

## EQUALITY IMPACT ANALYSIS (COUNCIL TAX PROPOSAL)

### Equality Impact Analysis

#### Purpose

The purpose of this document is to:

- (i) help decision makers fulfil their duties under the Equality Act 2010 and
- (ii) for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

#### Using this form

This form must be updated and reviewed as your evidence evolves on proposals for a:

- project
- service change
- policy
- commissioning of a service
- decommissioning of a service

You must take into account any:

- consultation feedback
- significant changes to the proposals
- data to support impacts of the proposed changes

The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker. The Equality Impact Analysis must be attached to the decision-making report.

**\*\*Please make sure you read the information below so that you understand what is required under the Equality Act 2010\*\***

#### Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics. The duty cannot be delegated and must be discharged by the decision-maker.

#### Protected characteristics

The protected characteristics under the Act are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race

- religion or belief
- sex
- sexual orientation

## **Section 149 of the Equality Act 2010**

Section 149 requires a public authority to have due regard to the need to:

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

The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics. By evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

## **Decision makers duty under the Act**

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms.
- (ii) remove any unlawful discrimination, harassment, victimisation, and other prohibited conduct.
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics.
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

## **Conducting an impact analysis**

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision-making process.

## **The Lead Officer responsibility**

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

### **Summary of findings**

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision-making report and attach this Equality Impact Analysis to the report.

## **Impact**

**An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.**

### **How much detail to include?**

The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this ask simple questions:

- who might be affected by this decision?
- which protected characteristics might be affected?
- how might they be affected?

These questions will help you consider the extent to which you already have evidence, information and data. It will show where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to decide where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable, then it must be clearly justified and recorded as such. An explanation must be stated as to why no steps can be taken to avoid the impact. Consequences must be included.

### **Proposals for more than one option**

If more than one option is being proposed, you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

**The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.**

## Background information

Details	Response
<b>Title of the policy, project or service being considered</b>	Council tax rate increase proposal for 2024/25 financial year
<b>Service area</b>	All
<b>Person or people completing the analysis</b>	Michelle Grady (Assistant Director – Finance)
<b>Lead officer</b>	Andrew Crookham (Executive Director of Resources and Deputy Chief Executive)
<b>Who is the decision maker?</b>	Full Council
<b>How was the Equality Impact Analysis undertaken?</b>	Desktop Exercise
<b>Date of meeting when decision will be made</b>	23/02/2024
<b>Is this a proposed change to an existing policy, service, project or is it new?</b>	Direct change to an existing policy which also impacts upon the level of service delivery
<b>Version control</b>	1
<b>Is it LCC directly delivered, commissioned, recommissioned, or decommissioned?</b>	Yes
<b>Describe the proposed change</b>	<p>As part of the budget setting proposal, the Council is required to set the rate of council tax for the forthcoming financial year.</p> <p>As set out in the proposed budget for 2024/25, there are multiple factors which influence the setting of the rate. This includes; the council tax setting framework set by Government; the economic context; the change in its cost base because of demand, inflation, policy change, savings and other changes; the change in non-council tax funding set out in the finance settlement, and; the medium term financial outlook for the Council.</p> <p>For 2024/25, the original budget proposal assumed that the County Council will increase council tax by up to 4.99%. As set out in the report, the preferred option is now to raise council tax by 4.99% in 2024/25.</p> <p>The Government sets the framework for council tax setting decisions, which includes limits on how much council tax can increase by. The national position on council tax increases has changed significantly since 2010. In the early part of the previous decade, the Government utilised policy tools to limit council tax</p>

Details	Response
	<p>increases, and actively incentivised Council's to freeze council tax rates. Since then, the Government adapted their position and altered the framework to enable larger increases, partly in recognition of escalating social care costs. In effect, this shift amounted to an expectation from the Government that local tax payers would need to contribute more to fund the increasing cost of local public services.</p> <p>The two key areas of cost pressure for the Council relate to inflation and demand pressures. In respect of the former, the rate of inflation has remained higher for longer, with permanent cost base implications. In respect of demand, the Council continues to see increases in quantum and complexity of demand. Taken together, both represent key areas of ongoing risk for the Council. In the Local Government finance settlement, the Government decided to not increase the level of resources for the sector above the level previously indicated twelve months ago. As costs have increased in that time, this means that the Council's spending power has reduced in real terms. This informs the proposal to increase council tax by up to 4.99%.</p> <p>It must be noted that the Council strives to keep council tax as low as possible, evident by it having the seventh lowest council tax rate when compared to other shire counties, placing it fractionally above the bottom quartile. With the fire and rescue precept excluded, the County precept is third lowest and placed in the bottom quartile. This is despite significant reductions in grant funding between 2011/12 and 2019/20 combined with significant cost pressures since 2011/12 necessitating the achievement of significant savings.</p> <p>It is acknowledged that maximising the rate of council tax places a greater burden on residents, at a challenging time due to the increased cost of living. However, doing so is expected to enable the Council to provide better quality services for a longer duration if austerity is to return from 2025/26.</p> <p>The council tax system requires each billing authority (i.e. district council) to establish and maintain a local council tax support scheme which is a means tested system to allow those on low income to gain financial</p>

<b>Details</b>	<b>Response</b>
	<p>support to meet their council tax bill either in part or in full. Schemes vary within the county but some schemes positively favour certain classes of council tax payers with protected characteristics (e.g. disability). These schemes are themselves the subject of equality impact assessments undertaken by the individual district council concerned. The County Council is consulted each autumn by the Districts on any changes to their council tax support schemes.</p>

## Evidencing the impacts

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics.

To help you do this, consider the impacts the proposed changes may have on people:

- without protected characteristics
- and with protected characteristics

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify, please state 'No perceived benefit' under the relevant protected characteristic.

You can add sub-categories under the protected characteristics to make clear the impacts, for example:

- under Age you may have considered the impact on 0-5 year olds or people aged 65 and over
- under Race you may have considered Eastern European migrants
- under Sex you may have considered specific impacts on men

## Data to support impacts of proposed changes

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

### Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. [Visit the LRO website and its population theme page.](#)

If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

### Workforce profiles

You can obtain [information on the protected characteristics for our workforce](#) on our website. Managers can obtain workforce profile data by the protected characteristics for their specific areas using Business World.

## Positive impacts

The proposed change may have the following positive impacts on persons with protected characteristics. If there is no positive impact, please state '*no positive impact*'.

Protected characteristic	Response
Age	Increasing the council tax adds a permanent and sustainable income stream to the funding of the Council. In so doing it thereby assists in limiting potential cuts in service provision over the wide range of services provided by the Council. Many of those services provide key support to those with protected characteristics.
Disability	As for Age above.
Gender reassignment	As for Age above.
Marriage and civil partnership	As for Age above.
Pregnancy and maternity	As for Age above.
Race	As for Age above.
Religion or belief	As for Age above.
Sex	As for Age above.
Sexual orientation	As for Age above.

If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

### Positive impacts

The benefits outlined above in terms of limiting wider service reductions apply to all those who use Council services and not just to those with protected characteristics.

## Adverse or negative impacts

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is:

- justified
- eliminated
- minimised or
- counter-balanced by other measures

If there are no adverse impacts that you can identify, please state 'No perceived adverse impact' under the relevant protected characteristic.

**Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact, please state '*No mitigating action identified*'.**

Protected characteristic	Response
<b>Age</b>	<p>The proposed increase in the council tax rate of 4.99% will impact on all council tax payers who are responsible for the council tax levied on their property. The level of income of the council tax payer and their ability to afford the increase in the annual charge will be the key issue.</p> <p>To the extent to which those with a protected characteristic are council tax payers then they will be potentially impacted by this change. To the extent that any of the protected characteristics impact disproportionately on income generating capacity compared to people without that protected characteristic there is the potential for the council tax increase to impact adversely to a greater extent on individuals with the protected characteristic.</p> <p>As mentioned earlier this differential impact is mitigated by financial support made available from schemes operated by district councils to assist in meeting council tax bills for low income individuals.</p>
<b>Disability</b>	As for Age above.
<b>Gender reassignment</b>	As for Age above.
<b>Marriage and civil partnership</b>	As for Age above.

Protected characteristic	Response
<b>Pregnancy and maternity</b>	As for Age above.
<b>Race</b>	As for Age above.
<b>Religion or belief</b>	As for Age above.
<b>Sex</b>	As for Age above.
<b>Sexual orientation</b>	As for Age above.

**If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.**

<b>Negative impacts</b>
<p>The ability to afford the proposed council tax increase applies to all individuals who are responsible for paying a council tax bill.</p>

# Stakeholders

**Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders).**

You must evidence here who you involved in gathering your evidence about:

- benefits
- adverse impacts
- practical steps to mitigate or avoid any adverse consequences.

You must be confident that any engagement was meaningful. The community engagement team can help you to do this. You can contact them at [engagement@lincolnshire.gov.uk](mailto:engagement@lincolnshire.gov.uk)

State clearly what (if any) consultation or engagement activity took place. Include:

- who you involved when compiling this EIA under the protected characteristics
- any organisations you invited and organisations who attended
- the date(s) any organisation was involved and method of involvement such as:
  - EIA workshop
  - email
  - telephone conversation
  - meeting
  - consultation

State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics, please state the reasons why they were not consulted or engaged with.

<b>Objective(s) of the EIA consultation or engagement activity</b>
<p>The proposed council tax increase is one of the proposals to enable the Council to set a balanced budget for 2024/25. The other key aspect is a range of across the board efficiency savings totalling £9.4m. The Council is currently undertaking a public engagement exercise on the budget proposals, which is due to close 30<sup>th</sup> January 2024 (after publication of this report). There will also be more formal consultation with the Scrutiny Committees of the Council and with key stakeholders such as business, public sector partners and trade unions. Comments available at the time of publishing the report will be made available in the report, with comments available after this point to be tabled at the meeting.</p>

## Who was involved in the EIA consultation or engagement activity?

Detail any findings identified by the protected characteristic.

Protected characteristic	Response
<b>Age</b>	The details of public and wider engagement are described above. This is undertaken at the level of the whole suite of budget proposals rather than specific concentration on one aspect such as the proposed council tax increase. The nature of this proposal combined with the mitigation available through local council tax support schemes means that though there may be a differential impact between those people with a protected characteristic and those who do not share that characteristic this impact is mitigated.
<b>Disability</b>	As for Age above.
<b>Gender reassignment</b>	As for Age above.
<b>Marriage and civil partnership</b>	As for Age above.
<b>Pregnancy and maternity</b>	As for Age above.
<b>Race</b>	As for Age above.
<b>Religion or belief</b>	As for Age above.
<b>Sex</b>	As for Age above.
<b>Sexual orientation</b>	As for Age above.

Protected characteristic	Response
<p><b>Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way?</b></p> <p>The purpose is to make sure you have got the perspective of all the protected characteristics.</p>	<p>Yes on the basis that the proposal has received publicity and has been undertaken to invite feedback from all key stakeholders. The main mitigation of the impact of the proposal rests in the Council Tax Support Schemes operated by District Councils. These scheme themselves are the subject of equality impact assessments undertaken by the District concerned.</p>
<p><b>Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?</b></p>	<p>Feedback is received periodically from the Districts on the take up of the County Tax Support Schemes not least because the County Council funds around 75% of the cost of such schemes.</p>

## Further details

Personal data	Response
Are you handling personal data?	No
If yes, please give details	N/A

Actions required	Action	Lead officer	Timescale
Include any actions identified in this analysis for on-going monitoring of impacts.	None	N/A	N/A

Version	Description	Created or amended by	Date created or amended	Approved by	Date approved
V1	Council tax rate increase proposal for 2024/25 financial year	Michelle Grady	23/01/2024	Andrew Crookham	26/01/2024