

# EQUALITY IMPACT ASSESSMENT

## DISCRETIONARY RELIEF FROM NON-DOMESTIC RATES

### 1) ASSESSMENT AUTHOR(S)

Dewi Morgan, Senior Manager Revenues and Risk

### 2) PARTNERS

Who are your partners when starting or changing the policy / plan / practice? They will need to be included when undertaking this assessment.

Not relevant

### 3) DATE ASSESSMENT BEGUN

1 September 2017

### 4) DATE ASSESSMENT COMPLETED

21 February 2018

### 5) AIMS AND OBJECTIVES OF THE POLICY / PLAN / PRACTICE

Note why the policy / plan / practice is necessary. Note what the Authority hopes to achieve.

Section 47 of the Local Government Finance Act 1988 permits the Council to award Discretionary Relief on Non-Domestic Rates. The goal of the framework is to set policy guidelines for officers on what relief should be offered to different bodies.

### 6) PARTICIPATION AND CONSULTATION

Have you consulted regarding the change in policy / plan / practice? What was the result? Remember it is a statutory requirement to consult with the people who will be affected.

The intention of the Framework is to provide guidance to Officers on what property should be subject to relief. However, the service is absolutely clear that consideration must be given to all requests for relief on their own merits. In any case where an application is rejected, there will be a right to appeal.

## **7) EVIDENCE AVAILABLE**

The evidence can be based on local, regional or national evidence, e.g. the service's data or regional equality statistics or a national report.

The current Framework has been the subject of scrutiny from a Working Group of the Audit and Governance Committee. Research suggests that Gwynedd Council's Discretionary Relief scheme is generous compared with a number of other authorities.

However, Gwynedd Council operates in accordance with the requirements of the Local Government Finance Act 1988. We do not offer discretionary rate relief to any charitable body outside the limitations of the Act, which mitigates the risk of unintended discrimination.

## **8) GAPS IN EVIDENCE**

Note any gaps in evidence and explain how you intend to fill them.

We are confident that there are no gaps in our evidence.

## 9) RELEVANCE AND EFFECT

The relevance of the policy / plan / practice to the general equality duty and to each one of the equality groups (protected characteristics) must be shown. The real or likely effect must be clearly notes. It is possible that not every characteristic will be relevant or be affected.

### 9a)

<b>Equality Act General Duty</b>	<b>Relevance</b>	<b>The real or likely effect</b>
<b>Removing illegal discrimination, harassment and victimisation</b>	No effect	Everyone shall have the right to apply for discretionary relief, and all applications will be considered on their own strengths. Charities that have been set up specifically to support the people of Gwynedd are given priority, but that is compatible with the discretionary requirements of the Act. We are confident that it does not discriminate on the basis of any one of the characteristics of the Equality Act.
<b>Promoting equal opportunities</b>	No effect	The framework supports charities and other not-for-profit organisations. The proposal is a Framework, which updates the previous one which was in place for several years. It is guidance, not a policy for refusing support. All applications will be considered on their own merits.
<b>Foster good relations</b>	No effect	The Framework has been drawn up in a form that provides support for a range of charities and other not-for-profit organisations, continuing previous work. Where we are cutting back on the support, it will mainly effect large, national charities.

## 9b)

Characteristics	Relevance	The real or likely effect
<b>Race</b>	No effect	
<b>Disability</b>	No effect	
<b>Sex</b>	No effect	
<b>Gender reassignment</b>	No effect	
<b>Sexual orientation</b>	No effect	
<b>Religion or belief</b>	No effect	
<b>The Welsh language</b>	No effect	There is no specific reference to charities and other organisations that support the Welsh language, and the attitude of these bodies to the language is not a criterion for support.
<b>Age</b>	No effect	Charities offering support for older people and the young will be automatically supported by the scheme, but the framework does not prevent any other charity from applying. A wide range of charities are eligible for support, and we are confident that there is no discrimination on grounds of age.
<b>Pregnancy and maternity</b>	No effect	
<b>Marriage and Civil Partnership</b>	No effect	

## 10) ADDRESSING THE EFFECTS

a)	<b>Note any possible effects from an equality perspective</b>  On the basis of a detailed consideration of the categories of support, there is no anticipated impact from an equality perspective.
b)	<b>What steps can be taken to lessen or improve these effects?</b>  No further steps necessary.
c)	<b>Is it necessary to reconsider the proposal?</b>  No

## 11) ARRANGEMENTS FOR MONITORING AND REVIEWING

What steps will you take to review the policy / plan / practice once it has been adopted? Although the above assessment recognised the possible effect, it must be remembered that the full effect will not be seen until the policy is implemented

We will consider any applications and appeals, and will review the Policy again as required.

## 12) DECISION

The Cabinet to decide on 13 March 2018.