

## EQUALITY/CHILD RIGHTS & WELLBEING IMPACT ASSESSMENT - RECORD

<b>Title of policy</b>	The introduction of The Welfare Funds (Scotland) Regulations 2016 (“the Regulations”), and Statutory Guidance, under the Welfare Funds (Scotland) Act 2015 (“the Act”)
<b>Minister</b>	Minister for Housing and Welfare
<b>Lead official</b>	Trish McCotter, Scottish Welfare Fund Team, Scottish Government
<b>Other officials involved</b>	Will Tyler and Sylvia Adams, Scottish Welfare Fund Team, Scottish Government
<b>Directorate: Division: Team</b>	Directorate for Housing, Regeneration and Welfare: Social Security Policy and Delivery: Scottish Welfare Fund Team
<b>Is this new policy or revision to an existing policy?</b>	Revision to existing policy

## SCOPING

The Scottish Welfare Fund (SWF) is a national grant scheme, delivered on behalf of the Scottish Government by all 32 local authorities. The SWF has been in place since April 2013, replacing elements of the Social Fund abolished by the Department for Work and Pensions.

The objectives of the SWF are to:

- provide a safety net in a disaster or emergency, when there is an immediate threat to health or safety
- enable people to live independently, or continue to live independently, preventing the need for institutional care

There are two types of grant available through the SWF: crisis grants and community care grants.

A crisis grant aims to help those on a low income who are in crisis because of a disaster or an emergency. A disaster may be a fire or a flood. An emergency may be when money has been stolen.

A community care grant aims to:

- help people establish themselves in the community following a period of care, where circumstances indicate that there is a risk of the person not being able to live independently without this help
- help people remain in the community, rather than going into care, where circumstances indicate that there is a risk of the person not being able to live independently without this help
- help people to set up home in the community, as part of a planned resettlement programme, following an unsettled way of life
- help families facing exceptional pressure, with one-off items like cookers or washing machines
- help people to care for a prisoner or young offender on temporary release

## FRAMING

Since April 2013, the SWF has been delivered by local authorities by voluntary agreement, with decision makers considering applications in accordance with interim guidance issued by Scottish Ministers.

The Welfare Funds (Scotland) Act 2015 (“the Act”), which comes into force on 1 April 2016, places the SWF on a statutory footing, requiring local authorities to maintain distinct welfare funds and giving Scottish Ministers powers to make regulations and issue guidance on how these funds should be administered.

The Welfare Funds (Scotland) Regulations 2016 (“the Regulations”), proposed to come into force on 1 April 2016, make provisions around eligibility, gathering and recording information and the sort of situations when grants can be made. The Regulations allow for the continued discretion of local authorities, a fundamental principle of the SWF, about how to take applications and how to fulfil grants.

Statutory Guidance, which will be issued to coincide with the coming into force of the Act and the Regulations, will update and replace previous iterations of guidance issued under the interim scheme.

Equality Impact Assessment work in respect of the SWF has been carried out twice before, first to coincide with the announcement of the outline scheme (October 2012) and second during the passage of the Scottish Welfare Funds (Scotland) Bill (June 2014).

This impact assessment considers the introduction of the Regulations and Statutory Guidance against the duties of the Equality Act 2010, which require public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and other prohibited conduct
- advance equality of opportunity between people who share a relevant protected characteristics and those who do not
- foster good relations between people who share a protected characteristics and those who do not

It does so in respect of the seven protected characteristics: age, disability, sex (including pregnancy and maternity), gender reassignment, sexual orientation, race and religion and belief.

Scottish Ministers and public authorities are also subject to duties in relation to the rights of the child under Part 1 of the Children and Young People (Scotland) Act 2014.

The four general principles of the United Nations Convention on the Rights of the Child (UNCRC), the guiding principles which underpin each and all of the specific rights outlined in the Convention, have been considered. They cover: non-discrimination; the best interests of the child; the right to life, survival and development; and the right to express their views and have them given due weight taking into account their age and maturity.

Because of the crossover between equality duties in respect of age and children's rights and well-being considerations, it has been decided to integrate both perspectives within one document in order to provide a more holistic assessment of impact.

## **DATA GATHERING**

The Scottish Government formally consulted on the draft Regulations and Statutory Guidance for 12 weeks during the summer of 2015. In addition to seeking views on the wording and effect (including equality impact) of these, the consultation sought views on a number of policy issues for potential development, specifically:

- how best to decide whether an applicant is on a low income (i.e. eligibility)
- whether to alter existing crisis grants limits to apply to households rather than individuals
- whether to introduce new limits on (a) the number of community care grants permissible in a 12-month period and (b) the number of times the same item can be awarded as a community care grant during a certain period
- whether to prioritise 'families facing exception pressure' in crisis grant applications (outlined as draft provision within the draft Regulations)
- the sorts of cash equivalent payment methods local authorities should be able to use and how to ensure SWF decision makers select the most appropriate payment method
- the definition of a working day (i.e. to define processing timescales set by the Act)
- whether substantial improvements to private property and repatriation costs should be added to the list of excluded items
- whether any other changes should be made to the list of excluded items
- whether any changes should be made to the list of vulnerabilities

As well as highlighting the consultation through known digital networks, the Scottish Government hosted an event on 3 June 2015 to spark debate and increase rates of response. The event was attended by over 30 third sector organisations and more than 20 local authorities. Individual sessions were subsequently coproduced with the Scottish Council for Voluntary Organisations (SCVO), Midlothian Financial Inclusion Network, the Poverty Alliance, Inclusion Scotland and Edinburgh Voluntary Organisations Council (EVOC).

In order to oversee the introduction of the new statutory arrangements, the Scottish Government established a Reference Group comprised of key third and public sector stakeholders. This group acted as a sounding board during the policy development process, providing input on a variety of areas including equality issues. The joint Scottish Government/COSLA Practitioners' Group, attended by all 32 local authorities, was also utilised to explore and discuss policy issues.

In addition to drawing on the results of the consultation, related workshop sessions and governance groups, this impact assessment is informed by formal SWF statistics published by the Scottish Government on a quarterly basis. The quality and range of the statistics collected by the Scottish Government from an equality perspective enable an informed understanding of the kinds of groups that are benefitting from the SWF. Information of this kind is vital to monitoring, developing and improving the SWF. As part of this impact assessment, key equality data has been considered by analytical specialists with any trends identified. A summary is provided at **Annex A**.

## **IMPACT ASSESSMENT**

The draft Regulations make provisions around eligibility, gathering and recording information and the sorts of situations when grants can be made. The Regulations, with the exception of provision 9 (crisis grants – families under exceptional pressure), closely reflect the interim scheme and, therefore, represent no substantial change in policy direction.

What follows is a consideration of each of the provisions of the draft Regulations, in terms of their potential impact on equality and children's rights and well-being. Recommendations for improvement are then provided on page 15.

**Provisions 1 and 2** concern when the Regulations will come into force and provides definitions for certain terms, for example, "community care grant", "crisis grant" and "care institution" used therein. These definitions have been well established in the interim scheme and these provisions will have no impact on equality groups.

**Provision 3** prevents applications from any persons aged less than 16. This age restriction has been in place since the scheme began. On the premise that with those aged less than 16 should have a legal guardian or parent able to apply on the behalf of that household, this provision will have no impact on equality groups.

**Provision 4** states that a local authority may only provide assistance to a person who is, or who is about to become, resident in the authority's area, or is homeless. Respondents to the consultation identified a potential negative equality impact on certain mobile population types caused by decision-makers misunderstanding the definition of 'resident', for example, gypsy travellers. It is considered that this provision, if too narrowly interpretation, may lead to a negative impact (i.e. 'gatekeeping' and/or applications being rejected) for such groups.

**Provision 5** concerns the assessment of income and capital in order to determine eligibility. This provision aims to ensure assistance is provided to only the most vulnerable, i.e. those with limited access to income or capital. In assessing income and capital, the provision requires local authorities to have regard to any guidance issued by Scottish Ministers. This approach represents no change to the way the SWF is currently delivered.

One of the indicators of a person being on a low income under the interim SWF is that he or she is entitled to certain means-tested benefits. If a person is not entitled to one of these benefits, local authorities are able to use their discretion in order to decide whether they are on a low income. This approach gives local authorities flexibility and is more effective than undertaking a full income assessment. As a result, however, there may be differences between local authorities in how decisions are made.

As part of the public consultation and stakeholder engagement process, the Scottish Government sought views about how best to determine low income. Respondents were given three options: (a) continue to allow decision makers full discretion, (b) provide a list of different 'approved' ways decision makers can use to help them decide, or (c) set a level of income and ask decision makers not to provide grants to anyone whose income exceeds this.

The majority of respondents were in favour of local authorities having a list of 'approved' ways for deciding if someone is on a low income. This would still mean some variation but less than under the current system. This approach was seen to offer the best balance between transparency and consistency in decision making on one hand, and flexibility to exercise discretion on the other. Removing discretion by setting a fixed low income threshold was not supported, on the basis that it would reduce flexibility to give grants to people

who are vulnerable and in crisis, whose income may be only marginally above the threshold.

Through consultation and stakeholder engagement, the Scottish Government is considering a series of new low income indicators for inclusion within Statutory Guidance which can be used to by decision makers to determine low income. Examples include exceptional outgoings (e.g. costs relating to disability or large families), other non means-tested benefits (for example, disability-related benefits) and certain vulnerabilities (for example, irregular employment or homelessness).

This provision, in combination with an extended range of low income indicators within Statutory Guidance, is likely to have a positive impact on equality groups and, indirectly, a positive impact on children within those households. This is because decision makers will be better equipped to identify people on low incomes.

**Provision 6** sets out the types of situations when assistance can be provided, reflecting existing guidance and decision making practice under the interim scheme. This represents no change in policy-terms and is therefore considered to have no equality impact.

**Provision 7** requires local authorities to give public notice of its application procedure. This represents no change in policy-terms and is therefore considered to have no equality impact.

**Provision 8** allows local authorities to disregard applications from, or on behalf of, a person who has made a similar application within the past 28 days. This provision does not apply when it appears to the decision maker that the circumstances or nature of the application is different. This represents no change in policy-terms, and is therefore considered to have no equality impact.

**Provision 9** aims to provide 'families under exceptional pressure' with priority above others for crisis grants. This provision, were it implemented, represents a significant change in policy direction.

During the passage of the Act through Parliament, there was much discussion about 'families under exceptional pressure'. In response to this, a provision was included in the draft regulations (Provision 9) for consultation purposes. This provision requires authorities to give priority to families facing exceptional pressure when making decisions about crisis grant applications. Through consultation and engagement with stakeholders, it is clear that the implementation of this provision has the potential for considerable negative and unintended consequences.

At present, applications for crisis grants are considered on their own merits. Whilst those who support the inclusion of the provision identify positive equality impacts for families and children, there is considerable concern from third sector and local government stakeholders that such a prioritisation would be discriminatory and unfair to other groups. In essence, prioritising one vulnerable group could disadvantage others, for example, older people, people with mental health problems, people fleeing domestic violence and young adults estranged from their families.

Statistically-speaking, crisis grant awards to families with children increased between 2013-14 and 2014-15, with expenditure increasing from £2.3 million to £2.9 million per year. In total, around 40% of expenditure is currently made to this group suggesting this group is well served by the SWF. As noted within the statistically summary provided at **Annex A**, households with children have a higher success rate for crisis grants, than those without children. For example, 75% of applications made from single parents were successful in 2014/15, with the success rate for families with children 74% in 2014/15.

Anecdotal evidence from local authority practitioners suggests that applications from individuals with dependent children are informally 'fast-tracked'. In addition, officials note that the list of vulnerabilities within the guidance, to be taken into consideration when assessing applications for crisis grants, already contains family-specific factors (e.g. children with young parents, children of large families and children living with a disabled adult). Stakeholders felt that eligibility for a grant should not hinge on family structure and, that in certain circumstances, a single adult may be more vulnerable than a family. Stakeholders also suggested that families in crisis often have multiple sources of support, whereas single people often have no other source of support.

Through consultation and stakeholder engagement it is clear that there are also very real practical difficulties in the implementation of this regulation. In order to process applications quickly, of fundamental importance in situations involving crisis, grant applications are considered on a first-come, first-served basis. If one group was prioritised over all others, it is likely this would cause delays in processing of other applications, increasing the risk to wellbeing of other groups of vulnerable people.

It is evident that the current policy for crisis grants, with applications considered individually on their merits, affords a good degree of protection and support to families and children. Whilst this provision may stand to positively impact certain groups, specifically families and children, it risks disadvantaging many others groups.

**Provision 10** limits entitlement for crisis grants to three per year. This provision does not apply where there are exceptional circumstances. This represents no change in policy-terms, and therefore is deemed to have no equality impact.

As part of the consultation, the Scottish Government sought views about limiting repeat awards for crisis grants and community care grants. These options are considered in further detail below.

## 1. Crisis Grants

As part of the consultation, the Scottish Government sought views about whether to alter existing crisis grant limits to three *per household* per year.

Under the interim SWF, individuals are typically allowed a maximum of three crisis grant awards per year. This means that couple or families might be given up to six crisis grant awards per year, whilst single adults may only stand to receive three. Statistically, SWF data suggests that only 2% of households received more than three crisis grants on 2014-15.

Respondents were more likely to identify negative consequences than positive ones. Local authorities were most likely to identify positive consequences, or to say there would be no consequences. This group thought the proposed change would be fairer, more consistent and avoid discrimination against single parents. Around half of local authorities also identified adverse consequences. The third sector were almost unanimous in identifying only negative consequences, highlighting a range of vulnerable groups who could be adversely affected, including:

- women (particularly those experiencing domestic abuse): this group is more likely to have finances controlled by a (typically) male head of the household and could be excluded from receiving an award if their partner had already had three crisis grant awards, thus putting their financial independence at risk and making it harder to leave an abusive relationship
- disabled people: this group is more likely to live in a household with multiple adults (parents or other family members), and could be excluded from securing a grant if another adult in their household had already received three grants
- care leavers, looked after children and kinship carers: looked after children can experience multiple placements and different households, and care leavers can often find the transition to independent living a struggle
- people with addictions or mental health problem

- children living in a family where a parent has an addiction
- learning disabled people who have difficulties in managing their finances
- refugees, who often have to make multiple applications while awaiting benefit claims

Respondents also identified a range of unintended consequences, including:

- an increased use of food banks, pawnbrokers, doorstep credit, payday loans and other illegal money lending
- increased hardship and risk to health
- difficulties in sustaining tenancies and increase homelessness
- more expensive intervention required later, and increase pressure on other local services
- an increase in illegal activity/ offending
- people in genuine need being excluded from accessing a grant

## 2. Community Care Grants

The Scottish Government also sought views on whether to introduce new limits on community care grants, specifically:

- whether to introduce new limits on the number of community care grants, per household, permissible in any 12-month period
- whether to introduce new limits on the number of times the same item can be awarded as a community care grant during a set period

Third sector respondents generally identified only negative consequences to limiting community care grants. In addition, there was less support among local authorities (as compared to altering crisis grant limits), because it would be unusual for an individual to request more than three community care grants in a year, and partly because there could be good reasons, in exceptional cases, for an individual to need more than three community care grant awards. Statistically, around 0.15% received more than three community care grants in 2014-15.

Respondents identified a range of groups who could be negatively impacted by the introduction of a new community care grant limit, including:

- women (in particular those affected by domestic abuse)
- single people and lone parent households (and children and young people in the most vulnerable households)
- prisoners, and people who care for prisoners and young offenders (on temporary release or on completion of a sentence)

- families of looked-after children, kinship carers and care leavers
- people with a disability or parents of a disabled child/ adult

Respondents suggested that these groups could have an entirely legitimate rationale for applying more than three times in a year. Respondents wanted to see all applications treated on their own merits.

In relation to whether to limit community care grants for the same item, respondents were divided with 51% agreeing and 49% opposed. Regardless of their position, respondents again gave examples of circumstances when an individual may legitimately need to apply for the same item again in relatively short period of time, for example:

- bedding may need to be replaced (if a person moves home, and also if there is a disabled child/ adult living in the house)
- a family fleeing domestic violence or racial harassment may need to move house at very short notice
- some groups take time to establish a settled home (e.g. recently released prisoners, care leavers etc.)
- flooding from an insured upstairs neighbour could cause damage to property
- an applicant could be a victim of theft

Whilst difficult to ascertain the prevalence of same-item awards due to recording limitations, anecdotal evidence suggests that the rate of occurrence is similarly low. The introduction of new limits would, therefore, impact on a small proportion of SWF applicants.

**Provision 11** allows local authorities to fulfil crisis grants using cash or cash-equivalent, so long as the payment is “in a form which does not require the applicant to make over the payment to a particular person or otherwise to use it in a particular way”. Where the local authority deems it to be to the advantage of the applicant, this requirement does not apply and a grant may be provided in a different manner.

As part of developing the Statutory Guidance, the public consultation sought views about what kinds of payment can be considered as ‘cash equivalents’. Respondents generally agreed that it would be appropriate to consider Paypoint, fuel cards, travel cards, Allpay and high-street vouchers as cash equivalents, with Paypoint chosen most frequently. Third sector respondents also emphasised that applicants should have the right to choose how the grant is paid, and argued that cash should be the default payment method unless the applicant preferred an alternative.

At the core of the scheme is the requirement that applicants are treated with dignity and respect. Stakeholders and respondents to the consultation felt that additional advice is required for decision makers to ensure the applicant's needs and preferences are properly taken into consideration as part of the decision making process. This will reduce the likelihood that payment options are deemed unsuitable by a vulnerable applicant (e.g. as a result of perceived stigma) leading to offers of assistance to be rejected. This would also have an indirect impact on any dependent children within the affected household. To this end, this provision, in combination with new advice within Statutory Guidance which provides additional advice on seeking the views and understanding the preferences of the applicant, is likely to have a positive impact on equality groups and, indirectly, a positive impact on children within those households.

**Provision 12** stipulates that local authorities may not provide assistance in relation to applications seeking items defined in guidance as being excluded. This list (contained within previous iterations of the guidance) has been observed by local authority decision makers since the scheme began, and in that sense represents no shift in policy direction. As part of the consultation, however, the Scottish Government sought views about whether 'substantial improvements to private property' and 'repatriation costs' should be added to the list, as part of the updated Statutory Guidance. In addition, officials sought views on whether any other changes were required. Stakeholders and respondents to the consultation were largely in favour of these additions to the exclusions list, on the basis that there were more appropriate sources of support available elsewhere. It should be noted that the existing guidance on exclusions signposts alternative sources of support, to ensure applicants do not find themselves unable to access help. There were also new suggestions, for example, 'gardening tools' on the basis that such items were unrelated to crisis or required to remain within the community, i.e. the purpose of the SWF. This provision, alongside revised guidance on excluded items, is therefore deemed to have no negative equality impacts.

**Provision 13** allows applications to be made on behalf of others and is a well-established principle of the existing interim scheme. This provision is therefore deemed to have no equality impact.

**Provision 14** requires decisions to be made as soon as possible after the authority has all the information they require, but no later than the end of the next working day for crisis grants, and no later than the end of the fifteenth working day for community care grants. It also requires authorities to communicate the outcome of the decision in writing, unless the applicant requests otherwise. Timescales for processing crisis grants are set out within the Act. Guidance issued under the interim scheme asked local authorities to have due regard to these deadlines, therefore this provision represents no

change in the expectations of Ministers as to how the scheme should operate. During 2014-15, 96% of crisis grants were processed within two working days, indicating compliance rates under the interim scheme are high.

The draft Statutory Guidance contains a definition of the working day, as being between 09.00 and 16.45. Around three-quarters of respondents agreed with this definition. Those who agreed emphasised the importance of avoiding delays for vulnerable people facing emergency situations. Those who disagreed felt the timescales may serve to increase the numbers of rejected applications on the basis of incomplete evidence.

Where additional information is required, the local authority is required to contact the applicant to request this, making clear the timescales involved. In circumstances where a local authority finds itself awaiting information they consider relevant to the decision, the draft Statutory Guidance states authorities must make a decision on the balance of probability, using all information held. Where an applicant is unhappy with a decision, they can request a review within 20 working days. As part of this review, any new and relevant information will be considered.

This provision, and the definitions provided through Statutory Guidance, aim to make timescales set by the Act clearer. Timely decision making is especially important in relation crisis grants, where not receiving an award is likely to have a negative impact on an individual's safety and wellbeing. On this basis, keeping in mind the nature of the scheme (especially in relation to crisis) and current levels of compliance with the statutory timescales, this provision is deemed to have a neutral equality impact.

**Provision 15** is in relation to requests for review and states that local authorities must take requests within 20 working days of an application decision having been reached. The provision requires this request be made in writing. This provision, therefore, is likely to have a negative equality impact for certain groups, for example, the learning disabled and those with limited literacy skills.

**Provision 16** relates to the information decision letters should contain. These requirements also existed under the interim scheme and in that sense, represent no change policy terms. This provision is therefore deemed to have no equality impact.

**Provision 17** relates to the sorts of information local authorities should retain, and the period of time this should be retained. These requirements also existed under the interim scheme and are therefore deemed to have no equality impact.

## Other Policy Options

During the policy development process, the Scottish Government also considered changes whether any changes should be made to the list of vulnerabilities contained within the Statutory Guidance.

The draft Statutory Guidance contains an annex with a list of vulnerabilities (i.e. factor that may increase a person's vulnerability, and therefore increase their likelihood of eligibility to the fund), which local authorities should consider when processing applications. Respondents suggested a range of new vulnerabilities, for example, those impacted by recent bereavement, those facing relationship breakdown and those with poor literacy skills. It should be noted that many of the existing list of vulnerabilities relate to families and children. The expansion of the list of vulnerabilities is deemed to have a positive equality impact.

## Application Form

Current guidance issued under the interim scheme requires local authorities to make provisions for applications to be taken via three delivery channels – online, on the phone and face-to-face, in order to meet varying needs, for example in terms of literacy, access to and skills to use the internet, and the ability to travel to appointments. At a minimum, local authorities should provide a face to face option for more vulnerable individuals and people who have support needs or impairments. Paper applications should be accepted from people, such as prisoners, who do not have access to online or phone application methods, or choose not to use alternative methods.

The consultation invited comments about whether there should be a combined paper application form for crisis grants and community care grants, or two separate forms. The majority were in favour of a combined form, with respondents also suggesting a range of possible improvements to the application form.

It was considered that a combined form would reduce potential confusion around the difference between a community care grant and crisis grant, allowing decision makers to select the most appropriate option during the decision making process. Respondents suggested that improvements to the existing application form were required in a range of areas, for example, flow, layout, signposting and structure. Such changes are likely to result in a positive equality impact, rendering the scheme more accessible.

## DECISION-MAKING AND MONITORING

### Decision-Making

In reviewing the equality and child right's and wellbeing impact of the draft Regulations and options in relation the draft Statutory Guidance, this impact assessment makes the following recommendations:

- further information be provided to decision makers through Statutory Guidance on the definition of resident, in order to avoid any negative impacts on certain mobile populations, for example, gypsy travellers
- low income indicators be included within the Statutory Guidance to help decision makers identify those who are not in receipt of certain income-related benefits but are on low incomes, resulting in a positive equality impact for those with exceptional outgoings or additional costs, e.g. disabled people and carers, as well as those with irregular incomes, e.g. those on so-called 'zero-hours' contracts
- Provision 9 ('crisis grants – families under exceptional pressure') be removed on the basis that the prioritisation of one particular vulnerable group will could disadvantage other vulnerable groups, e.g. the elderly, those with mental health problems, people fleeing domestic violence and young adults estranged from their families
- existing limits on crisis grants should not be altered and no new limits be introduced for community care grants, on the basis that a wide range of equality groups could be negatively (and disproportionality) impacted by these changes, including women, those suffering domestic abuse, single people and lone households, children and young people, kinship carers and care leavers, disabled people, learning disabled people and those with mental health issues or problems with addictions
- further information be provided to decision makers through Statutory Guidance on the importance of seeking the views, and understanding the preferences, of the applicant as part of deciding on an appropriate payment method. This will have a positive equality impact, on the basis it will improve the likelihood of assistance being accepted
- changes be made to the wording of Provision 15, to allow local authorities to accept requests for reviews in other formats, i.e. not be limited to 'in-writing' only. This will mitigate the potential negative equality impact for certain groups, for example, learning disabled people and those with limited literacy skills
- a single application form be retained, but that improvements are made, such as revisions to the language and the flow of the form, to reduce its overall size and complexity, thereby improving accessibility for certain groups, including the learning disabled and those with limited literacy skills

## Monitoring

The previous EQIA (published in June 2014) made a series of recommendations; these are outlined below with an update provided on progress towards these.

### Improve Data Quality, On-Going Monitoring and Equality Impact

- there were systems issues during the introduction of the interim scheme which meant that certain equality-related data was not being recorded. These issues have now been resolved by working with local authority practitioners. Data sets are continuously monitored, in terms of quality, and published on a quarterly basis
- through analysis and continuous improvement work-streams, key equality trends are monitored and any issues identified and highlighted for further action
- the Scottish Government funds a dedicated SWF Development Officer post in COSLA, and a SWF Quality Improvement Officer to oversee a bespoke quality improvement programme, which includes a series of visits to LAs with case observations, twice-yearly workshops with all local authorities and bi-monthly meetings with local authority SWF practitioners
- this impact assessment continues to consider the development of policy in relation to the SWF

### Promoting the Fund to Under-Represented Groups

- the permanent addition of a SWF Quality Improvement Officer has allowed targeted promotion of the fund to under-represented groups, such as older people (low application levels coupled with higher success rates), disabled people (lower award sizes) and ethnic minorities (low applications rates)
- we have worked with third sector organisations including Inclusion Scotland, Age UK, Scottish Association for Mental Health (SAMH) and People First to promote the scheme and to discuss and identify any potential barriers preventing access
- we worked together with Inclusion Scotland, COSLA and local authorities to co-produce training materials for decision makers, using case studies to raise awareness and improve the service provided to key equality groups
- we arranged for the SWF leaflet and 'frequently asked questions' to be available in a British Sign Language (BSL) translated video, coproducing materials for relevant newsletters
- we worked with the Scottish Fire and Rescue Service to raise awareness about the SWF, meaning community outreach workers are better able to signpost vulnerable people, for example, older people, those with disabilities and lone parents, to the scheme

## Working Together with Local Authorities and the Scottish Public Services Ombudsman (SPSO)

- the Scottish Government and COSLA host a meeting of local authority practitioners every two months, in order to promote discussion, identify issues, generate learning and capture best practice
- an Issues Log is maintained by the SWF Quality Improvement Officer to capture on-going issues identified by practitioners and develop remedial solutions (resulting in updates to guidance)
- statistics on performance are collected and reviewed against national averages, in order to identify any deviations
- the Scottish Government maintains close communications with the SPSO to ensure a smooth transition to the permanent arrangements
- SPSO is also a key member of the SWF Reference Group. This liaison work is intended to continue well into the permanent scheme

## **Continuous Improvement**

The summary provided at Annex A identifies various trends relative to gender, age, household type, disability and vulnerability. Ethnicity and religion is self-reported by applicants and response rates for this question are typically low with only around two in five applicants completing this question. That said, there has been very little variation over time. The following key trends have been identified by comparing 2014-15 to 2013-14:

- 59% of all community care grant expenditure was awarded to households headed by a woman in 2014-15. This is unchanged as compared to 2013-14
- 52% of all crisis grant expenditure was awarded to households headed by a woman in 2014-15. This is unchanged as compared to 2013-14
- 5% of all community care grant expenditure in 2014-15 was awarded to households headed by someone aged 65 or over. This is one percentage point higher than in 2013-14
- 1% of all crisis grant expenditure in 2014-15 was awarded to households headed by someone aged 65 or over. This represents no change as compared to 2013-14
- 43% of all community care grant expenditure was awarded to households with children in 2014-15, this is one percentage point lower than in 2013-14
- 39% of all crisis grant expenditure was awarded to households with children in 2014-15, this represents no change as compared to 2013-14
- the success rate for community care grant applications containing someone in receipt of a disability benefit is four percentage points

higher than if the applicant is not in receipt of a disability benefit (66% in 2013-14, as compared to 62% for 2014-15)

- the success rate for crisis grant applications containing someone in receipt of a disability benefit is one percentage points higher than if the applicant is not in receipt of a disability benefit (66% in 2013-14, as compared to 65% in 2014-15)
- the success rate for community care grants for those with a vulnerability was 79% in 2014-15, down one percentage point compared to 2013-14
- the success rate for crisis grants for those with a vulnerability was 83% in 2014-15, three percent higher than in 2013-14

The Statutory Guidance will be kept under review, with updates issued when required. Established governance arrangements, for example, the SWF Practitioners Forum and SWF Reference Group, should now be reviewed and, if appropriate, their remits altered to refocus on continuous improvement, as part of the transition to permanent arrangements. Awareness raising with key equality groups should continue, through the co-production of events, development of promotion materials and the continued development of appropriate training opportunities for practitioners. The Scottish Government will continue to publish SWF statistics relating to equality.

## AUTHORISATION

This Equality/Child Rights and Wellbeing Impact Assessment has informed the development of this policy:

Yes  No

Opportunities to promote equality in respect of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation have been considered, i.e.:

- Eliminating unlawful discrimination, harassment, victimisation;
- Removing or minimising any barriers and/or disadvantages;
- Taking steps which assist with promoting equality and meeting people's different needs;
- Encouraging participation (e.g. in public life)
- Fostering good relations, tackling prejudice and promoting understanding.

Yes  No

If the Marriage and Civil Partnership protected characteristic applies to this policy, the Equality/Child Rights and Wellbeing Impact Assessment has also assessed against the duty to eliminate unlawful discrimination, harassment and victimisation in respect of this protected characteristic:

Yes  No  Not applicable

## Declaration

I am satisfied an Equality/Child Rights and Wellbeing Impact Assessment has been undertaken for the Scottish Welfare Fund and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name: Stephen Kerr

Position: Deputy Director: Housing, Regeneration & Welfare Directorate

Authorisation date: 15<sup>th</sup> December 2015

## Scottish Welfare Fund - Equalities Impact Assessment Summary for Community Care Grants

### Gender

- **Coverage:** Information on the gender of the main applicant is known for almost all applicants to the Scottish Welfare Fund
- Women made up 57% of main applicants for community care grants (CCGs) in 2014/15, an increase of three percentage points compared with 2013/14
- The success rate for main applicants who are women decreased by four percentage points, from 70% in 2013/14 to 66% in 2014/15
- For 2014/15, at 66%, the success rate for women was three percentage points higher than for males
- Overall, 59% of all CCG expenditure in 2014/15 was awarded to households headed by a woman, this is unchanged compared to 2013/14

### Age

- **Coverage:** Information on the age of the main applicant is known for almost all applicants to the Scottish Welfare Fund
- In 2014/15, 6% of all applicants to the fund were aged 65 years or over – one percentage point higher than in 2013/14
- In 2014/15, 6% of awards were made to those aged 65 or over.
- Success rates for those aged over 65 years were generally higher than for those under 65 years (74% of applications for CCGs were successful for those aged 65 or over, compared to 65% for all age groups)
- Overall, 5% of all CCG expenditure in 2014/15 was awarded to households headed by someone aged 65 or over, this was one percentage point higher than in 2013/14

### Household Types

- **Coverage:** Information on the household types is known for almost all applicants to the Scottish Welfare Fund
- Households with children accounted for 37% of all applicants for CCGs in 2014/15, an increase of two percentage points on 2013/14
- Households with children accounted for 39% of all awards for CCGs in 2014/15, an increase of one percentage point on 2013/14
- Households with children had higher success rates than those without

- In 2014-15, 69% of applications from single parents were successful
- The success rate for families with children decreased from 73% of CCG applicants in 2013/14 to 68% in 2014/15
- Overall, 43% of all CCG expenditure in 2014/15 was awarded to households with children, one percentage point lower than in 2013/14

### Disability

- **Coverage:** An application is defined as containing a disabled person if the household is in receipt of one of the following benefits: Attendance Allowance, Disability Living Allowance, Personal Independence Payments, Employment and Support Allowance, Incapacity Benefit or Severe Disablement Allowance
- The above information is available for applicants who are also in receipt of Council Tax Reduction (CTR)
- Around 80% of SWF households receive CTR
- 67% of CCG applications contain someone in receipt of a disability benefit
- The success rate for CCG applications containing someone in receipt of a disability benefit is four percentage points higher if the applicant is not in receipt of a disability benefit (66% vs. 62% for 2014/15)
- 68% of CCG awards in 2014/15 were to a household in receipt of a disability benefit, accounting for 66% of all CCG expenditure

### Vulnerabilities

- **Coverage:** Information on vulnerabilities is collected by all Local Authorities, although low rates of vulnerabilities are recorded in East Lothian and Shetland
- This is an improvement on 2013/14, when only 21 Local Authorities completed this information
- During 2014/15, across Scotland, 45% of CCG applications contained someone with one or more vulnerability
- For 2014/15, 54% of CCG awards were made to an application containing someone with vulnerability
- The success rate for CCGs for those with a vulnerability was 79% in 2014/15 – 26 percentage points higher than the success rate for those without
- Where an award was made to someone with vulnerability, the most common vulnerabilities were: mental health impairments, being a lone parent, homelessness or an unsettled way of life, chronic illnesses,

physical impairment or disability and addictions or misuse of alcohol, drugs or other substances

### Ethnicity

- **Coverage:** Information on ethnicity is self-reported by applicants
- Overall response rates for this question are typically low with only around two in five applicants completing this question, no further analysis is detailed here

### Religion

- **Coverage:** Information on religion is self-reported by applicants
- Overall response rates for this question are typically low with only around two in five applicants completing this question, no further analysis is detailed here

## Summary for Crisis Grants

### Gender

- **Coverage:** Information on the gender of the main applicant is known for almost all applicants to crisis grants
- Males made up 55% of main applicants for crisis grants in 2014/15, a decrease of one percentage point compared with 2013/14
- In 2014/15, the crisis grant success rates for women was two percentage points higher than that for males (73% of applicants from women were awarded a crisis grant compared to 71% from men)
- Overall, 52% of crisis grant Expenditure in 2014/15 was awarded to households headed by a woman, unchanged compared to 2013/14

### Age

- **Coverage:** Information on the age of the main applicant is known for almost all applicants to crisis grants
- Most applications for crisis grants were made by those in the age category, 25 to 34 (32%) in 2014/15 - this figure is one percentage point lower than in 2013/14
- In 2014/15, the success rate of applications for crisis grants is generally slightly greater for those in age categories 45+
- In 2014/15, 76% of applications for crisis grants were successful for those aged 55 – 64, compared to 72% for all age groups
- Overall, 23% of all crisis grant expenditure in 2014/15 was awarded to households headed by someone over 45 or over, one percentage point higher than in 2013/14

### Household Types

- **Coverage:** Information on the household type of the main applicant is known for almost all applicants to crisis grants
- In 2014/15, single male households accounted for 42% of all crisis grant applications, unchanged compared to 2013/14
- Households with children accounted for 28% of all applicants for crisis grants in 2014/15, an increase of two percentage points on 2013/14
- Households with children had a higher success rate than those without children. For example, 75% of applications made from single parents were successful in 2014/15. The success rate for families with children decreased from 77% in 2013/14 to 74% in 2014/15

## Disability

- **Coverage:** An application is defined as containing a disabled person if the household is in receipt of one of the following benefits: Attendance Allowance, Disability Living Allowance, Personal Independence Payments, Employment and Support Allowance, Incapacity Benefit or Severe Disablement Allowance. This information is available for Scottish Welfare applicants who are also in receipt of Council Tax Reduction (CTR) (around 80% of SWF households receive CTR)
- In 2014/15, 66% of applicants to crisis grants were on a disability benefit. This is one percentage point more compared to 2013/14
- During 2014/15, the success rate of crisis grant applications is four percentage points greater for those on a disability benefit (relative to those not on a disability benefit): 73% vs. 69%. This difference has narrowed since 2013/14 when the figures were 75% and 68% respectively
- Overall, 69% of crisis grant expenditure was awarded to those on a disability benefit. This figure has remained unchanged since 2013/14

## Vulnerabilities

- **Coverage:** Information on vulnerabilities is collected by all Local Authorities, although low rates of vulnerabilities are recorded in East Lothian and Shetland. This is an improvement on 2013/14 when only 21 Local Authorities completed this information
- 40% of crisis grant applicants reported at least one vulnerability, an increase of 22 percentage points compared to 2013/14 due to better recording
- Of all applicants reporting vulnerability, 83% were successful. This success rate is three percentage points higher than 2013/14. Of all applicants with no vulnerability reported, 64% were successful, a decrease of seven percentage points compared to last year
- Overall, 48% of crisis grant expenditure was awarded to applicants with at least one vulnerability

## Ethnicity

- **Coverage:** Information on ethnicity is self-reported by applicants. Overall response rates for this question are typically low with only around two in five applicants completing this question. No further analysis is detailed here

## Religion

- **Coverage:** Information on religion is self-reported by applicants.
- Overall response rates for this question are typically low with only around two in five applicants completing this question, no further analysis is detailed here