Pro-forma Equality Impact Assessments

This is a new and important process that will require different perspectives to be considered and, in some (hopefully a very few) cases, difficult decisions may need to be made about policy and service delivery.

Whilst it is necessary to identify a lead officer, it is advised that they do not undertake the impact assessment on their own, but set up a group comprising a diverse range of staff responsible for delivering the service.

Policy/procedure:	**Benefit Overpayment Policy**

Name of Lead Officer:	**Daren Nowlan**

Job Title:	**Head of Service**

Service area:	**Benefits**	**Directorate:**	**Resources**

Date:	**30/10/2009**

List others involved in the assessment:	**Chris Funnell (Benefit Supervisor), Beryl White (Benefit Manager)**

1	**What are the aims/objectives of the policy/procedure and the intended outcomes?**
	To determine fairly and reasonably which cases overpayments are recoverable, from whom, when they should be recovered and how they should be recovered.

2	**Are there any associated services, policies or procedures?** **Yes/No** **If 'Yes' please list below**
	Yes, the corporate debt policy, the fraud prosecution policy and Councils financial regulations (contained in the authorities constitution)

3	**Are any other organisations involved in the delivery of the service?**
	No

4	**How and where will information about the service, policy or procedure be publicised?** **Is this information available in other languages and formats if requested?**
	The policy will be stored and publicised as per all policies and governed by FOI The policy will not be in other languages but assistance can be given if needed on demand

5	**List the main people, or groups of people, that this policy or procedure was designed to reach or benefit, and any other stakeholders.**
	Persons liable to repay benefit overpayments including benefit claimants, their partners, landlords and anyone who has committed benefit fraud.

Although this form is set out under the broad equality strands consider any impacts/barriers that might cross over between different groups e.g. race/gender, disability/gender, etc. Use the boxes on the next few pages to indicate where the policy could have a positive or a negative impact for different groups with your reasons. You will need to transfer this information to the action plan later.

Key questions to consider are:

- Is there equal access to services for all groups?
- Is there equal quality of service or employment experience for all groups?
- Are there any significant differences in outcomes between groups?
- Is there over- or under-representation of some groups for certain services or in facing enforcement?

You should bear in mind the following when completing this form.

Race: When looking at race consider different ethnic groups within the five broad census headings, and groups not listed as separate census categories, for example Middle Eastern, North African, European, Gypsies and Travellers, Asylum Seekers and Refugees.

Gender: Remember that women and men may have different priorities in relation to what services they want and different needs for how these are provided. Men-only or women-only delivery for some services could be an option.

Disability: All service providers have a duty to make reasonable adjustments for disabled people, including physical features of premises, so it is advisable to anticipate any adjustments that may be required. Consider the barriers faced by different groups of disabled people as listed below. Note also that changes to legislation mean that conditions such as MS, HIV and cancer are now covered from the time of diagnosis.

- Physical impairment -such as people who have difficulty in using their arms or who have mobility issues which mean using a wheelchair or crutches
- Sensory impairment - such as being blind / having a serious visual impairment or being deaf / having a serious hearing impairment
- Mental health condition - such as depression or schizophrenia
- Learning disability/difficulty - such as Down's syndrome or dyslexia or a cognitive impairment such as autistic spectrum disorder
- Long-standing illness or health condition such as cancer, HIV, diabetes, chronic heart disease, or epilepsy

Lesbian / Gay Transgender: Key areas of concern include 'hate crime' and a lack of social facilities. Remember that this type of information is very personal and although people may be willing to declare their sexual orientation on surveys to aid improvement of services they may prefer it to not otherwise be known.

Religion/ Belief: Also includes people who do not follow and religion or have any particular belief system. Because 'hate crime' is a concern for many people from different faith communities this may be a factor in low responses to surveys, so imaginative ways of gathering this information could be considered and good practice established to highlight the benefits of accurate data.

Older people: Older people have different needs so we need to ensure the views of older people are heard and increased participation is encouraged. Communication, mobility and transport are areas we need to consider to aid this involvement, also access to learning opportunities to develop skills.

Young people: Younger people have different needs and we need to ensure their views are heard and increased participation is encouraged along with opportunities to help develop services. Consider using technology, youth services, or School councils to encourage involvement should be considered.

Carer's: A carer is someone who looks after a partner, relative or friend who has a disability, is an older person, or has a long term condition. Carer's are not paid, can often be isolated and are of every age group and ethnic origin. We may therefore need to use more diverse approaches to delivering services and ways to consult with this group; consider using radio, internet, library services or other imaginative ways of consultation. Carers (Equal Opportunities) Act 2004

Other Groups: It is good practice to consider the profile of all our communities e.g. Lone parents, people on low incomes, homeless people, EU Migrant Workers, and to note anything of which you are already aware or that results from your research.

Group	Actual or potential negative impact, unmet needs or barriers	Actual or potential positive impact or ways in which the policy promotes equality	Actual or potential impact of the policy on community cohesion and community relations
Women or men	No	No	No
People from different ethnic groups	No	No	No
Disabled People	No	No	No
Lesbian, gay or bisexual people	No	No	No
Older people	No	No	No
Young People	No	No	No
People from different faith groups	No	No	No
Transgender people	No	No	No
Any other group (e.g. carers, rural communities, socially excluded)	No	No	No

Consultation

For this step it is important to refer to any consultation exercises which have been undertaken and/or any complaints received.

7A	**What have service users/non-users or other stakeholders (including employees) already told you about the policy and any negative impacts? Who has been consulted and what methods were used?**
	There is tri annual consultation under the BVPI survey although this scheme is now scrapped and there have been no plans to introduce regular review or monitoring. We need to review the survey data.

7B	**If you need to carry out further consultation, who will you be consulting with and by what methods?**
	We need to set up a process of consultation for future benefit overpayments

Monitoring and Research

For this step it is important to refer to any monitoring information which is already held. As stated in the guidance notes arrangements need to be set up for effective monitoring if this is not already taking place.

8A	**How do we know whether our service is accessible all groups?**
	We are not sure that the service is accessible to all groups, some survey work is needed in this area.

8B	**If there is a lack of information, what research will be carried out, and for which groups?**
	Consultation is needed on the process

8C	**If this is a new policy, or one that is not currently monitored, what are the arrangements to begin monitoring the actual impacts of the policy? (To go in action plan)**
	Consultation needed for outcomes.

Equality Action Plan

Using the information already gathered, summarise your findings in the table on the next page in relation to potential or actual impacts for different groups. If you have identified that any group is experiencing, or is likely to experience, a negative impact, particularly if this could be unlawful discrimination or if it is unintentional, then action must be taken to address this.

Remember that any policy which could unlawfully discriminate must be changed, unless it can be objectively justified.

Even if you found negative impacts that would not amount to unlawful discrimination, you still need to identify ways to remove or reduce these. For example:

- change the policy or procedure
- change how the policy or procedure is put into practice
- find alternative ways of achieving the aims of the policy
- introduce additional measures

If no actions are taken to change the policy or procedure when adverse impacts for some groups have been identified, or where an adverse impact for some groups is unavoidable, you should double check that this could be justified legally. Major changes would need a report to your Directorate highlighting the findings of the equality impact assessment and setting out recommendations such as actions to change the policy, or whether or not to adopt a proposed or revised policy in the light of the findings.

Even if you found no evidence of potential negative impacts, you should consider how to improve any positive impacts or how your policy could be adapted to promote equality and/or good community relations and community cohesion. This should also form part of the action plan.

If you lack sufficient information to answer all the questions at this point, or are unaware what the impact is/will be, further research, monitoring data and/or consultation will be needed and objectives to obtain this information should be included in your action plan.

You should also set out the arrangements for monitoring the impact of the policy in your action plan.

These are suggested headings for the action plan but may be changed if you prefer to use your own directorate or departmental standard action plan format for consistency.

Problem/barriers identified	Aim/objective	Actions to achieve aim/objective	Resources required	Target date
Limited consultation	Undertake further work	Carry out survey work	Benefit Manager	May 2010

Ways to promote equality or good community relations identified	Aim/objective	Actions to achieve aim/objective	Resources required	Target date

Set out your arrangements below for monitoring the policy
Annual review by Benefit Manager

Set out your arrangements below for reporting back on actions
Report as part of service delivery plan

Website Summary

Please complete for publishing on our website

Completed equality impact assessment	Key findings	Future actions
Directorate: Resources **Policy Name:** Benefit Overpayment Policy **Policy Status (new, existing, Changing):** Updated for shared services **Lead Officer:** Daren Nowlan **Date of Assessment:** 30/10/2009	Additional consultation needed.	Undertake consultation with service users by May 2010.