

## Equality, Fairness and Rights Impact Assessment (EFRIA)

The Equality, Fairness and Rights Impact Assessment (EFRIA) is one of our specific duties to [assess the impact](#) of applying a new or revised policy or practice against the needs of the General Equality Duty. This means East Renfrewshire Council must be mindful when assessing impact against these needs to:

- ensure the policy does not discriminate unlawfully
- consider how the policy might better advance equality of opportunity
- consider whether the policy will affect good relations between different groups

The Fairer Scotland Duty places a legal responsibility on particular public bodies in Scotland to actively consider ('pay due regard' to) how they can reduce inequalities of outcome caused by socioeconomic disadvantage, when making strategic decisions. The UN Convention of the Rights of the Child (UNCRC) is an international human rights treaty which sets out the rights every child has. The Scottish Government is currently seeking to incorporate the UNCRC into Scot's law

The Equality, Fairness and Rights Impact assessment considers how a policy\* could impact on the needs of individuals protected by the [Public Sector Equality Duty](#), [the Fairer Scotland Duty](#) and the [UN Convention of the Rights of the Child](#).

<b>Name of policy*:</b>	Benefits, Discretionary Housing Payments (DHPs)
<b>Description of policy:</b>	Update to the DHP Policy, clarifying policy and its objectives
<b>Why is the policy required?</b>	To ensure the policy is up to date reflecting latest guidelines and practices, providing discretionary financial support to claimants unable to meet their housing costs.
<b>Date EFIRA completed:</b>	21 <sup>st</sup> November 2023
<b>Completed by:</b>	A Ballingall
<b>Lead officer for policy:</b>	A Ballingall
<b>Department:</b>	Business Operations & Partnerships

\*The term 'policy' covers any work or function of East Renfrewshire Council i.e. customer and service delivery, staffing, criteria, practices, proposals, activities and decision-making

## Guidance – please read

### Section 1

This section enables you to determine if a full assessment is required. If a full assessment is not required, this must be clearly stated in **Section 9** of the form.

Section **2-8** is the full assessment covering the sections listed below:

<b>2</b>	<b>Engagement and Consultation</b> Give details of how different groups have been consulted about the policy.
<b>3</b>	<b>Impact on individuals or groups with protected characteristics</b> How will the policy impact individuals or groups who fall under one of the nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation?
<b>4</b>	<b>Impact on socio-economic disadvantage</b> How will the policy impact individuals or groups disadvantaged by poverty, low income, homelessness or lack of or low-level educational qualifications?
<b>5</b>	<b>Impact on Children and Young People</b> How will the policy impact on the rights and needs of children and young people?
<b>6</b>	<b>Contractors and suppliers</b> Will the policy be delivered by any contractors or suppliers in full or partially?
<b>7</b>	<b>Outcome of assessment and action plan</b> What is your decision based on the assessment and are there any mitigations or actions that need to be addressed?
<b>8</b>	<b>Approval</b> Details of when and who approved the policy.

**Section 9** should only be completed where the screening shows no assessment is required

When completing the assessment you must consider relevant evidence, including information received from equality groups. This evidence should inform the result of your impact assessment. You're required to take action to address any issues identified, such as removing or mitigating any negative impacts, where possible, and enhancing any potential for positive impact. If any adverse impact could result in unlawful discrimination, the policy must be fully reviewed and amended.

**All impact assessments will be published on the Council website**

**1. Screening**

**This section should be completed to establish if a full assessment is required.**

<b>1.1 What is the nature of the work or activity?</b>	
Select a category from below that explains the work or activity you are doing.	
<input checked="" type="checkbox"/> Policy or Strategy <input type="checkbox"/> Programme or Plan <input type="checkbox"/> Project delivery <input type="checkbox"/> Service or Function <input type="checkbox"/> Budget proposal <input type="checkbox"/> Other please state: <a href="#">Click or tap here to enter text.</a>	<b>Is this work or activity?</b> <input type="checkbox"/> New <input checked="" type="checkbox"/> Change or review of existing <input type="checkbox"/> Other- Please state: <a href="#">Click or tap here to enter text.</a>
<b>1.2 What will happen as a result of this policy?</b>	
What changes will come about for individuals and groups through this policy?- Select all that apply	
<input type="checkbox"/> Change to Council, Trust or HSCP charging arrangements (including introduction, removal, increase or decrease) <input type="checkbox"/> Change to how a service is delivered (including addition, change or removal of practices/procedures/processes) <input type="checkbox"/> Change to provision of services or staffing <input type="checkbox"/> Change to entitlement or eligibility for service delivery or welfare/benefit access <input checked="" type="checkbox"/> Other. Please state: <a href="#">Update to policy document, no significant changes anticipated.</a>	

### 1.3 Is there any indication or evidence the policy will discriminate unlawfully; affect equality of opportunity for different groups or affect good relations between different groups?

Will any individuals be treated less fairly than others if this policy is implemented? This includes employees, residents, community groups and visitors to the area.

- Yes
- No
- Don't Know

### 1.4 What groups of individuals are likely to be impacted by this policy?

Select which groups of individuals are likely to be impacted positively or negatively if this policy is implemented.

- The policy has potential to impact **individuals with protected characteristics\***
- The policy has potential to impact **socioeconomic disadvantage\*\* for individuals**
- The policy has potential to impact **children and young people up to the age of 18**
- The policy has no impact on individuals

\***Protected Characteristics** are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

\*\***Socio-economic disadvantage** is where an individual is disadvantaged by poverty, low income, homelessness or lack of or low-level educational qualifications

### 1.5 What individuals will be affected?

Tick all that apply

- East Renfrewshire Council employees
- Organisations or individuals carrying out a service on behalf of the Council
- Voluntary sector groups/organisations
- People living in a specific area of East Renfrewshire. Please state: [Click or tap here to enter text.](#)
- Everyone living in East Renfrewshire
- People working, studying or volunteering in East Renfrewshire

- Visitors to East Renfrewshire
- A group of people with a shared interest:
  - ✓ Experiencing socioeconomic disadvantage (this includes low/no wealth, low income, area deprivation or material deprivation)
- Being in a particular age category
- Being from a black or minority ethnic group e.g. Gypsy/Travellers
- Speaking a language other than English
- Women/girls
- Identifying as Lesbian, Gay Bisexual or Transgender
- Belonging to a particular religion or belief
- Pregnant women or those on maternity/paternity leave
- Having a long term limiting health condition or disability
- Providing unpaid care for others
- Another group e.g. those experiencing homelessness, offenders/ex-offenders. Please detail: Click or tap here to enter text.
- ✓ Children and young people living in East Renfrewshire
- Children and young people using East Renfrewshire Council services
- Children and young people visiting East Renfrewshire
- None of the above

**Review your answers above.**

- If the policy has **no impact on individuals**, and you have selected 'no' to section 1.3, an impact assessment is not required. **GO TO SECTION 9**
- If the policy will have an impact on individuals and/or you have selected 'yes or don't know' to section 1.3, complete the full assessment. **GO TO SECTION 2**

## 2. Engagement and Consultation

**This section will assess how the policy is being communicated to certain groups and how you have consulted them.**

### **2.1 How have individuals (incl. children & young people) who might be affected by the policy been consulted or involved?**

This can include a summary of findings from recent consultations, surveys, user research or customer testing that has been carried out. Include dates and information.

There has been no requirement for consultation, as this is an update to an internal policy, with no significant change to the policy.

Any change to external guidance would be expected from the Scottish Government, who would consult as appropriate and this would be reflected in the ERC policy where applicable.

### **2.2 How will you communicate information about this policy to individuals who have: hearing and/or sight loss; English as an additional language; are digitally excluded; have literacy/numeracy barriers?**

Think about how you will communicate information about the policy to the above individuals. This may include printed materials being accessible in other formats, e.g. Braille, easy to read, translated in other languages. More information can be found [here](#).

Alternative formats of communication will be available on request to ensure the information is accessible to all.

## 3. Impact on groups with protected characteristics

**This section will assess if the policy has potential to impact individuals with protected characteristics. You should consider any evidence or information you have on how it will affect different groups of individuals, both positively and negatively.**

Below is a suggested list of sources:

- Input from local Councillors
- Findings from engagement exercise and consultations.
- Information or feedback from groups of individuals, such as equality interest organisations or groups who speak on behalf of others
- National, regional or local statistics
- Analysis of enquiries or complaints from customers
- Recommendations from inspections or audits
- National or regional research to identify similar issues
- Comparisons with similar policies in other departments or authorities to identify similar issues

**You may want to consider collecting new evidence that you don't have but think will be relevant.** For example: setting up meetings or focus groups, carrying out user research.

### **3.1 Are there known inequalities within the policy?**

For example: barriers to transport for some groups; opening hours and location, organisational pay, terms or conditions; how public information is provided?



There are no known inequalities within the policy. The aims and principles within the policy, is to help protect the vulnerable and those facing financial hardship, by ensuring they receive DHP funding to which they are entitled.

**3.2 Use the table below to consider how the policy may impact on a particular group with protected characteristics through reviewing the evidence, experience and needs of this group**

Characteristics/circumstances	Evidence, experience and needs- outline any data or research that shows how this group may be impacted (include sources)	Will the impact on this group be positive, neutral or negative and why?
Age	The DHP policy is aimed at supporting elderly and vulnerable people in the community	Positive
Disability or long term health condition	The DHP policy is aimed at supporting disabled people to remain within adapted properties and those who are chronically sick	Positive
Race	N/a	N/a
Sex	N/a	N/a
Gender reassignment	N/a	N/a
Marriage/Civil Partnership (only applicable to Council employment policy)	N/a	N/a

Pregnancy / Maternity	N/a	N/a
Religion / Belief	N/a	N/a
Sexual orientation	N/a	N/a
Providing unpaid care	N/a	N/a
Any other relevant groups e.g. unemployed people, people experiencing homelessness, care leavers, people involved in the criminal justice system, people with literacy/numeracy barriers, people living in rural communities.	The DHP policy is aimed at alleviating poverty and hardship, helping claimants sustain tenancies and prevent homelessness	Positive

### 3.3 In what ways, if any, would this policy help to eliminate discrimination or undermine it?

Discrimination means treating individuals differently from others. For example, not recruiting someone as they are deemed too old/young; or a support group running on an upper floor with no lift access will discriminate against people with mobility issues or wheelchair users

A Discretionary Housing Payment (DHP) is an award of additional financial assistance provided to a claimant, where a Local Authority considers that further help with housing costs (which includes rent payments, deposits, advance rental, rent prior to moving in or removal costs) is required. To be eligible a claimant must be in receipt of Housing Benefit or Housing element of Universal Credit. Each claim will be considered on an individual case by case basis, with the outcome being to ensure a claimant is in receipt of the DHP to which they are entitled. The added clarity within this update to the policy will help to ensure that the groups identified above receive the support they are entitled to through DHP.

### 3.4 In what ways, if any, would this policy advance or undermine equality of opportunity?

This is when individuals from different backgrounds are treated fairly through providing an equal footing or level playfield to achieve outcomes. For example, children who have additional support needs are provided with teaching support to fully participate in the school curriculum or a deaf BSL user is provided with a BSL interpreter at health appointments.

Providing support with housing costs through DHP, where applicable can advance equality of opportunity by ensuring that residents can meet any short term shortfall in rent, and remain in their home.

### **3.5 In what ways, if any, would this policy foster or undermine good relations between groups of individuals?**

Consider aspects that may tackle prejudice or promote understanding between different groups. For example, ensuring new arrivals and refugees are given supports to integrate within local communities or an LGBTQI+ youth group provide training on LGBTQI+ experiences to a local faith group

**N/a**

## **4. Impact on socio-economic disadvantage**

**This section will assess how the policy may impact socio-economic disadvantage for individuals.**

**Socio-economic disadvantage** is where an individual is disadvantaged by poverty, low income, homelessness or lack of or low-level educational qualifications. Socio-economic disadvantage can be experienced in both geographical communities and communities of interest i.e. a group that share a common characteristic or circumstance. In East Renfrewshire there are a number of communities, known as locality planning areas, where people are at greater risk of experiencing socio-economic disadvantage including,

- Barrhead – Dunterlie, East Arthurlie and Dovecothall
- Auchinback
- Neilston
- Thornliebank

Consider the policy itself and the way it will be implemented. How will this deliver different experiences for individuals in East Renfrewshire?

**4.1 In the section below consider how the policy may impact socio-economic disadvantage through reviewing the evidence, experience and needs of this group**

Characteristics/circumstances	Evidence, experience and needs- outline any data or research that shows how this group may be impacted (include sources)	Will the impact on this group be positive, neutral or negative and why?
Socio-economic	<p>The policy aims to ensure that anyone entitled to DHP support receives this. Spend in 2022/23 was £476,620 and this supported 691 DHP awards.</p> <p>Where a DHP is not applicable, a referral to Money Advice &amp; Rights Team (MART) or Citizens Advice Bureau (CAB) can be made if appropriate.</p>	<p>It may be positive for some, particularly if the increased clarity from the updated policy results in more awards and referral to MART/CAB will ensure that appropriate signposting and support is provided where a DHP is not applicable.</p>

**4.2 Consider the impact outline in section 4.1, In what way would the policy alleviate or increase inequalities in socio-economic disadvantage?**

Consider common inequalities such as poorer skills and attainment; lower paid and less secure work; greater chance of being a victim of crime; less chance of being treated with dignity and respect; lower healthy life expectancy; lower feeling of control over decisions that affect you.

The aims and principles within the policy, are to help protect the vulnerable and those facing financial hardship, by ensuring they receive DHP funding to which they are entitled.

**4.3 What opportunities are there within this policy and the way it will be implemented to promote inclusion, participation, dignity and empowerment of people experiencing socio-economic disadvantage?**

For example, a new health centre is being built and considers affordability of public transport options for residents.

The Benefits and Money Advice And Rights Team (MART)/Citizens Advice Bureau (CAB) will continue to work closely together to ensure that all applicable support is provided.

**4.4 Is there anything in particular that will be done to address the multiple inequalities experienced by some people in Auchenback, Barrhead, Neilston and Thornliebank?**

Support from Benefits, MART/CAB is available.

## 5. Impact on Children and Young People

**This section must be completed if any potential impact on children and young individuals up to the age of 18 have been identified in sections 1-4.**

**5.1 Are there known impacts on children and young people within the subject matter of the policy?**

For example, changes to out-of-school services, employment support for parents, play parks.

Positive impact, as ensuring that DHPs are paid to claimants will reduce levels of poverty, including families and children.

**If there is no impact on children and young people GO TO SECTION 6**

**5.2 In the section below outline the UN Convention on the Rights of the Child (UNCRC) General principle that is relevant, the particular groups of children that will be affected and how this will impact them**

Which <a href="#">General Principles of UNCRC</a> are relevant to this policy/measure?		Which particular groups of children and young people are affected by this policy?
Tick all that apply		(e.g. young children, children with disabilities, children living in poverty, children in care, young people who offend).
<b>Article 2</b> <b>Non-discrimination</b> Children should not be discriminated against in the enjoyment of their rights. No child should be discriminated against because of the situation or status of their parent/carer(s).	<input type="checkbox"/>	
<b>Article 3</b> <b>Best interests of the child</b> Every decision and action taken relating to a child must be in their best interests. Governments must take all appropriate legislative and administrative measures to ensure that children have the protection and care necessary for their wellbeing - and that the institutions, services and facilities responsible for their care and protection conform with established standards.	<input type="checkbox"/>	
<b>Article 6</b> <b>Life, survival and development</b> Every child has a right to life and to develop to their full potential.	<input checked="" type="checkbox"/>	Children Living In poverty

<p><b>Article 12</b>  <b>Respect for the views of the child</b>  Every child has a right to express their views and have them given due weight in accordance with their age and maturity. Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body.</p>	<input type="checkbox"/>	
<p>Which <a href="#">additional articles</a> are relevant to this policy/measure? List all that apply</p>		

In relation to the articles identified above, explain how the impact will be positive, negative or neutral.

Relevant identified Article of UNCRC	Impact category (Positive/Negative/Neutral)	Assessment of impact (including consideration of whether the policy might impact different groups of children and young people in any other way).
Article 6	Positive	In East Renfrewshire, 16% of children are living in Poverty ( <a href="#">Child Poverty Action Plan</a> ). The <a href="#">Resolution Foundation</a> has estimated that levels of Absolute Child Poverty could rise by 5% points to 2022/23. Applying this projection to the latest estimates of Child Poverty (after Housing Costs) from 2020/21 show that the number of children in poverty in ER could increase by approximately 950 in the next year. Children with disabilities living in East

		<p>Renfrewshire will more likely live in an income deprived household.</p> <p>Providing clarity on DHPs and ensuring they are paid when applicable may provide additional income to residents within East Renfrewshire including those with children.</p>
<p><b>5.3 What opportunities are there within this policy to advance or undermine the rights of children and young people?</b></p> <p>Explain how the policy can strengthen or weaken the rights of children and young individuals</p>		
<p>N/a</p>		
<p><b>5.4 What opportunities are there within this policy to protect and promote the wellbeing of children and young people?</b></p> <p>For example promoting physical activity and healthy eating.</p>		
<p>Increasing clarity on DHP payments will improve wellbeing of applicable residents, including children and young people in those households.</p>		

## 6. Contractors and suppliers

<p><b>6.1 Will the policy be carried out by contractors or suppliers?</b></p> <p>This includes fully or partially. If yes, how will you incorporate equality expectations into the contract?</p>
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N/a

## 7. Outcome of assessment and action plan

You have completed sections 1-6 above and assessed the impact of the policy on individuals with protected characteristics, those experiencing socio-economic disadvantage and children and young people. The following section outlines your decision based on this assessment, mitigations and actions that can be taken to reduce any negative impacts.

### 7.1 Having assessed the impact of the policy under sections 3,4 and 5 select the most appropriate outcome

Which option below best describes your next steps?

- Continue the policy as is
- Adjust the policy
- Stop the policy

### 7.2 Are there any significant and relevant information gaps that have not been filled during the development of this policy and how do you plan to address these during the life of the policy?

N/a

### 7.3 Briefly summarise how your evidence and assessment demonstrates any potential impacts, both positive and negative, on groups with protected characteristics from this policy?

The policy is aimed at alleviating poverty and hardship, and may have a positive impact on the elderly, vulnerable, disabled, those suffering from chronic sickness, helping claimants sustain tenancies and prevent homelessness.

**7.4 Briefly summarise how your evidence and assessment demonstrates any potential impact, both positive and negative, on individuals and communities experiencing socio-economic disadvantage from this policy?**

The proposed update to the policy may have a positive impact on individuals and communities experiencing socio-economic disadvantage. This is further supported by Benefits and MART/CAB.

**7.5 Briefly summarise how your evidence and assessment demonstrates any potential impacts, both positive and negative, on the rights of children and young people from this policy?**

The proposed update to the policy may have a positive impact on children and young people by reducing levels of poverty.

**7.6 How long will this policy be in place and when is it scheduled for review?**

Is this a temporary or permanent change and are there plans to review the policy?

Permanent change, to be reviewed every 5 years at a minimum.

**7.7 Based on the findings from this impact assessment, outline any mitigating actions that will reduce the impact caused by the policy on individuals, including children and young people. The actions should also outline the communication and implementation of the policy.**

Identified adverse impact	Mitigating actions	Timeline	Responsible person

## 8. Approval

If the full impact assessment has been completed, complete below.

<b>Name of policy:</b>	Benefits, Discretionary Housing Payments (DHPs)
<b>Date approved:</b>	
<b>Approved by:</b>  <b>(Head of Service/Director level)</b>	
<b>Department:</b>	Business Operations & Partnerships

## 9. No assessment required

If the screening has indicated a full assessment is not required, complete below.

Policy/Decision Title	N/a
Department/ Service	N/a
Responsible officer for taking decision	N/a

Rationale for decision	Please record why an assessment is not required and what your justification is for making that decision. This must include confirmation that the policy has no relevance for people with protected characteristics or impact on human rights or socio-economic inequalities.
<p><b>Declaration:</b>  I confirm the decision <u>not</u> to carry out an Equality, Fairness and Rights Impact Assessment has been authorised by:</p> <p><b>Name and Job Title:</b></p> <p><b>Date Authorisation given:</b></p>	

**Version Control**

Date of change	Amendment	Owner
Feb 2021	First publication	C Coburn
June 2023	Introduction and Guidance sections added Formatting changes throughout	C Coburn