

Equality & Diversity Impact Assessments

Directorate / Service / Department:		Finance
Person responsible for the assessment:		Nicola Stephenson (Performance) Julie Ryan (Training & Development) Jonathan Parkin (Overpayments & Appeals)
Name of (proposed) policy / function:		Overpayments New: Existing: ✓
Process area Identifier (PID) / Name:		Council Tax Benefit Overpayments 66 Housing Benefit Overpayments 71
(1)	Briefly describe the aims, objectives and purpose of the policy / function: To notify customers of overpayment of housing and council tax benefit, and to recover overpayments in accordance with legislation.	
(2)	Are there any associated objectives of the policy / function? <ul style="list-style-type: none"> • Minimising the loss to public funds • Maximising revenue to the Authority with regard to customer's ability to pay • Adherence to the Corporate Debt Policy. 	
(3)	Who is intended to benefit from the policy / function and in what way? <ul style="list-style-type: none"> • Barnsley MBC • Barnsley residents by protecting public funds. 	
(4)	What outcomes are expected from this policy / function? <ul style="list-style-type: none"> • Prompt recovery of overpayments • Revenue to the Council • Deterrent to Fraud 	
(5)	What factors / forces could contribute to / detract from the outcomes? <ul style="list-style-type: none"> • Backlog of work causing late notifications therefore delaying recovery action – detracts from the outcome of the service. Contributes to: <ul style="list-style-type: none"> • Ensuring a pro-active approach • Full compliance with legislation • Robust policies and procedures • Effective and regular training. 	

(6)	<p>Who are the main stakeholders in relation to the policy / function?</p> <p>Barnsley MBC, Barnsley residents (customers & landlords), Department for Work and Pensions, Welfare Rights, Citizens Advice Bureau, Tribunal Service.</p>
(7)	<p>Who implements the policy and who is responsible for the policy / function?</p> <p>Chris Armitage, Benefits Manager</p>
(8)	<p>Is there any monitoring data available? (e.g. results from consultations, surveys, focus groups)</p> <p>There was no previous research or reports containing diversity information.</p>
(9)	<p>Are there any concerns that the policy/function could have a differential impact on ethnic groups? Yes</p> <p><i>Please explain:</i></p> <p>As with other Benefit & Taxation functions, for non-English speaking customers, there could be an access problem. The notifications for overpayments are only available in English; this has potential to impact on non-English speaking groups.</p> <p><i>What existing evidence (either presumed or otherwise) do you have for this?</i> Discussions with the Overpayments Principal Officer.</p>
(10)	<p>Are there any concerns that the policy/function could have a differential impact due to gender? No</p> <p><i>Please explain:</i></p> <p>The overpayment policy has no differential effect on gender. Both males and females have equal access to Benefits. Application forms ask for an individual's title, so gender is usually known, but the individual would be treated equally regardless of this.</p> <p><i>What existing evidence (either presumed or otherwise) do you have for this?</i> The overpayments recovery procedures advise to take into account various criteria but gender, race and religion would be not considered.</p>

<p>(11)</p>	<p>Are there any concerns that the policy/function could have a differential impact due to disability? Yes</p> <p><i>Please explain:</i></p> <p>In some circumstances it would be unreasonable to pursue a debt due to the health/disabilities of an individual. The Authority aims for its recovery actions not to cause further ill health or distress. However, there are some cases where it may be necessary to suspend recovery until the individual's circumstances improve. But each case is determined on individual merits and is dependent on the customer's situation.</p> <p><i>What existing evidence (either presumed or otherwise) do you have for this?</i> Overpayment Policy.</p>
<p>(12)</p>	<p>Are there any concerns that the policy/function could have a differential impact due to sexual orientation? No</p> <p><i>Please explain:</i></p> <p>Since the introduction of the Civil Partnership Legislation in 2005, the overpayment team can recover from a civil partner, in the same way as a married couple or opposite sex couple. The legislation addresses inequalities.</p> <p><i>What existing evidence (either presumed or otherwise) do you have for this?</i> Discussions with the Overpayments Principal Officer.</p>
<p>(13)</p>	<p>Are there any concerns that the policy/function could have a differential impact due to age? Yes</p> <p><i>Please explain:</i></p> <p>An individual's age is one element that the Overpayments Team would consider. Particularly with regard to older people, it may be deemed unreasonable to recover an overpayment. The overpayment policy states that decisions on recovery should not cause unnecessary stress or contribute to ill health and that decisions are mindful of individuals' circumstances.</p> <p><i>What existing evidence (either presumed or otherwise) do you have for this?</i> Overpayment Policy.</p>

(14)	<p>Are there any concerns that the policy/function could have a differential impact due to religion or belief? No</p> <p><i>Please explain:</i></p> <p>The process of recovering of an overpayment would not be affected or determined by the religious beliefs of a customer. None of the benefit forms ask for this information, the assessment is based on financial circumstances.</p> <p><i>What existing evidence (either presumed or otherwise) do you have for this?</i></p> <p>Overpayment Policy.</p>
(15)	<p>Are there any concerns that the policy/function could have a differential impact on people due to them having dependants/caring responsibilities? Yes</p> <p><i>Please explain:</i></p> <p>The overpayments team would look on customers with dependents favourably, provided they have justifiable expenses. A debt could be suspended if the customer has a limited income that is likely to remain low for a considerable period of time. Individual circumstances are considered when making payment arrangements to avoid financial hardship for a customer and their family.</p> <p><i>What existing evidence (either presumed or otherwise) do you have for this?</i></p> <p>Overpayment Policy and Overpayment Recovery Procedures.</p>
(16)	<p>Are there any concerns that the policy/function could have a differential impact due to their offending past? No</p> <p><i>Please explain:</i></p> <p>The team would not be aware of this unless the customer informed them. In instances where a customer has fines due to their offending past, these repayments would be taken into account when making payment arrangements. Overpayment debt in fraud cases would not be reduced.</p> <p><i>What existing evidence (either presumed or otherwise) do you have for this?</i></p> <p>Discussions with the Overpayments Principal Officer.</p>

(17)	<p>Are there any concerns that the policy/function could have a differential impact on Trans people? No</p> <p><i>Please explain:</i></p> <p>Overpayment officers would be unaware of whether an individual is transgendered or transsexual. This would have no bearing on the recovery process.</p> <p><i>What existing evidence (either presumed or otherwise) do you have for this?</i> Discussions with the Overpayments Principal Officer.</p>
(18)	<p>Could the differential impact identified in 8-16 amount to there being the potential for adverse impact in this policy or function? No</p> <p><i>Please explain:</i></p> <p>The differential impacts identified were of a positive nature and are in accordance with legislation.</p> <p>The policy/function does have a negative impact on non-english speaking customers, due to information not being available in other languages. This is the case for all Benefit & Taxation functions, and decisions need to be made in regard to the most appropriate literature to have translated, and/or for letters to include contact details with regard to alternative formats.</p>
(19)	<p>Are the differential impacts caused by unlawful discrimination? No</p> <p><i>Please explain:</i></p> <p>The function satisfies all current legislative requirements.</p>
(20)	<p>Findings</p> <p>The Overpayments policy is currently being re-drafted. We reviewed this document as part of the impact assessment. The policy and procedures have been compiled within the last 18 months and will continue to be reviewed on a regular basis. We found these documents to be well written, detailed and to consider equality issues.</p>
(21)	<p>Action Points</p> <p>Establish progress on Overpayments Policy.</p>
<p>Completed by: N Stephenson Date: 7/4/2006</p>	