) passported caseload, 9764 (39.68%) working age other and 4039 (16.42%) for protected caseload. Table 1 below exemplifies this. (Please note that percentages are rounded to the nearest whole number).

Table 1: Breakdown of Council Tax Benefit recipients by age and caseload type:

Age Group	Working Age Passported		Working Age Other		Working Age Vulnerable		Grand Total
18-24	797	68%	318	27%	51	4%	1166
25-34	2510	49%	2242	43%	410	8%	5162
35-44	3178	40%	3696	47%	986	13%	7860
45-55	3100	41%	2784	37%	1674	22%	7558
55-60	1216	43%	724	25%	918	32%	2858
Grand Total	10801	44%	9764	40%	4039	16%	24604

Of the working age protected caseload (4039), customers aged 55 to 60 are more likely to be protected in proportionate terms than those aged 25 and under. This is a similar effect to that identified within the proposed Council Tax Support Scheme.

Table 2: Breakdown of Council Tax Benefit working age recipients by age and difference in entitlement:

Age Group	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total
18-24	216	19%	878	75%	63	5%	9	1%	0	0%	0	0%	1166
25-34	1086	21%	3325	64%	595	12%	127	2%	29	1%	0	0%	5162
35-44	1756	22%	4118	52%	1537	20%	380	5%	66	1%	3	0%	7860
45-55	2092	28%	3208	42%	1518	20%	595	8%	139	2%	6	0%	7558
55-60	952	33%	1035	36%	471	16%	307	11%	93	3%	0	0%	2858
Grand Total	6102	25%	12564	51%	4184	17%	1418	6%	327	1%	9	0%	24604

Table 2 above indicates that the majority of working age claimants (i.e. 51%) will have a difference of £3 to £5 per week extra to pay under the proposed scheme towards their Council Tax which is comparable with the proposed Council Tax Support Scheme.

Under this scheme, 6102 (24.80 working age claimants will have a decrease under £3 per week compared to 5650 (22.96%) customers in the proposed scheme.

Table 3: Breakdown of Council Tax Benefit recipients in the Working Age Vulnerable (protected) group by age and difference in entitlement:

Age Group	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total
18-24	51	100%	0	0%	0	0%	0	0%	0	0%	0	0%	51
25-34	396	97%	4	1%	7	2%	3	1%	0	0%	0	0%	410
35-44	922	94%	27	3%	18	2%	9	1%	10	1%	0	0%	986
45-55	1524	91%	81	5%	31	2%	25	1%	12	1%	1	0%	1674
55-60	789	86%	40	4%	40	4%	40	4%	9	1%	0	0%	918
Grand Total	3682	91%	152	4%	96	2%	77	2%	31	1%	1	0%	4039

All protected claimants aged less than 25 years old will have a difference of £3 or less per week to pay under the Council Tax support Scheme based on the protection proposed for carers.

Claimants aged 55 to 60 are proportionately more affected with a difference of more than £8 per week which is the same finding as identified under the proposed scheme.

- Disability

Brent has given due consideration to obligations under the Equalities Act within its **Principle 2: The most vulnerable claimants should be protected (from the minimum contribution) proposed for Council Tax Support.**

Protection from the 20 per cent minimum contribution will apply to claimants if they or their partner or dependants are entitled to a disability premium or enhanced disability premium (normally given where disability living allowance has been awarded) or disabled earnings disregard, or the claimant is in receipt of disabled person's reduction for council tax purposes. In addition, Disability Living Allowance income is disregarded generally when calculating entitlement.

Claimants in receipt of a Carer's Allowance will also be protected under this proposal. This alternative will have no impact on those already protected under this characteristic.

- Gender Reassignment

Claimants within this group are often one of our hardest to reach groups.

Gender reassignment will not be a factor in the assessment of Council Tax Support in relation to allowances and premium used when assessing entitlement to support. However, it is not possible to comment more fully on the future effects of income received by claimants in this group, as this will be dependent upon their income and circumstances at that time which may vary and cannot therefore be predicted with certainty.

As much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme, It is anticipated that it will not adversely affect claimants in this group. However, there is not currently sufficient data and evidence available to validate this more fully.

- Marriage and Civil Partnership

The proposed Council Tax Support Scheme retains the majority of the assessment criteria used currently in the assessment of Council Tax Benefit that specifies that a 'couple' be defined as follows:

- A man and woman who are married to each other and are members of the same household
- A man and woman who are not married to each other but are living together as husband and wife
- Two people of the same sex who are civil partners of each other and are members of the same household
- Two people of the same sex, who are not civil partners of each other but are living together as if they were civil partners.

Marital or civil partnership status entitles a claimant to the couple personal allowance rate and premiums in the circumstances outlined above. As all couples outlined above are affected by the proposed changes, it is not anticipated that Council Tax Support will adversely affect claimants based upon their marital or civil partnership status.

However, there is not currently sufficient data and evidence available to validate this more fully.

- Pregnancy and Maternity

For the purposes of Council Tax Support, pregnancy and maternity are to be considered as two separate characteristics as whilst the claimant is pregnant, premiums and personal allowances are unchanged until the child is born and then becomes a member of the claimant's household. At that time, an additional premium and allowance are awarded and child benefit income will be disregarded when calculating income received.

Maternity Allowance (MA) is a benefit paid weekly by Jobcentre Plus to pregnant women. Maternity Allowance is paid in the following circumstances:

- The claimant is employed , but not eligible for Statutory Maternity Pay (SMP) from an employer
- The claimant is registered self-employed and paying Class 2 National Insurance Contributions (NICs), or hold a Small Earnings Exception certificate
- The claimant is have recently been employed or self-employed

Maternity Allowance can be paid for up to 39 weeks. The qualifying conditions for MA depend on the date the baby is due not the date the baby is actually born.

A claimant can only get MA if they cannot get SMP from their employer.

For claimants on JSA (IB), they will move onto Income Support only once the pregnancy is at 29 weeks and then after the birth of the child, the claimant will be in receipt of Income Support and Child Tax Credit.

Whilst pregnant, the allowances and premiums used in the calculation of entitlement to support do not change. However, it is not possible to comment more fully on the effects of income received by claimants in this group during pregnancy, as this will be dependent upon their income and circumstances at that time which may vary and cannot be predicted with certainty.

As much of the existing Council Tax Benefit Scheme is to be retained within the proposed Council Tax Support Scheme, it is anticipated that it will not adversely affect claimants in this group. However, there is not currently sufficient data and evidence available to validate this more fully.

- Race

Race is not a factor in the assessment of Council Tax Benefit and will not generally be a factor in the assessment of Council Tax Support as it is not a characteristic affecting allowances or premiums.

The Local Government Finance Bill will define a 'class of persons' who will be restricted from receiving Council Tax Support nationally and this is expected to include 'persons from abroad'. The Government intends to apply the same restrictions as exist under the Council Tax Benefit system to exclude foreign nationals with limited immigration status and non-economically active EEA individuals who are not exercising EU treaty rights from receiving Council Tax Support.

Brent's Council Tax Support scheme will include these provisions once finalised and published by the Government. Additionally, where polygamous marriages exist, the claimant will be entitled to an additional allowance for each additional partner.

The proposed local Council Tax Support Scheme will primarily be based upon the provisions of the existing Council Tax Benefit legislation.

Table 4: Breakdown of Council Tax Benefit Working Age recipients by ethnicity and difference in entitlement:

Ethnic Groups	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total
Asian	739	21%	1444	41%	931	27%	307	9%	80	2%	4	0%	3505
Black	1401	23%	3597	59%	810	13%	254	4%	53	1%	0	0%	6115
Mixed	182	24%	426	56%	110	15%	30	4%	7	1%	0	0%	755
Other	206	27%	332	43%	192	25%	39	5%	5	1%	1	0%	775
White	1205	25%	2544	52%	766	16%	290	6%	64	1%	1	0%	4870
Not Known	2369	28%	4221	49%	1375	16%	498	6%	118	1%	3	0%	8584
Grand Total	6102	25%	12564	51%	4184	17%	1418	6%	327	1%	9	0%	24604

The 'Asian' group is in proportionate terms more affected under the proposed scheme by a reduction in entitlement of £5.00 or more per week. This is because members of this group are more likely to be affected by Principle 5 (i.e. the effects of the taper) and less likely to be in receipt of a passported benefit. Additionally, they also have a greater proportion of dependent children per household than other groups and a higher Council Tax Valuation Band in proportionate terms compared to other groups.

Table 5: Breakdown of Council Tax Benefit recipients in the Working Age Vulnerable (protected) group by ethnicity and difference in entitlement:

Ethnic Group	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total	
Asian	465	85%	27	5%	22	4%	20	4%	11	2%	0	0%	545	13.49%
Black	751	93%	26	3%	19	2%	4	0%	8	1%	0	0%	808	20.00%
Mixed	94	94%	3	3%	0	0%	1	1%	2	2%	0	0%	100	2.48%
Other	122	92%	3	2%	6	5%	1	1%	0	0%	0	0%	132	3.27%
White	685	91%	35	5%	15	2%	14	2%	4	1%	0	0%	753	18.64%
Not Known	1565	92%	58	3%	34	2%	37	2%	6	0%	1	0%	1701	42.11%
Grand Total	3682	91%	152	4%	96	2%	77	2%	31	1%	1	0%	4039	100.00%

Table 5 above provides an analysis of claimants already proposed for protection under the proposed Council Tax Support Scheme and those in receipt of a Carer's Allowance. The proposed protection for these claimants means that 91% of them will have a difference of less than £3 per week.

- Religion and belief

Religion and belief will not generally be a factor in relation to allowances and premiums used when assessing entitlement to support. The exception to this is

that a higher applicable amount may be determined for a claimant in a polygamous marriage that may be applicable to certain religions and beliefs.

It is not possible to comment more fully on the effects of future income received by claimants in this group, as this will be dependent upon their income and circumstances at that time that may vary and cannot be predicted with certainty.

It is anticipated that the proposed Council Tax Support Scheme will not adversely affect anyone based upon religion or belief, as there are currently no claimants identified as being in a polygamous marriage and much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme.

However, there is not currently sufficient data and evidence held and available to validate this more fully.

- o Sex

Gender will not be a factor in relation to allowances and premiums used when assessing entitlement to support.

It is not possible to comment more fully on the future effects of income received by claimants in this group, as this will be dependent upon their income and circumstances at that time that may vary and cannot therefore be predicted with certainty.

Assessment of Council Tax Benefit considers overall household income, rather than distinguishing between male and female recipients of these benefits.

For these reasons, it is expected that Council Tax Support will not adversely affect anyone based on their sex.

Of the 24,604 working age claimants in receipt of Council Tax Benefit, female claimants comprise 57% of the caseload and male claimants 43%.

Table 6: Breakdown of Council Tax Benefit Working Age recipients by sex and difference in entitlement:

Sex	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	
FEMALE	2856	20%	7763	56%	2251	16%	873	6%	203	1%	4	0%	13950
MALE	3243	30%	4788	45%	1933	18%	545	5%	124	1%	5	0%	10638
UNKNOWN	3	19%	13	81%	0	0%	0	0%	0	0%	0	0%	16
Grand Total	6102	25%	12564	51%	4184	17%	1418	6%	327	1%	9	0%	24604

Table 6 above provides an analysis of reduction in entitlement based upon the gender of the claimant. On average, working age claimants (i.e. 51%) will have a

difference of £3 to £5 per week extra to pay under the proposed scheme towards their Council Tax. The table indicates that whilst there appears to be a higher proportion of male claimants affected by a reduction in entitlement of £0 to £3 per week than females, there is conversely a higher proportion of females affected by the £3 to £5 reduction in entitlement and a broadly comparable proportion for the other reduction categories. The combined effects of a £0 to £5 reduction indicate a comparable effect on both male and female claimants with 76.1% female and 75.4% male. Consequently, the effect of the proposed scheme based upon gender appears to be broadly comparable.

- Sexual orientation

Sexual orientation will not generally be a factor in relation to allowances and premiums used when assessing entitlement to support.

It is not possible to comment more fully on the effects of future income received by claimants in this group, as this will be dependent upon their income and circumstances at that time that may vary and cannot be predicted with certainty.

It is anticipated that the proposed Council Tax Support Scheme will not adversely affect anyone based upon their sexual orientation and much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme.

However, there is not currently sufficient data and evidence available to validate this more fully.