

# **Equality Impact Assessment (EIA)**

Benefit Fraud Prosecution Policy




<b>Question</b>	<b>Response/ findings</b>
<p>What are the main aims and objectives or purpose of the policy, practice, service or function that you are assessing?</p>	<ul style="list-style-type: none"> <li>○ To provide an effective statement about the Council's position on benefit fraud</li> <li>○ To provide an effective framework which supports the decision making process where investigations have been conducted</li> <li>○ Ensures consistency and accountability in the decision making process</li> </ul>
<p>Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person, team, department, or body – and include any outside organisations who deliver under procurement arrangements</p>	<ul style="list-style-type: none"> <li>○ Implements – AD for Customer Services, HOS for Benefits, Fraud and Overpayments Manager, consultation with Legal Services</li> <li>○ Delivery of policy – as above plus Investigators through investigations and recommendations</li> </ul>
<b>Question</b>	<b>Response/ findings</b>
<p>Who is affected by the policy, practice, service or function, or by how it is delivered? Such as, who are the external and internal customers, groups, or communities?</p>	<ul style="list-style-type: none"> <li>○ Housing and/or Council Tax Benefit (HB/CTB) customers and Landlords/Agents who commit benefit fraud</li> <li>○ Customers who claim other welfare benefits via the Department for Work and Pensions (DWP) and/or Her Majesty's Revenues and Customs (HMRC) who are affected by joint investigations and sanctions</li> <li>○ DWP and HMRC with whom we work collaboratively</li> </ul>

<p>What outcomes do we want to achieve, why and for whom? For example, what do you want to be providing, how well, what changes or improvements, and what should the benefits be for customers, groups or communities?</p>	<ul style="list-style-type: none"> <li>○ Provide a consistent, fair and accountable decision making process for HB/CTB customers and/or Landlords/Agents</li> <li>○ Provide a robust deterrent to benefit fraud</li> <li>○ Achieve the standards for the 'claim security' component of the Comprehensive Performance Assessment (CPA)</li> <li>○ Protect the public purse which benefits all the citizens of Derby</li> <li>○ Help to reduce the tax burden</li> </ul>
<p><b>Question</b></p>	<p><b>Response/ findings</b></p>
<p>What existing or previous inspections of the policy, practice, service or function are there? For example, Best Value Inspections, policy reviews, research into the effects of a policy or practice.</p> <p>What did they tell you?</p>	<ul style="list-style-type: none"> <li>○ Reviewed by the Benefit Fraud Inspectorate (BFI) in 2001</li> <li>○ Completion of the CPA process</li> <li>○ Regular and comprehensive internal and external audits</li> <li>○ No feedback in relation to Benefit Fraud Prosecution Policy</li> </ul>
<p><b>Identifying potential equality issues and factors</b></p>	
<p><b>Question</b></p>	<p><b>Response/ findings</b></p>
<p>What do you already know about the equality impact or need? For example, from research, feedback, consultation or any performance monitoring</p>	<ul style="list-style-type: none"> <li>○ Nothing, this is a reactive service based on receipt of referrals of alleged benefit fraud</li> <li>○ The Benefit Fraud Prosecution Policy has recently been amended to reflect Derby City Council's commitment to equalities</li> </ul>
<p><b>Question</b></p>	<p><b>Response/ findings</b></p>

<p>Is there any evidence of higher or lower take up under the policy or practice, or of the service or function for any particular groups? For example, who uses the service, who doesn't and why not?</p>	<ul style="list-style-type: none"> <li>○ No evidence, this is a counter fraud policy and fraud functions are reactive so no take up</li> <li>○ There has been an increase in the number of sanctions applied since the introduction of the policy but this has been achieved in conjunction with other service improvements</li> <li>○ The service impacts all citizens of Derby in that they make referrals to the team</li> <li>○ Shareholders such as the DWP and HMRC are impacted by the policy rather than use it</li> </ul>
<p>Have there been any important demographic changes or trends locally? For example is the population changing, and if so, how and what might that mean for the service or function?</p>	<ul style="list-style-type: none"> <li>○ Although there have been changes to the ethnic make-up of the city, we are unable to measure how these changes are affecting our customer base</li> </ul>
<p><b>Question</b></p>	<p><b>Response/ findings</b></p>
<p>Is there an indication that any of the policies or practices involved with the service or function creates particular problems or difficulties for any groups of customers or communities?</p>	<ul style="list-style-type: none"> <li>○ No indication</li> </ul>
<p>What information or data exists? For example, statistics, customer feedback, complaints, research, monitoring – who keeps it and can you get hold of it?</p>	<ul style="list-style-type: none"> <li>○ Statistical information held about sanctions applied</li> <li>○ Complaints are captured by the Council's Corporate Complaints Department</li> </ul>
<p><b>Question</b></p>	<p><b>Response/ findings</b></p>
<p>Does any equality or diversity objectives already exist? If so, what are they and what is current performance like against them?</p>	<ul style="list-style-type: none"> <li>○ No specific equality or diversity objectives already exist in this service</li> </ul>

Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?

- Positive effect – provides a deterrent to commit benefit fraud which helps to protect public funds and so benefits all the tax payers in Derby
- Positive effect – the policy provides a framework to ensure the fair and consistent application of sanctions

## Collecting the information and data about how the policy, practice, service or function, impacts on communities

Please record your information and data in this table and think about:

what information or data you will need  
 using both quantitative and qualitative data  
 making sure that where possible there is information that allows all perspectives to be considered  
 identifying any gaps in the information/ data and what it can tell you

<b>Data or information</b>	<b>When and how was it collected?</b>	<b>Where is it from?</b>	<b>What does it tell you? You need to consider all six equality strands where you can</b>	<b>Gaps in information</b>
Customer feedback and complaints	Customer feedback and complaints are captured in the same way as for other benefit services offered by the Council via the 'have your say' forms and the Corporate Complaints Procedure. Some informal complaints are received directly within BIU	From customers, landlords/ agents who are contacted by our service	No issues relating to the six equality strands identified	All service users have the opportunity to provide feedback or to complain, no gaps evident



Consultation and community involvement	None	None	None	None
Performance information including Best Value	None	None	None	None
Take up and usage data	N/A	N/A	N/A	N/A
Comparative information or data where no local information	BIU is the only benefit fraud investigation service within the Council therefore, comparative data is unavailable	N/A	N/A	N/A
Census, national or regional statistics	Collected every 10 years	National Government	Standard information, available to everyone	The data isn't regularly updated so doesn't quickly reflect changes in demographics
Access audits or assessments such as DDA assessments	N/A – this is a policy, not a service	N/A	N/A	N/A
Workforce profile	Questions included as part of the recruitment process	Application forms	Standard corporate procedure	None identified

Where service delivered under procurement arrangements – workforce profile for deliverers	N/A	N/A	N/A	N/A
Monitoring and scrutiny outcomes	Subject to the same monitoring and scrutiny as other services provided by the Council	No information available	No information available	No information available

## **Analysing the information and data and setting equality objectives and targets**

Please give your detailed findings in this table

<b>Service or function</b>	<b>Policy or practice</b>	<b>Findings</b>	<b>Which groups are affected and how</b>	<b>Whose needs are not being met and how?</b>
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BIU	<ul style="list-style-type: none"> <li>○ To provide an effective statement about the Council's position on benefit fraud</li> <li>○ To provide an effective framework which supports the decision making process where investigations have been conducted</li> <li>○ Ensures consistency and accountability in the decision making process</li> </ul>	Policy applied consistently	<p>For benefit customers, landlords/agents against whom sanctions are applied and the wider citizens of Derby.</p> <p>The policy ensures a fair and consistent decision making process and protects public funds</p>	N/A





## Objectives - process, impact or outcome based

Please give your proposed objectives/ targets in this table

<b>Objective/Target:</b>	<b>Produce a satisfaction survey for the Outreach Service for completion by customers who receive the service at LHO</b>
Specific	Review of referrals accepted/rejected and sanctions applied over a six month period
Measurable	The results will show whether the policy is applied fairly and on evidential grounds rather than on the six strands
Achievable	Data captured on fraud management systems
Relevant	The results will show whether the policy is applied fairly and on evidential grounds rather than on the six strands
Timed	To be reviewed over a specific period

<b>Objective/Target:</b>	
Specific	
Measurable	
Achievable	
Relevant	
Timed	

<b>Objective/Target:</b>	
Specific	
Measurable	
Achievable	
Relevant	
Timed	





## Monitoring and reviewing - incorporating into performance management

Please summarise your objectives and targets in this table with your proposed monitoring and reporting arrangements

Objective	Planned action	Target performance			Responsible lead officer	Reporting cycle, for example, quarterly
		2005/6	2006/7	2007/8		
Review of referrals accepted/rejected and sanctions applied	Complete comprehensive review	Findings recorded and reviewed with relevant follow up actions identified to ensure any negative impacts relating to equality issues are addressed	Findings recorded and reviewed with relevant follow up actions identified to ensure any negative impacts relating to equality issues are addressed	Findings recorded and reviewed with relevant follow up actions identified to ensure any negative impacts relating to equality issues are addressed	To be formalised – potentially, a Fraud Investigator	Individual report, not cyclic

