



Equality Impact Assessment

Directorate: Finance

Service Area: Revenue and Benefits

Name of policy being assessed: Council Tax Support Scheme

Draft Version: 13 November 2024

Final Version: 18 November 2024

Signed off by: Malcolm Coe – Director of Finance

Date Signed Off: xx November 2024

1. Overview

Although the law does not require public service providers to assess the likely impact of policy decisions on particular groups, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have “**due regard**” to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a “**relevant protected characteristic**” and people who do not.

Having “due regard” means:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The protected characteristics are:

- age
- carers
- disability
- women or men
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sexual orientation
- armed forces community

2. How is the decision relevant to the three aims of the Public Sector Equality Duty?

The proposals for the new Council Tax Support scheme have been assessed to ensure that due regard has been given to the Public Sector Equality Duty as enshrined in the Equality Act 2010.

We have identified households who are most likely to be affected by the introduction of the proposed scheme change and compared those to the make-up of our overall customer base to identify any equality groups that may be disproportionately affected.

3. What are the proposed changes?

We are reviewing our Council Tax Support scheme for 2025/26 and have consulted on the following proposed changes:

- To increase the level of support by removing the minimum income floor calculation for self-employed households that are not receiving Universal Credit and have a disability or caring responsibility that will take effect from 1 April 2025 (see paragraph 6.1 of the Council Report).

This change will be in line with current Universal Credit regulations, as the minimum income floor calculation is not applied to disabled working claims.

The minimum income floor calculation is not applied to households that receive a Passported Benefit (income related Employment and Support Allowance or Income Support).

- Discounting certain payments or settlements made by the UK Government from 1 April 2025 (see paragraph 6.1 of the Council Report).

This change will align the working age scheme with the current national Pension Age scheme, which is set by Government, as well as Universal Credit and Employment and Support Allowance Regulations.

The proposed changes could potentially affect 222 households, which is **1.89%** of both working and pension age households that receive Council Tax Support in Torbay.

For the majority of households receiving Council Tax Support, which is 11,496 households (**98.11%**), the proposals will have no impact.

Protected Characteristic: Age

Pension Age

27 per cent of Torbay residents are aged 65 and older.

Council Tax Support

Number of Cases: 5,277
Women: 3,071
Men: 2,206

For pension age households the amount of Council Tax Support will continue to be calculated under the nationally prescribed scheme.

It is the Governments view that low-income pension age households would not be expected to work in order to increase their income and will be protected from any reduction in support.

In Torbay pensioners represent 26.7% of the population (Census 2021).

Although poverty levels are lower than they were 20 years ago, the latest figures show 2.1 million (18 per cent) of pensioners in the UK live in poverty – Age UK Pensioner Poverty report 2022.

Pension age households represent 45.03% of the current Council Tax Support caseload and 55.4% of the total scheme expenditure.

Working Age

18 per cent of Torbay residents are under 18 years old.
55 per cent of Torbay residents are aged between 18 to 64 years old.

Council Tax Support

Number of Cases: 6,441
Women: 4,032
Men: 2,409

Working age households that receive Council Tax Support can be split into three main income types - Passported, Universal Credit and Standard Means Test.

The table below shows the number of working age households, by income type receiving Council Tax Support.

Income Type	Number of Cases	Percentage
Passported Benefits	2,401	37.3%
Universal Credit	3,818	59.3%
Standard Means Test	222	3.4%

Around 57% of all working age households receiving Council Tax Support are single people, with 27% lone parents, 8% couples with children and just over 8% are couples with no children.

Single People – No Children

There are 3,679 single people receiving Council Tax Support, which represents 57.11% of all working age households.

Women: 1,740

Men: 1,939

Couples – No Children

There are 490 couples with no children receiving Council Tax Support, which represents 7.62% of all working age households.

	<p>Lone Parents</p> <p>There are 1,764 lone parents receiving Council Tax Support, which represents 27.39% of all working age households.</p> <p>The majority of lone parents across the UK are women and their children are more likely to be in poverty than two parent households – Institute of Fiscal Studies report 2022.</p> <p>1,631 or 92.45% of lone parent households receiving Council Tax Support are women.</p> <p>The number of households with:</p> <p>One Child: 803 Two Children or more: 961</p>
	<p>Couples – With Children</p> <p>There are 508 couples with children receiving Council Tax Support, which represents 7.88% of all working age households.</p> <p>The number of households with:</p> <p>One Child: 183 Two Children or more: 325</p>
<p>Proposed Scheme Changes</p>	<p>Proposal One - Remove the minimum income floor calculation for households that are not receiving Universal Credit, self-employed and have either a disability or caring for a severely disabled person.</p> <p>This proposed change will potentially have a positive impact on 143 households that are currently receiving Council Tax Support.</p> <p>It will also have a positive impact, where applicable, on households that may apply for Council Tax Support from 1 April 2025.</p> <p>Households that receive a passported benefit (income related Employment and Support Allowance or Income Support) or Universal Credit are not affected by this proposal.</p>

The table below shows the number of households that remain unchanged.

Household Type	Unchanged
Single Person	3,334
Couple	397
Lone Parent - One Child	611
Couple - One Child	132
Lone Parent - Two Children or More	633
Couple - Two Children or More	191
Total	5,298

Proposals Two to Five – Disregarding (discounting) certain payments or settlements made by the UK Government.

These proposed changes will potentially have a positive impact on 222 households that are currently receiving Council Tax Support.

It will also have a positive impact, where applicable, on households that may apply for Council Tax Support from 1 April 2025.

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Protected Characteristic: Caring Responsibilities

At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.

Council Tax Support
Standard Means Test:40

The Council is required to consider the needs of households with caring responsibilities within its proposed scheme. It is recognised that households with caring responsibilities can affect people's ability to pursue paid work.

Financially, carers may face difficulties and their income may be affected by their caring role.

Based on a survey of 13,000 unpaid carers, 16% are in debt as a result of their caring role and their financial situation, increasing to 40% for unpaid carers in receipt of Carer's Allowance – Carers UK report 2022.

The proposed changes will potentially have a positive impact on households that do not receive a passported benefit (income related Employment and Support Allowance or Income Support) or Universal Credit and receiving Council Tax Support from 1 April 2025.

It will also have a positive impact, where applicable, on households that may apply for Council Tax Support from 1 April 2025.

It does not have a negative impact on any household that has caring responsibilities.

Proposed Scheme Changes

Proposal One - Remove the minimum income floor calculation for households that are not receiving Universal Credit, self-employed and caring for a severely disabled person.

The table below shows the number of cases, by household type, that could potentially have an increase in the level of support.

Household Type	Potential Increase
Single Person	6
Couple	13
Lone Parent - One Child	2
Couple - One Child	2
Lone Parent - Two Children or More	3
Couple - Two Children or More	14
Total	40

It will also have a positive impact, where applicable, on households that may apply for Council Tax Support from 1 April 2025.

The table below shows the number of households that do not receive a passported benefit (income related Employment and Support Allowance or Income Support) or Universal Credit remain unchanged.

Household Type	Unchanged
Single Person	43
Couple	4
Lone Parent - One Child	16
Couple - One Child	4
Lone Parent - Two Children or More	9
Couple - Two Children or More	3
Total	79

Proposals Two to Five – Disregarding (discounting) certain payments or settlements made by the UK Government.

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Protected Characteristic: Disability

In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.

Council Tax Support
Standard Means Test: 103

The Council is required to consider the needs of disabled people within its proposed scheme. Under Government guidance, disabled people will face greater challenges to join the working population.

After housing costs, the proportion of working age disabled people living in poverty is 27%, which is higher than the proportion of working age non-disabled people at 19% - Scope report 2021.

The average disabled household faces £975 a month in extra costs – Scope report 2023.

In all cases the assessment and qualification of the disabled person for the qualifying benefit is completed by the DWP, not the Council.

Relevant disability benefits are disregarded in the calculation of Council Tax Support, thereby protecting those with specific long-term conditions who fall within this group.

The proposed changes will potentially have a positive impact on households that do not receive a passported benefit (income related Employment and Support Allowance or Income Support) or Universal Credit and receiving Council Tax Support from 1 April 2025.

It will also have a positive impact, where applicable, on households that may apply for Council Tax Support from 1 April 2025.

It does not have a negative impact on any household that has a disability.

Proposed Scheme Changes

Proposal One - Remove the minimum income floor calculation for households that are not receiving Universal Credit, self-employed and have a disability.

The table below shows the number of cases, by household type, that could potentially have an increase in the level of support.

Household Type	Potential Increase
Single Person	62
Couple	15
Lone Parent - One Child	1
Couple - One Child	5
Lone Parent - Two Children or More	9
Couple - Two Children or More	11
Total	103

It will also have a positive impact, where applicable, on households that may apply for Council Tax Support from 1 April 2025.

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Household Type	Unchanged
Single Person	43
Couple	4
Lone Parent - One Child	16
Couple - One Child	4
Lone Parent - Two Children or More	9
Couple - Two Children or More	3
Total	79

Protected Characteristic: Women or Men	
<p>51.3% of Torbay's population are female and 48.7% are male</p> <p>Council Tax Support Working Age: 6,441 Women: 4,032 Men: 2,409</p> <p>Standard Means Test Women: 139 Men: 83</p>	<p>The Council Tax Support scheme will not treat people of different genders any differently.</p> <p>Based on current data there is a higher percentage of working age women claiming Council Tax Support 4,032 (62.6%) when compared to their representation in the Torbay population 71,493 (51.31%).</p> <p>Furthermore, 1,631 (92.4%) of working age lone parents are women compared to 133 men (7.6%).</p> <p>Due to the higher proportion of women receiving Council Tax Support the proposed scheme changes will have a greater impact on women.</p> <p>The proposed changes will potentially have a positive impact on households that do not receive a passported benefit (income related Employment and Support Allowance or Income Support) or Universal Credit and receiving Council Tax Support from 1 April 2025.</p>
	<p>Single People – No Children</p> <p>There are 1,740 single women receiving Council Tax Support, which represents 27% of all working age households.</p> <p>1,939 single men receive Council Tax Support, which represents 30% of all working age households.</p>
	<p>Couples – No Children</p> <p>There are 490 couples with no children receiving Council Tax Support, which represents 8% of all working age households.</p>
	<p>Lone Parents</p> <p>There are 1,764 lone parents receiving Council Tax Support and the majority (1,631) are women, which represents 25% of all working age households.</p> <p>133 lone parents are men, which represents 2% of all working age households.</p>
	<p>Couples – With Children</p> <p>There are 508 couples with children receiving Council Tax Support, which represents 8% of all working age households.</p>

Proposed Scheme Changes

Proposal One - Remove the minimum income floor calculation for households that are not receiving Universal Credit, self-employed and have a disability or caring for a severely disabled person.

The table below shows the number of men and women that will potentially be affected by this change.

Caring Responsibilities

Household Type	Women	Men
Single Person	4	2
Lone Parent - One Child	2	0
Lone Parent - Two Children or More	2	1
Total	8	3

Disability

Household Type	Women	Men
Single Person	27	16
Lone Parent - One Child	15	1
Lone Parent - Two Children or More	7	2
Total	49	19

Proposals Two to Five – Disregarding (discounting) certain payments or settlements made by the UK Government.

The table below shows the number of cases, by household type, that could potentially have an increase in the level of support.

Household Type	Women	Men
Single Person	69	42
Lone Parent - One Child	17	2
Lone Parent - Two Children or More	20	1
Total	106	45

It will also have a positive impact, where applicable, on households that may apply for Council Tax Support from 1 April 2025.

Protected Characteristic: Gender Reassignment		
Data and Insight	Negative Impact & Mitigating Actions	Neutral Impact
In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	Not applicable.	The eligibility criteria is neutral in relation to gender reassignment, as it does not expressly include, exclude or otherwise identify any particular group. All awards are therefore neutral in that they are available equally to all applicants irrespective of race.
We do not hold any data on gender reassignment for our Council Tax Support caseload.		

Protected Characteristic: Marriage and Civil Partnership		
Data and Insight	Negative Impact & Mitigating Actions	Neutral Impact
Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	Not applicable	The eligibility criteria is neutral in relation to marriage and civil partnership, as it does not expressly include, exclude or otherwise identify any particular group. All awards are therefore neutral in that they are available equally to all applicants irrespective of race.

Protected Characteristic: Pregnancy and Maternity		
Data and Insight	Negative Impact & Mitigating Actions	Neutral Impact
Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4).	Not applicable.	The eligibility criteria is neutral in relation to pregnancy and maternity, as it does not expressly include, exclude or otherwise identify any particular group. All awards are therefore neutral in that they are available equally to all applicants irrespective of race.

There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.		
<p>Existing data on applicants receiving Council Tax Support does not give any clarification on pregnant women, those on maternity leave or having given birth within the last 26 weeks.</p> <p>The only information which is held relates to income from statutory maternity pay that is in payment at the point an application is made as this forms part of the income assessment for the means tested Council Tax Support.</p> <p>People who are in advanced stages of pregnancy or receiving maternity allowance are affected for a temporary period because they will have a finite income and will be unable to increase this by working.</p>		

Protected Characteristic: Race		
Data and Insight	Negative Impact & Mitigating Actions	Neutral Impact
In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	Not applicable	<p>The eligibility criteria is neutral in relation to race, as it does not expressly include, exclude or otherwise identify any particular group.</p> <p>All awards are therefore neutral in that they are available equally to all applicants irrespective of race.</p>

Protected Characteristic: Religion and Belief		
Data and Insight	Negative Impact & Mitigating Actions	Neutral Impact
64.8% of Torbay residents who stated that they have a religion in the 2021 census.	Not applicable	The eligibility criteria is neutral in relation to religion and belief, as it does not expressly include, exclude or otherwise identify any particular group.

		All awards are therefore neutral in that they are available equally to all applicants irrespective of race.
We do not hold any data on religion and belief for our Council Tax Support caseload.		

Protected Characteristic: Sexual Orientation		
Data and Insight	Negative Impact & Mitigating Actions	Neutral Impact
In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	Not applicable	The eligibility criteria is neutral in relation to sexual orientation, as it does not expressly include, exclude or otherwise identify any particular group. All awards are therefore neutral in that they are available equally to all applicants irrespective of race.
We do not hold any data on sexual orientation for our Council Tax Support caseload.		

Protected Characteristic: Armed Forces Community		
Data and Insight	Negative Impact & Mitigating Actions	Neutral Impact
In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.	Not applicable	The eligibility criteria is neutral in relation to the armed forces community, as it does not expressly include, exclude or otherwise identify any particular group. All awards are therefore neutral in that they are available equally to all applicants irrespective of race.
We do not hold any data on the armed forces community for our Council Tax Support caseload.		

Socio-economic impacts (Including impact on child poverty issues and deprivation)	<p>The five proposed changes will have a positive impact on the amount of Council Tax Support awarded for those households affected from 1 April 2025.</p> <p>It will also have a positive impact, where applicable, on households that may apply for Council Tax Support from 1 April 2025.</p>
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<p>Public Health impacts (How will your proposal impact on the general health of the population of Torbay)</p>	<p>There are links between unemployment and poorer mental health, such as stigma, isolation, loss of self-worth and the material consequences of a reduced income.</p> <p>Unemployed individuals, particularly the long-term unemployed, have a higher risk of poor mental health compared with those in employment.</p>
<p>Human Rights</p>	<p>The proposed changes will no impact on Human Rights.</p>
<p>Child Friendly Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.</p>	<p>The five proposed changes will have a positive impact on households with children and young people.</p>