

Initial Impact Assessment Template

Please use the following template to help determine whether a community impact assessment is required.

Name of Policy
Revenues & Benefits Sanction and Penalty Policy

Purpose and function of policy
(Please provide a brief description, for example, services affected)
To outline when a sanction or a penalty, including prosecution, will be imposed to both individuals and businesses in relation to Housing Benefit, Council Tax Support, Council Tax and Business Rates.
There are a number of sanctions including prosecution and penalties (fines) which are detailed within the policy that can be imposed where a person or business fails to provide information promptly or provides false information.
When a sanction or penalty can be considered is set in legislation and this policy sets a framework for when the Council will impose a sanction or penalty will be imposed.

Who does this policy affect			
Workforce / Employees		Service Delivery / Communities	X

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Job title and Service Delivery Unit
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Date completed: 27.04.15

Sign off (line manager) and date
Lee Higgins, Service Delivery Manager

A separate guidance note is available to support you through the completion of this assessment. You can find it on the intranet.

The general equality duty states that we must have due regard to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations between different groups

Complete the table below, assessing the impact of your policy on people with protected characteristics, including employees and customers. You should also consider the elements of the above general duty.

Protected Characteristic	Positive impact		Negative impact			Reasons/evidence
	Yes	No	High *	Low #	No	
Age		X			X	Age will not usually have an impact on whether or not a sanction or penalty will be imposed. However in line with the policy one factor against prosecutions is if: <i>There are major physical or mental health issues for the defendant, which has been confirmed in writing by a medical practitioner and that the ordeal of a prosecution could have a detrimental impact on their wellbeing, unless the offence is serious or there is a real possibility that it may be repeated. Age is not in itself a bar factor against prosecution, but if the customer has poor health because of their advanced years this should also be considered.</i>
Disability		X			X	Disability will not usually have an impact on whether or not a sanction or penalty will be imposed. However in

						line with the policy one factor against prosecutions is if: <i>There are major physical or mental health issues for the defendant, which has been confirmed in writing by a medical practitioner and that the ordeal of a prosecution could have a detrimental impact on their wellbeing, unless the offence is serious or there is a real possibility that it may be repeated.</i>
Gender (Sex)		X			X	Gender has no impact on whether or not a sanction or penalty will be imposed.
Gender reassignment		X			X	Gender reassignment has no impact on whether or not a sanction or penalty will be imposed.
Marriage/civil partnership		X			X	The status of a couple e.g. whether or not they are married or in a civil partnership has no impact on whether or not a sanction or penalty will be imposed.
Pregnancy/maternity		X			X	Pregnancy / maternity has no impact on whether or not a sanction or penalty is imposed. However in line with the policy one factor against prosecutions is: if there are major <i>physical or mental health issues for the defendant, which has been confirmed in writing by a medical practitioner and that the ordeal of a prosecution could have a detrimental impact on their wellbeing, unless the offence is serious or there is a real possibility</i>

						<i>that it may be repeated.</i> Where it is known the subject of the investigation is due to give birth imminently where it is possible the interview under caution or notification of prosecution will be postponed until after the birth.
Race		X			X	Race has no impact on whether or not a sanction or penalty is imposed.
Religion/belief		X			X	Religion or belief has no impact on whether or not a sanction or penalty is imposed.
Sexual Orientation		X			X	Sexual orientation has no impact on whether or not a sanction or penalty is imposed.
Deprivation (inc rural/urban)		X		X		Imposing a sanction or penalty on someone who is on a low income is likely so have an adverse affect on their finances for a short period of time. However most of the penalties are of a relatively low amount and are likely to only be imposed on a relatively small number of people. Their actions (such as a false statement) or lack of action (such as failing to report a required change) will be the cause of the sanction or penalty being imposed.

High – there is significant evidence of adverse impact or potential for adverse impact. The policy etc has consequences for or affects significant numbers of people and/or has the potential to make a significant contribution to advancing equality.

Low – there is anecdotal or little evidence to suggest adverse impact. The policy etc operates mainly within a small unit and affects few people.

Am I required to carry out an Community Impact Assessment?

If you have ticked negative impact as High, then a Community Impact Assessment will need to be completed, available on the intranet.

If a Community Impact is not required, you are required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts. Please provide details of how you will monitor evaluate or review your proposals and when the review will take place in the box below

Monitor and Review

Please provide details of how you will monitor evaluate or review your proposals and when the review will take place.

How will you monitor/review proposals?

Monthly collection of data is undertaken by the Revenues and Benefits Service.

Statistics on the number of penalties and sanctions will be reported within the Revenues and Benefits monthly monitoring report which is circulated to all Revenues and Benefits staff and the Assistant Director, Neighbourhood and Customer Services.

Summary information on cases and action taken will be reported to the relevant Cabinet Member for the Service Area on a regular basis.

Investigation and sanction information will be reported in the corporate Anti-Fraud and Corruption annual report to the Audit Committee.

When will the review take place?

The policy will be reviewed when legal or procedural circumstances dictate.

If it was found that the policy was having a significant adverse impact on customers for example through feedback from partner organisations or evidence gathered through the Service Areas appeals or complaints process then a review of our policy / processes will be undertaken.

