

Stafford Borough Council

Equality Impact Assessment Form (EIA)

See Guidelines on completing Equality Impact Assessment Forms

Equality Impact Assessment	
1	Title of Function or Policy to be assessed: Sanctions and Prosecutions Policy for the Benefits Service.
2	Date: 05.05.2009
3	Name of Lead Officer: Julie Wallace
4	EIA Team: Julie Wallace Tracy Redpath, Susan Pote.
5	Head of Service: Bryan Law
6	Existing, new or review: Currently being reviewed
7	Set out the aims/objectives/purposes/outcomes of the function or policy, and give a summary of the service provided: It outlines how the Council is committed to actively deterring fraud and corruption where it is attempted against the Authority and gives the criteria against which the Authority would either Prosecute, issue a Caution or administer an Administration Penalty to claimants in relation to Benefit fraud offences.
8	Linked policies, functions: Are there any other functions, policies or services, which might be linked with this one for the purposes of this exercise? Housing Benefit/Council Tax Benefit Anti-Fraud policy Corporate Anti-Fraud & Corruption policy
9	Who is it intended to affect or benefit (the target population): The strategy will have an effect on the majority of the whole community within Stafford Borough i.e. <ul style="list-style-type: none"> • All residents • Local Businesses • Organisations • Staff • Elected members

If you have any queries about using Equality Impact Assessments, please contact:
Tracy Redpath on 01785 619195 or email: tredpath@staffordbc.gov.uk

	<ul style="list-style-type: none"> • Partner organisations • Trade Unions • Potential employees. 			
10	Within this table, state whether the policy or function will have a positive or negative impact across the following factors and provide any comments.			
		Positive Impact	Negative Impact	Comments
	Age			Each case is judged on it's own merit, all interviews under caution are conducted in line with the Police and Criminal Evidence Act 1984 but health, social and welfare factors are taken into account.
	Disability			No known concerns, mental & physical conditions are always considered and home visits are offered. The Interview Under Caution room is DDA compliant
	Gender			No known concerns
	Race			No known concerns
	Religion/belief			No known concerns
	Sexuality			No known concerns
11	<p>What evidence do you have for the statements you have made above?</p> <p>Benefit fraud in itself is a confrontational role due to the necessity of having to ask direct questions but this policy aims to demonstrate fairness, encourage prevention, promote detection, deter fraud and establish clear pathways for Investigation.</p> <p>Stafford Borough Council will investigate suspected benefit offences up to a criminal standard of proof.</p> <p>The purpose of the investigation is to establish the facts in an equitable and objective manner.</p> <p>All Officers on the Investigation section are charged with the duty of investigating under the Police and Criminal Evidence Act 1984 and will therefore work within the guidelines of this Act in addition to other investigative legislation. Examples are:</p> <ul style="list-style-type: none"> • Fraud Act 2006 • Human Rights Act 1998 • Data Protection Act 1998 • Regulation of Investigatory Powers Act 2000 			

If you have any queries about using Equality Impact Assessments, please contact:
Tracy Redpath on 01785 619195 or email: tredpath@staffordbc.gov.uk

- Criminal Procedures Investigations Act 1996
- Social Security Administration (Fraud) Act 1997

Council policies on customer care and equal opportunities are also adhered to.

Interviews under caution are always recorded on a tape machine to safeguard both the Officer conducting the interview and the customer. There is a purpose built recording room for these interviews, which is sound proofed and private to maintain confidentiality. There are specifically designed forms that have to be signed by the customer and the investigation officer for production in evidence at any given time. Two tapes are used and one is sealed in front of the customer, this seal can only be broken by order of the Court, the other tape is used as a working copy and the customer can request a copy of this at any time during proceedings.

There is also a portable tape machine that can be used for those people who cannot attend the offices at Stafford Borough Council and a home visit is required, again the applicable process and forms are used which adheres to all necessary legislation.

Age – Stafford Borough has an ageing population and consideration of the elderly is always given and usually constitutes a home visit being undertaken.

Disability. - The room for the interviews is DDA compliant and a hearing loop is available if requested, the customer can also request to bring a friend or representative to present their case. Health, Welfare and Social factors are always considered from the application form and the Investigation Officer in conjunction with the Team Leader will make an informed decision whether the strain of an Interview under Caution or an appearance in Court will have serious consequences on a customer or partner, this is stated in the policy.

Gender - Male and female investigation officers are available to conduct an interview however the policy does not explicitly state that customers can request to be interviewed by either a male or female officer or both.

Race - The Investigation section makes no discrimination regarding Race, it cannot clearly be seen from an application form to Benefits whether the customer can speak English or not, the question is not directly asked. However this Section works in co-operation with other organisations in particular the Police so advice and access to interpreters/translators are made available if they are required. This is not specifically stated in the policy.

Religion/belief - Requests can be made by the customer to have either a female or male investigation officer to interview them either in the office or for a home visit. This is not specifically stated in the policy.

Sexuality – There is no discrimination what so ever based on a person's sexuality.

12. From evidence given at Q.11 what actions, if any, will you need to take against each of the following equality strands:
Disability: As we are DDA compliant and a loop system is available this needs to be included in the policy.
Race: To not discriminate will be incorporated into the policy.
Gender: To not discriminate will be incorporated into the policy
Age: To not discriminate will be incorporated into the policy
Religion/belief: To not discriminate will be incorporated into the policy
Sexuality: To not discriminate will be incorporated into the policy
13. Briefly explain how the policy or function contributes to Community Cohesion by answering the following questions:
<ul style="list-style-type: none"> • How will it provide equality of access to services, information and employment? • Does it or could it celebrate diversity? • Will it or could it promote good relationships within and between communities? • How will it help to prevent social exclusion? • Will it help to reintegrate those who have become excluded? • How will it provide good quality, inclusive services? <p>This policy will have an effect on the majority of the whole community within Stafford Borough however the Council is committed to being firm but fair, encourage Prevention and promote detection of Benefit Fraud and to deterring Fraud which Contributes to Community Cohesion.</p>
14. Consultation: Policy sent to Head of Service for consultation with either Leadership team or Cabinet as applicable. As this is an internal document only the public do not need to be consulted.
Head of Service: I am satisfied with the results of this EIA *The findings will be referred to within Service Plans and targets built around these. I agree to review the Action Plan after 12 Months
Signature of Head of Service:
Completion of the Toolkit:

Action Plan

Please list on this sheet the nature of any issues and any recommendation for actions that you plan to implement as a result of undertaking this Impact Assessment

Issue Identified	Action to be taken	Name Lead	Date to be Achieved

If you have any queries about using Equality Impact Assessments, please contact: Tracy Redpath on 01785 619195 or email: tredpath@staffordbc.gov.uk